

## JOURNAL OF THE HOUSE

## Forty-ninth Legislative Assembly

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## FIFTY-FIRST DAY

Bismarck, March 21, 1985

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

The prayer was offered by Pastor Jack Roth, Metro Evangelical Church, Bismarck, North Dakota.

## ROLL CALL

The roll was called and all Representatives were present, except Representatives Graba, Gullickson, Koland, Meyer, D. Olsen, Opedahl, J. Peterson, O. Solberg.

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 Fiftieth Day and recommends that the same be corrected as follows and when so corrected, recommends that the same be approved:

On page 2063, delete lines 19 through 30

On page 2078, delete the word "Hinkel" and insert in lieu thereof the word "Hickle"

On page 2108, delete lines 7 through 21 and insert the following:

On page 2 of the engrossed bill, line 18, immediately after the numerals "39-20" insert the words "and, if applicable, until the provisions of subsection 3.1 of section 39-06.1-10 have been complied with"

On page 7 of the engrossed bill, line 4, delete the word "completed" and insert in lieu thereof the words "physically attended"

On page 9 of the engrossed bill, line 13, after the numerals "39-06-43" insert the following: "A temporary restricted license may be issued for suspensions ordered under section 1 of this Act if it could have been issued had the suspension resulted from in-state conduct, but no temporary restricted license may be issued for suspensions ordered under subsection 4 of section 39-06-32"

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

And renumber the lines and pages accordingly

- On page 2111, line 4, after the word "DO" insert the word "NOT"
- On page 2111, delete lines 5 through 43, and on page 2112, delete lines 1 through 6, and insert the following:

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

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

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

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

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

On page 2 of the engrossed bill, delete line 10

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

And renumber the lines and pages accordingly

REP. KENT, Chairman

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

#### CONSIDERATION OF MESSAGES FROM SENATE

REP. KLOUBEC MOVED that the House do concur in the Senate amendments to HB 1378, which motion prevailed.

HB 1378 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. A. HAUSAUER MOVED that the House do not concur in the Senate amendments to HB 1493 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed.

#### APPOINTMENT OF A CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1493:

Reps. Gates, Kent, Riehl

#### CONSIDERATION OF MESSAGES FROM SENATE

REP. HAUGLAND MOVED that the House do concur in the Senate amendments to HB 1537, which motion prevailed.

HB 1537 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. A. HAUSAUER MOVED that the House do not concur in the Senate amendments to HB 1574 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed.

APPOINTMENT OF A CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1574:

Reps. Goetz, R. Anderson, Richard

CONSIDERATION OF MESSAGE FROM SENATE

REP. KLOUBEC MOVED that the House do not concur in the Senate amendments to HB 1072 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed.

APPOINTMENT OF A CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1072:

Reps. Larson, Riley, Dotzenrod

CONSIDERATION OF MESSAGES FROM SENATE

REP. LANG MOVED that the House do concur in the Senate amendments to HB 1083, which motion prevailed.

HB 1083 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. KLOUBEC MOVED that the House do not concur in the Senate amendments to HB 1287 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed.

APPOINTMENT OF A CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1287:

Reps. Kloubec, Koland, Starke

CONSIDERATION OF MESSAGE FROM SENATE

REP. A. HAUSAUER MOVED that the House do not concur in the Senate amendments to HB 1327 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed.

APPOINTMENT OF A CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1327:

Reps. A. Olson, A. Hausauer, Schneider

CONSIDERATION OF MESSAGES FROM SENATE

REP. KLOUBEC MOVED that the House do concur in the Senate amendments to HB 1290, which motion prevailed.

HB 1290 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. TIMM MOVED that the House do concur in the Senate amendments to HB 1363, which motion prevailed.

HB 1363 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

#### APPOINTMENT OF A CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on SB 2470:

Reps. Gates, Nalewaja, Hill

#### MOTION

REP. KRETSCHMAR MOVED that HB 1057 and HCR 3095 be placed at the top of the calendar, which motion prevailed.

#### SECOND READING OF HOUSE BILL

HB 1057: A BILL for an Act to amend and reenact section 16.1-01-09 of the North Dakota Century Code, relating to requirements for the form and circulation of initiative, referendum, or recall petitions.

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 86 YEAS, 2 NAYS, 18 ABSENT AND NOT VOTING.

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

NAYS: Brokaw; Shockman

ABSENT AND NOT VOTING: Gerntholz; Graba; Gullickson; Gunsch; Kingsbury; Koland; Laughlin; Martinson; Meyer; Murphy; Oban; Opedahl; Peterson, J.; Schmidt; Smette; Solberg, O.; Strinden; Ulmer

HB 1057 passed and the title was agreed to.

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#### SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3095: A concurrent resolution urging Congress not to raise the fee charged for a federal migratory bird hunting stamp.

Which has been read.

The question being on the final adoption of the resolution, as amended.

HCR 3095 was declared adopted on a voice vote.

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#### MOTIONS

REP. KRETSCHMAR MOVED that the rules be suspended and that HB 1057 and HCR 3095 be messaged to the Senate immediately, which motion prevailed.

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

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

#### SECOND READING OF HOUSE BILLS

HB 1036: A BILL for an Act making an appropriation for defraying the expenses of the state seed department of the state of North Dakota.

Which has been read.

#### ROLL CALL

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

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; Conmy; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Myrdal; Nalewaja; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Peterson, J.; Rice; Riehl; Riley; Rydell; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Shockman;

Skjerven; Smette; Solberg, O.; Starke; Stofferahn;  
 Strinden; Thompson; Timm; Tollefson; Ulmer;  
 Vander Vorst; Watne; Wentz; Whalen; Williams, A.;  
 Williams, C.; Williams, W.; Winkelman;  
 Speaker Hausauer, R.

NAYS: None

ABSENT AND NOT VOTING: Gullickson; Kuchera; Nicholas;  
 Retzer; Richard; Solberg, R.; Unhjem; Wald; Wold

HB 1036 passed and the title was agreed to.

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HB 1054: A BILL for an Act to amend and reenact section 11-11-14, section 16.1-05-01, subsection 2 of section 16.1-05-03, sections 16.1-05-04, 16.1-05-05, 16.1-06-16, and 58-02-01 of the North Dakota Century Code, relating to the appointment, duties, and compensation of election officials, term of office for election inspectors, distribution of election supplies, and the instruction provided by the county auditor.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 89 YEAS, 7 NAYS, 10 ABSENT AND NOT VOTING.

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

NAYS: Brokaw; Gerntholz; Gunsch; Hanson, O.; Kingsbury;  
 Melby; Shide

ABSENT AND NOT VOTING: Cleveland; Gullickson; Kuchera; Mertens; Nicholas; Retzer; Solberg, R.; Unhjem; Wald; Wold

HB 1054 passed and the title was agreed to.

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HB 1169: A BILL for an Act to create and enact a new section to chapter 50-25.1, a new subsection to section 50-25.1-02, and a new subsection to section 50-25.1-11 of the North Dakota Century Code, relating to child abuse and neglect; to amend and reenact section 12.1-20-01, subsection 3 of section 50-25.1-02, sections 50-25.1-04.1, 50-25.1-05, subsection 2 of section 50-25.1-05.2, and sections 50-25.1-09 and 50-25.1-13 of the North Dakota Century Code, relating to sex offenses and child abuse and neglect; 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 100 YEAS, 0 NAYS, 6 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Gullickson; Kuchera; Nicholas; Solberg, R.; Unhjem; Wald

HB 1169 passed and the title was agreed to.

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HB 1202: A BILL for an Act to create and enact a new section to chapter 60-02 of the North Dakota Century Code, relating to a lien in favor of receipt holders of a public grain warehouseman; and to amend and reenact sections 60-02-01, 60-02-07, 60-02-09, 60-02-09.1, 60-02-10.1, 60-02-11, 60-02-19.1, 60-02-23, 60-02-25, 60-02-37, 60-02-40, and 60-02-41 of the North Dakota Century Code, relating to the licensing, bonding, and operation of public grain warehouses.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 100 YEAS, 0 NAYS, 6 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; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Myrdal; Nalewaja; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Peterson, J.; Retzer; Rice; Richard; Riehl; Riley; Rydell; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Shockman; Skjerven; Smette; Solberg, O.; Starke; Stofferahn; Strinden; Thompson; Timm; Tollefson; Ulmer; 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; Kuchera; Nicholas; Solberg, R.; Unhjem

HB 1202 passed and the title was agreed to.

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HB 1207: A BILL for an Act to amend and reenact section 16.1-12-02 of the North Dakota Century Code, relating to signatures necessary for the placement of the name of a presidential candidate on the 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 92 YEAS, 10 NAYS, 4 ABSENT AND NOT VOTING.

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

NAYS: Brokaw; DeMers; Kelly; Mertens; O'Connell; Sauter; Schneider; Solberg, O.; Stofferahn; Wald

ABSENT AND NOT VOTING: Gullickson; Nicholas; Solberg, R.; Unhjem

HB 1207 passed and the title was agreed to.

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HB 1218: A BILL for an Act to amend and reenact subsections 3 and 4 of section 53-06.1-11 of the North Dakota Century Code, relating to allowable expenses of charitable organizations conducting games of chance.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 97 YEAS, 4 NAYS, 5 ABSENT AND NOT VOTING.

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

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

NAYS: Cleveland; Pederson, R.; Retzer; Solberg, O.

ABSENT AND NOT VOTING: Frey; Gullickson; Nicholas; Solberg, R.; Unhjem

HB 1218 passed and the title was agreed to.

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MESSAGES FROM THE SENATE  
SENATE CHAMBER

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

HB 1480, HB 1515, HB 1546, HB 1639, HB 1657, HCR 3024, HCR 3069, HCR 3075

LEO LEIDHOLM, Secretary

SENATE CHAMBER

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

HB 1472, HB 1492, HB 1513, HB 1516, HCR 3027

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 2345, SB 2355, SB 2374, and SB 2464 and the President has appointed as a conference committee to act with a like committee from the House on:

SB 2345: Sens. Wright, Kilander, Dotzenrod  
SB 2355: Sens. Olson, Stenehjem, J. Meyer  
SB 2374: Sens. Christensen, Kelly, Matchie  
SB 2464: Sens. Holmberg, Olson, Lashkowitz

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 2068, SB 2273, SB 2313, and SB 2338 and the President has appointed as a conference committee to act with a like committee from the House on:

SB 2068: Sens. Holmberg, Christensen, Redlin  
 SB 2273: Sens. Vosper, David, D. Meyer  
 SB 2313: Sens. Reiten, Parker, Langley  
 SB 2338: Sens. Freborg, David, Krauter

LEO LEIDHOLM, Secretary

#### SENATE CHAMBER

MR. SPEAKER: I have the honor to inform you that the Senate has concurred in the House amendments to SB 2051 and SB 2072 and subsequently passed the same.

LEO LEIDHOLM, Secretary

#### SECOND READING OF HOUSE BILLS

HB 1221: A BILL for an Act to permit that an adoption petitioner may be required to show proof of health insurance covering the person to be adopted; and to create and enact a new section to chapter 50-12 of the North Dakota Century Code, relating to license requirements for out-of-state child-placing agencies.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 98 YEAS, 1 NAY, 7 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; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Moore; Myrdal; Nalewaja; Nowatzki; Oban; O'Connell; 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.; Starke; Stofferahn; Strinden; Thompson; Timm; Tollefson; Ulmer; Vander Vorst; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: Murphy

ABSENT AND NOT VOTING: Berg, G.; Gullickson; Nicholas; Olsen, D.; Solberg, R.; Unhjem; Wald

HB 1221 passed and the title was agreed to.

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HB 1266: A BILL for an Act to provide disciplinary procedures for students enrolled in approved alternative education programs; to amend and reenact subsection 13 of section 15-29-08 and section 15-40.1-07.2 of the North Dakota Century Code, relating to the discipline of students; and to declare an emergency.

Which has been read.

ROLL CALL

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

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

NAYS: Murphy

ABSENT AND NOT VOTING: Gullickson; Nicholas; Richard; Solberg, R.; Thompson; Unhjem; Wald

HB 1266 passed, the title was agreed to, and the emergency clause carried.

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HB 1296: A BILL for an Act to amend and reenact section 16.1-07-06 of the North Dakota Century Code, relating to an application for absent voter's 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 98 YEAS, 1 NAY, 7 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; Conmy; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Gunsch; Halmrast; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Myrdal; Nalewaja; 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.; Starke; Stofferahn; Strinden; Thompson; Timm; Tollefson; Ulmer; Vander Vorst; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: Hamerlik

ABSENT AND NOT VOTING: Gullickson; Nicholas; Richard; Solberg, R.; Unhjem; Wald; Whalen

HB 1296 passed and the title was agreed to.

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HB 1313: A BILL for an Act to provide for the licensure and regulation of respiratory care practitioners; to establish a North Dakota respiratory care examining board; 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 94 YEAS, 6 NAYS, 6 ABSENT AND NOT VOTING.

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

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; Rydell; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Shockman; Skjerven; Smette; Solberg, O.; Starke; Stofferahn; Strinden; Timm; Tollefson; Ulmer; Vander Vorst; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

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

ABSENT AND NOT VOTING: Gullickson; Nicholas; Solberg, R.; Unhjem; Wald; Whalen

HB 1313 passed and the title was agreed to.

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HB 1335: A BILL for an Act to amend and reenact sections 25-01.1-06, 25-01.1-13, 25-03.1-43, and 50-06-15 of the North Dakota Century Code, relating to the transfer of client and patient records between regional human service centers, and between a regional human service center and the state hospital.

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; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Myrdal; Nalewaja; 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.; Starke; Stofferahn; Strinden; Thompson; Timm; Tollefson; Ulmer; Vander Vorst; Wald; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: None

ABSENT AND NOT VOTING: Gullickson; Nicholas;  
Solberg, R.; Unhjem; Whalen

HB 1335 passed and the title was agreed to.

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HB 1388: A BILL for an Act to provide an appropriation to the commissioner of agriculture for rangeland grasshopper control.

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; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Myrdal; Nalewaja; 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.; Starke; Stofferahn; Strinden; Thompson; Timm; Tollefson; Ulmer; Vander Vorst; Wald; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: None

ABSENT AND NOT VOTING: Gullickson; Nicholas;  
Solberg, R.; Unhjem; Whalen

HB 1388 passed and the title was agreed to.

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HB 1406: A BILL for an Act to create and enact a new section to chapter 19-10 of the North Dakota Century Code, to make unlawful the selling of ethyl alcohol at filling stations without proper notice.

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 93 YEAS, 6 NAYS, 7 ABSENT AND NOT VOTING.

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

**NAYS:** Brokaw; Linderman; Murphy; O'Connell; Shockman; Wald

**ABSENT AND NOT VOTING:** Gullickson; Myrdal; Nicholas; Solberg, R.; Unhjem; Whalen; Speaker Hausauer, R.

HB 1406 passed and the title was agreed to.

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HB 1448: A BILL for an Act to amend and reenact subsections 4 and 5 of section 53-02-01 of the North Dakota Century Code, relating to the definition of public dance and public dancing place.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were 89 YEAS, 11 NAYS, 6 ABSENT AND NOT VOTING.

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

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

**NAYS:** Gerntholz; Gunsch; Hamerlik; Hausauer, A.; Kretschmar; Kuchera; Lindgren; Pederson, R.; Retzer; Schmidt; Timm

**ABSENT AND NOT VOTING:** Gullickson; Myrdal; Nicholas; Solberg, R.; Unhjem; Whalen

HB 1448 passed and the title was agreed to.

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**HB 1540:** A BILL 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.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 81 YEAS, 18 NAYS, 7 ABSENT AND NOT VOTING.

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

**NAYS:** Anderson, R.; Belter; Dalrymple; Dorso; Hanson, O.; Hughes; Kingsbury; Linderman; Lipsiea; Melby; Murphy; Olson, A.; Pederson, R.; Rice; Schindler; Timm; Wald; Whalen

**ABSENT AND NOT VOTING:** Goetz; Gullickson; Myrdal; Nicholas; Peterson, J.; Solberg, R.; Strinden

HB 1540 passed and the title was agreed to.

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**HB 1606:** A BILL for an Act to create and enact a new section to chapter 20.1-08 of the North Dakota Century Code, relating to the governor's proclamation for a season for underwater spearfishing.

Which has been read.

#### MOTION

**REP. SHOCKMAN** MOVED the previous question, which motion prevailed.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 45 YEAS, 55 NAYS, 6 ABSENT AND NOT VOTING.

**YEAS:** Anderson, R.; Berg, R.; Conmy; Dalrymple; DeMers; Eckroth; Enget; Gates; Goetz; Gunsch; Halmrast; Hanson, O.; Hedstrom; Hoffner; Keller; Kent; Klundt; Koland; Kretschmar; Kuchera; Lang; Lipsiea; Mertens; Murphy; O'Connell; Olsen, D.; Olson, A.; O'Shea; Retzer; Richard; Rydell; Schindler; Shaw; Shide; Skjerven; Smette; Solberg, O.; Thompson; Tollefson; Ulmer; Unhjem; Wald; Whalen; Winkelman; Speaker Hausauer, R.

**NAYS:** Anderson, C.; Belter; Brokaw; Cleveland; Dorso; Dotzenrod; Frey; Gerntholz; Graba; Hamerlik; Hanson, L.; Haugland; Hausauer, A.; Hill; Hughes; Kelly; Kingsbury; Kloubec; Knudson; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Martin; Martinson; Melby; Meyer; Moore; Nalewaja; Nicholas; Nowatzki; Oban; Olson, V.; Opedahl; Payne; Pederson, R.; Peterson, J.; Rice; Riehl; Riley; Sauter; Schmidt; Schneider; Shockman; Starke; Stofferahn; Timm; Vander Vorst; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Wold

**ABSENT AND NOT VOTING:** Berg, G.; Gullickson; Lloyd; Myrdal; Solberg, R.; Strinden

HB 1606 was declared lost.

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HB 1635: A BILL for an Act to create and enact a new section to chapter 61-03 of the North Dakota Century Code, to prohibit the use of exploration wells as water wells; 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 98 YEAS, 2 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, R.; Brokaw; Cleveland; Conmy; Dalrymple; 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; Kelly; Kent; Kingsbury; Kloubec; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Moore; 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.; Starke; Stofferahn; Thompson; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Wald; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: Murphy; O'Connell

ABSENT AND NOT VOTING: Berg, G.; Gullickson; Klundt; Myrdal; Solberg, R.; Strinden

HB 1635 passed and the title was agreed to.

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HB 1646: A BILL for an Act to amend and reenact subsection 5 of section 57-38-30.3 of the North Dakota Century Code, relating to the definition of "federal income tax liability" for purposes of the simplified optional method of computing income taxes; 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 100 YEAS, 0 NAYS, 6 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Gullickson; Klundt; Lipsiea; Myrdal; Solberg, R.; Strinden

HB 1646 passed and the title was agreed to.

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HB 1078: A BILL for an Act to enter into the Rocky Mountain interstate compact on low-level radioactive waste; to designate North Dakota's member of the administrative board under this compact; and to provide a contingent 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 99 YEAS, 0 NAYS, 7 ABSENT AND NOT VOTING.

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

Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Nalewaja; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Peterson, J.; Retzer; Rice; Richard; Riehl; Rydell; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Shockman; Skjerven; Smette; Solberg, O.; 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:** Enget; Gullickson; Klundt; Lipsiea; Myrdal; Riley; Solberg, R.

HB 1078 passed and the title was agreed to.

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#### SIGNING OF BILLS AND RESOLUTIONS

**THE CHIEF CLERK ANNOUNCED** that the Speaker signed the following:

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

ROY GILBREATH, Chief Clerk

#### MESSAGES TO THE SENATE HOUSE CHAMBER

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

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

ROY GILBREATH, Chief Clerk

#### HOUSE CHAMBER

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

SB 2069, SB 2070, SB 2089, SB 2198, SB 2259, SB 2293,  
SB 2308, SB 2403, SB 2449, SB 2452, SB 2486, SB 2494,  
SCR 4032, SCR 4040, SCR 4061, SCR 4067

ROY GILBREATH, Chief Clerk

#### HOUSE CHAMBER

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

THURSDAY, MARCH 21, 1985

2137

SB 2170, SB 2228, SB 2342, SB 2354, SB 2364, SB 2405,  
SB 2410, SB 2430, SB 2432, SB 2442, SB 2477, SB 2498  
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 2180, SB 2391, SB 2398

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to inform you that the House has adopted the conference committee report on HB 1057 and subsequently passed the same.

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

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

HCR 3095

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to inform you that the House does not concur in the Senate amendments to HB 1072, HB 1287, HB 1327, HB 1493, and HB 1574 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1072: Reps. Larson, Riley, Dotzenrod  
HB 1287: Reps. Kloubec, Koland, Starke  
HB 1327: Reps. A. Olson, A. Hausauer, Schneider  
HB 1493: Reps. Gates, Kent, Riehl  
HB 1574: Reps. Goetz, R. Anderson, Richard

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 2470: Reps. Gates, Nalewaja, Hill

ROY GILBREATH, Chief Clerk

SECOND READING OF HOUSE BILLS

HB 1159: A BILL for an Act to prohibit certain tort actions based on claims of wrongful life.

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, 1 NAY, 6 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; Conmy; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Frey; Gates; Gerntholz; Goetz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hill; Hoffner; Hughes; Keller; Kelly; Kent; Kingsbury; Kloubec; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; 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; Schindler; Schmidt; Schneider; Shaw; Shide; Shockman; Skjerven; Smette; Solberg, O.; 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: Sauter

ABSENT AND NOT VOTING: Enget; Gullickson; Hedstrom; Klundt; Myrdal; Solberg, R.

HB 1159 passed and the title was agreed to.

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HB 1199: A BILL for an Act to create and enact a new subsection to section 65-01-02 of the North Dakota Century Code, relating to the definition of orphan; and to amend and reenact subsection 6 of section 65-01-02, and sections 65-05-09 and 65-05-17 of the North Dakota Century Code, relating to the definition of child and workmen's compensation benefits payments for children of disabled or deceased employees.

Which has been read.

## ROLL CALL

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

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

Hoffner; Hughes; Keller; Kelly; Kent; Kingsbury; Kloubec; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Linderman; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; 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.; 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: Enget; Goetz; Gullickson; Klundt; Lautenschlager; Myrdal; Nicholas; Solberg, R.

HB 1199 passed and the title was agreed to.

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HB 1334: A BILL for an Act to provide criminal and civil penalties for theft of cable television and an exemption for amateur radio communications.

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, 12 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Cleveland; Conmy; Dalrymple; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hedstrom; Hill; Hoffner; Hughes; Keller; Kent; Kingsbury; Kloubec; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Moore; Nalewaja; 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; Shaw; Shide; Shockman; Skjerven; Solberg, O.; Starke; Strinden; Thompson; Timm; Tollefson; Ulmer; Unhjem; Wald; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

**NAYS:** Brokaw; DeMers; Gunsch; Hausauer, A.; Kelly;  
Klundt; Murphy; O'Connell; Schneider; Smette;  
Stofferahn; Vander Vorst

**ABSENT AND NOT VOTING:** Gullickson; Myrdal; Nicholas;  
Solberg, R.

HB 1334 passed and the title was agreed to.

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HB 1431: A BILL for an Act to create and enact a new section to chapter 28-21 of the North Dakota Century Code, providing a penalty for withholding property that has been levied upon; to amend and reenact sections 28-21-06, 28-21-07, 28-21-08, 28-21-10, 28-21-11, 28-21-18, and 28-23-10 of the North Dakota Century Code, relating to execution and sales under execution; and to repeal section 28-21-16 of the North Dakota Century Code, relating to the sheriff's jury.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 96 YEAS, 5 NAYS, 5 ABSENT AND NOT VOTING.

**YEAS:** Anderson, C.; Anderson, R.; Belter; Berg, G.;  
Berg, R.; Cleveland; Conmy; DeMers; Dorso; Dotzenrod;  
Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Graba;  
Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.;  
Haugland; Hedstrom; Hill; Hoffner; Hughes; Keller;  
Kelly; Kent; Kingsbury; Kloubec; Klundt; Knudson;  
Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin;  
Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd;  
Martin; Martinson; Melby; Mertens; Meyer; Moore;  
Murphy; Nalewaja; Nowatzki; Oban; 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.; Starke;  
Strinden; Thompson; Timm; Tollefson; Ulmer; Unhjem;  
Vander Vorst; Wald; Watne; Wentz; Whalen; Williams, A.;  
Williams, C.; Williams, W.; Winkelman; Wold;  
Speaker Hausauer, R.

**NAYS:** Brokaw; Hausauer, A.; O'Connell; Richard;  
Stofferahn

**ABSENT AND NOT VOTING:** Dalrymple; Gullickson; Myrdal;  
Nicholas; Solberg, R.

HB 1431 passed and the title was agreed to.

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HB 1432: A BILL for an Act to amend and reenact sections 4-35-21 and 28-01-40 of the North Dakota Century Code, or in the alternative to amend and reenact the new section to chapter 4-35 of the North Dakota Century Code as created by section 1 of Senate Bill No. 2137, as approved by the forty-ninth legislative assembly, relating to reports of loss through pesticide application.

Which has been read.

## ROLL CALL

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

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

NAYS: None

ABSENT AND NOT VOTING: Gullickson; Myrdal; Nicholas; Solberg, R.

HB 1432 passed and the title was agreed to.

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HB 1500: A BILL for an Act to create and enact section 57-38-60.1 of the North Dakota Century Code, relating to corporate officer liability for compliance with income tax laws; and to amend and reenact section 57-38-61 of the North Dakota Century Code, relating to corporate officer liability for withholding tax.

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, 23 NAYS, 3 ABSENT AND NOT VOTING.

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

NAYS: Anderson, R.; Belter; Conmy; Dalrymple; Dorso; Enget; Goetz; Gunsch; Hanson, O.; Hausauer, A.; Hughes; Kent; Kingsbury; Koland; Larson; Lindgren; Olsen, D.; Rice; Schmidt; Skjerven; Timm; Wald; Winkelman

ABSENT AND NOT VOTING: Gullickson; Myrdal; Solberg, R.

HB 1500 passed and the title was agreed to.

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HB 1521: A BILL for an Act to limit flaring of gas.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 102 YEAS, 1 NAY, 3 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Gullickson; Myrdal; Solberg, R.

HB 1521 passed and the title was agreed to.

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HB 1539: A BILL for an Act to amend and reenact section 12.1-23-08 of the North Dakota Century Code, relating to defrauding secured creditors and theft of secured property.

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 77 YEAS, 26 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Berg, G.; Berg, R.; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Gunsch; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kent; Kingsbury; Kloubec; Knudson; Koland; Kretschmar; Lang; Larson; Laughlin; Linderman; Lindgren; Lloyd; Melby; Meyer; Moore; Murphy; Nalewaja; Nicholas; Nowatzki; Oban; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Peterson, J.; Retzer; Rice; Riley; Schneider; Shaw; Shide; Skjerven; Smette; Solberg, O.; Starke; Stofferahn; Strinden; Thompson; Timm; Tollefson; Unhjem; Vander Vorst; Wald; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Wold; Speaker Hausauer, R.

NAYS: Belter; Brokaw; Cleveland; Conmy; Dalrymple; DeMers; Halmrast; Hausauer, A.; Klundt; Kuchera; Lautenschlager; Lipsiea; Martin; Martinson; Mertens; O'Connell; Richard; Riehl; Rydell; Sauter; Schindler; Schmidt; Shockman; Ulmer; Watne; Winkelman

ABSENT AND NOT VOTING: Gullickson; Myrdal; Solberg, R.

HB 1539 passed and the title was agreed to.

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HB 1571: A BILL for an Act to amend and reenact sections 28-26-31 and 47-19.1-09 of the North Dakota Century Code, relating to filing of frivolous lawsuits, awards of attorneys' fees, slander of title, and soliciting obstruction of judicial proceedings; and to declare an emergency.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 94 YEAS, 9 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Cleveland; Conmy; Dalrymple; 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; Kingsbury; Kloubec; Klundt; Knudson; Koland; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Nalewaja; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Peterson, J.; Retzer; Rice; Riehl; Riley; Rydell; Schindler; Schmidt; Schneider; Shaw; Shide; Shockman; Skjerven; Smette; Solberg, O.; Starke; Strinden; Thompson; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Wald; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: Brokaw; DeMers; Kelly; Kretschmar; Kuchera; Richard; Sauter; Stofferahn; Williams, W.

ABSENT AND NOT VOTING: Gullickson; Myrdal; Solberg, R.

HB 1571 passed, the title was agreed to, and the emergency clause carried.

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#### SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

HCR 3037: A concurrent resolution directing the Legislative Council to study the need for additional appellate court services.

Which has been read.

## ROLL CALL

The question being on the final adoption of the resolution, as amended, the roll was called and there were 91 YEAS, 9 NAYS, 6 ABSENT AND NOT VOTING.

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

NAYS: Gunsch; Hanson, O.; Kingsbury; Melby; Murphy; Pederson, R.; Retzer; Thompson; Wald

ABSENT AND NOT VOTING: Brokaw; Gullickson; Knudson; Myrdal; Solberg, R.; Wentz

HCR 3037 was declared adopted.

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HCR 3065: A concurrent resolution directing the Legislative Council to study North Dakota's wetlands.

Which has been read.

## ROLL CALL

The question being on the final adoption of the resolution, as amended, the roll was called and there were 95 YEAS, 4 NAYS, 7 ABSENT AND NOT VOTING.

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

NAYS: Murphy; O'Connell; Thompson; Ulmer

ABSENT AND NOT VOTING: Brokaw; Gullickson; Knudson; Myrdal; Solberg, R.; Wentz; Williams, C.

HCR 3065 was declared adopted.

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MOTIONS

REP. STRINDEN MOVED that the divided committee report on SB 2257 be laid over one legislative day, which motion prevailed.

REP. STRINDEN MOVED that SCR 4044 be laid over one legislative day, which motion prevailed.

SIXTH ORDER OF BUSINESS

REP. NICHOLAS MOVED that the amendments to SB 2111 as recommended by the Committee on Agriculture as printed on page 2100 of the House Journal be adopted, and when so adopted, recommends that SB 2111 DO PASS, which motion prevailed.

SB 2111 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MOTIONS

REP. STRINDEN MOVED that SB 2159 be laid over one legislative day, which motion prevailed.

REP. STRINDEN MOVED that SB 2160 be laid over one legislative day, which motion prevailed.

SIXTH ORDER OF BUSINESS

REP. KLOUBEC MOVED that the amendments to SB 2178 as recommended by the Committee on Industry, Business and Labor as printed on pages 2101-2102 of the House Journal be adopted, and when so adopted, recommends that SB 2178 DO PASS, which motion prevailed.

SB 2178 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

REP. KLOUBEC MOVED that the amendments to SB 2197 as recommended by the Committee on Industry, Business and Labor as printed on pages 2102-2104 of the House Journal be adopted, and

when so adopted, recommends that SB 2197 DO PASS, which motion prevailed.

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

REP. KLOUBEC MOVED that the amendments to SB 2274 as recommended by the Committee on Industry, Business and Labor as printed on pages 2106-2107 of the House Journal be adopted, and when so adopted, recommends that SB 2274 DO PASS, which motion prevailed.

SB 2274 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

REP. CONMY MOVED that the amendments to SB 2373 as recommended by the Committee on Judiciary as printed on page 2108 of the House Journal be adopted, and when so adopted, recommends that SB 2373 DO PASS, which motion prevailed.

SB 2373 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

REP. KLOUBEC MOVED that the amendments to SB 2411 as recommended by the Committee on Industry, Business and Labor as printed on pages 2108-2109 of the House Journal be adopted, and when so adopted, recommends that SB 2411 DO PASS, which motion prevailed.

SB 2411 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

REP. KLOUBEC MOVED that the amendments to SB 2414 as recommended by the Committee on Industry, Business and Labor as printed on pages 2109-2110 of the House Journal be adopted, and when so adopted, recommends that SB 2414 DO NOT PASS, which motion prevailed.

SB 2414 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

REP. CONMY MOVED that the amendments to SB 2424 as recommended by the Committee on Judiciary as printed on pages 2111-2112 of the House Journal be adopted, and when so adopted, recommends that SB 2424 DO NOT PASS, which motion prevailed.

SB 2424 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

REP. MARTINSON MOVED that the amendments to SB 2436 as recommended by the Committee on State and Federal Government as printed on page 2112 of the House Journal be adopted, and when so adopted, recommends that SB 2436 DO PASS, which motion prevailed.

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

REP. KLOUBEC MOVED that the amendments to SB 2468 as recommended by the Committee on Industry, Business and Labor as printed on page 2113 of the House Journal be adopted, and when so adopted, recommends that SB 2468 DO PASS, which motion prevailed.

SB 2468 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

REP. A. HAUSAUER MOVED that the amendments to SCR 4051 as recommended by the Committee on Finance and Taxation as printed on pages 2113-2114 of the House Journal be adopted, and when so adopted, recommends that SCR 4051 DO PASS, which motion prevailed.

SCR 4051 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

#### SECOND READING OF SENATE BILLS

SB 2062: A BILL for an Act to amend and reenact section 15-59-07.2 of the North Dakota Century Code, relating to reimbursements made by the superintendent of public instruction for special education boarding care costs; and to repeal section 15-59-07.1 of the North Dakota Century Code, relating to the cost of out-of-state boarding care for handicapped students.

Which has been read.

#### ROLL CALL

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

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

NAYS: None

ABSENT AND NOT VOTING: Dorso; Gullickson; Kingsbury;  
Lang; Mertens; Myrdal; Nicholas; Retzer; Solberg, R.;  
Wald

SB 2062 passed and the title was agreed to.

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SB 2167: A BILL for an Act to create and enact a new subsection to section 39-22-04 of the North Dakota Century Code, relating to grounds for denial, suspension, cancellation, or revocation of dealer's license; to amend and reenact section 39-21-51 of the North Dakota Century Code, relating to alteration of odometers; 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 95 YEAS, 4 NAYS, 7 ABSENT AND NOT VOTING.

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

NAYS: Murphy; Shockman; Skjerven; Tollefson

ABSENT AND NOT VOTING: Gullickson; Kingsbury; Lang;  
Myrdal; Retzer; Solberg, R.; Wald

SB 2167 passed and the title was agreed to.

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SB 2186: A BILL for an Act to amend and reenact section 57-38-01.15 and subsection 2 of section 57-38-31 of the

North Dakota Century Code, to require spouses who file separate income tax returns to use the same form; 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 97 YEAS, 0 NAYS, 9 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Gullickson; Kingsbury; Kuchera; Lang; Myrdal; Olson, A.; Retzer; Solberg, R.; Whalen

SB 2186 passed and the title was agreed to.

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SB 2214: A BILL for an Act to create and enact a new section to chapter 39-12 of the North Dakota Century Code, relating to the voluntary payment of extraordinary road use fees; and to amend and reenact sections 39-12-14, 39-12-16, and 39-12-20 of the North Dakota Century Code, relating to the civil procedure applicable to overweight vehicles and the disbursement of extraordinary road use fees.

Which has been read.

#### ROLL CALL

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

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

NAYS: Murphy

ABSENT AND NOT VOTING: Gullickson; Lang; Martinson; Myrdal; Olson, A.; Retzer; Solberg, R.; Whalen

SB 2214 passed and the title was agreed to.

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SB 2245: A BILL for an Act to create and enact a new subdivision to subsection 6 of section 53-06.1-01 of the North Dakota Century Code, relating to uses by chambers of commerce of net proceeds from charitable gambling.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 81 YEAS, 20 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Conmy; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Gates; Gerntholz; Goetz; Gunsch; Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer, A.; Hedstrom; Hill; Hughes; Kent; Kingsbury; Kloubec; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Lindgren; Lipsiea; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Nalewaja; Nicholas; Nowatzki; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Peterson, J.; Rice; Richard; Riehl; Riley; Rydell; Schindler; Schmidt; Shaw; Shide; Shockman; Skjerven; Smette; Starke; Strinden; Thompson; Timm; Tollefson;

Ulmer; Unhjem; Vander Vorst; Wald; Whalen;  
Williams, C.; Williams, W.; Wold; Speaker Hausauer, R.

**NAYS:** Cleveland; Frey; Graba; Hanson, O.; Hoffner;  
Keller; Kelly; Klundt; Linderman; Lloyd; Oban;  
Pederson, R.; Sauter; Schneider; Solberg, O.;  
Stofferahn; Watne; Wentz; Williams, A.; Winkelman

**ABSENT AND NOT VOTING:** Brokaw; Gullickson; Myrdal;  
Retzer; Solberg, R.

SB 2245 passed and the title was agreed to.

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**COMMUNICATION**

**State of North Dakota  
EXECUTIVE OFFICE  
Bismarck**

March 20, 1985

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

Dear Mr. Speaker:

House Bill 1005 provides for an \$11.9 million increase over my budget recommendations. It is essential to remember that, even with the \$73 million in budget cuts I have recommended, the State will be spending approximately \$100 million more than it will take in over the next biennium. To add to that spending will create major problems two years from now.

My budget recommendations, recognizing the difficulties faced by political subdivisions, contained a 16% increase in aid for them. This bill would result in a 38% increase. It is clearly in excess of what the State can afford and is unacceptable.

Therefore, I veto House Bill 1005. I am doing so immediately so that the Legislature will have the opportunity to enact a bill which is consistent with my budget recommendations.

Sincerely,

GEORGE A. SINNER  
Governor

## MOTION

REP. STRINDEN MOVED that HB 1005 be placed on the calendar for the purpose of its reconsideration as a vetoed measure pursuant to Article V, Section 9 of the Constitution of the State of North Dakota, which motion prevailed.

## RECONSIDERATION OF A VETOED MEASURE

REP. STRINDEN MOVED that HB 1005 be reconsidered pursuant to Article V, Section 9 of the Constitution of the State of North Dakota for the purpose of overriding the Governor's veto, which motion prevailed.

HB 1005: A BILL for an Act making an appropriation for the distribution of funds for the replacement of personal property taxes revenue.  
Which has been read.

## ROLL CALL

The question being on the final passage of the bill, as enrolled, over the Governor's veto, the roll was called and there were 61 YEAS, 43 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Belter; Berg, R.; Cleveland; Conmy; Dalrymple; Dorso; Eckroth; Gates; Gerntholz; Goetz; Graba; Gunsch; Hamerlik; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hughes; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Lindgren; Martin; Martinson; Melby; Moore; Myrdal; Nalewaja; Nicholas; Olsen, D.; Olson, A.; Olson, V.; Payne; Pederson, R.; Peterson, J.; Retzer; Rice; Riley; Rydell; Schindler; Shaw; Shide; Smette; Thompson; Timm; Tollefson; Unhjem; Vander Vorst; Wald; Wentz; Whalen; Winkelman; Wold

NAYS: Anderson, R.; Berg, G.; Brokaw; DeMers; Dotzenrod; Enget; Frey; Halmrast; Hanson, L.; Hill; Hoffner; Keller; Kelly; Laughlin; Lautenschlager; Linderman; Lipsiea; Lloyd; Mertens; Meyer; Murphy; Nowatzki; Oban; O'Connell; Opedahl; O'Shea; Richard; Riehl; Sauter; Schmidt; Schneider; Shockman; Skjerven; Solberg, O.; Starke; Stofferahn; Strinden; Ulmer; Watne; Williams, A.; Williams, C.; Williams, W.; Speaker Hausauer, R.

ABSENT AND NOT VOTING: Gullickson; Solberg, R.

The House sustained the Governor's veto on HB 1005.

## MOTION

REP. KRETSCHMAR MOVED that the House waive the reading of the title to SB 2250, which motion prevailed.

## SECOND READING OF SENATE BILLS

SB 2250: A BILL for an Act to amend and reenact subsection 1 of section 11-10.1-05, subsection 1 of section 57-02-08.1, sections 57-02-32, 57-02.1-01, 57-06-05, subsection 3 of section 57-12-06, subdivision c of subsection 3 of section 57-13-04, sections 57-20-01, 57-20-20, 57-23-04, 57-23-08, subsection 3 of section 57-26-03, sections 57-28-18, 57-32-01, 57-32-04, 57-32-05, 57-33-03, subsection 1 of section 57-33-04, sections 57-55-04.1, 57-60-02, subsection 3 of section 57-62-02 of the North Dakota Century Code, relating to taxation and removal of references to the personal property tax, to the year in which totally disabled persons are eligible for property tax credits, to eliminate an inconsistent definition of value for payments made by the game and fish department in lieu of property taxes, to the removal of references to sleeping car and carline companies, to the correction of an inaccurate statutory cross-reference, to the clarification of the percentage changes in assessments made by the state board of equalization, to a clarification of the date of delinquency for real property taxes, to remove references to the tax appeals board, to proceedings for the abatement of taxes, to interest due on a subsequent tax sale certificate, to references to the assessment date for property taxes, to the definition of gross receipts for the taxation of rural electric cooperatives, to the payment date of the privilege tax on coal conversion facilities, and to the method of allocation of moneys in the coal development fund; and to repeal section 57-02-23, subsection 5 of section 57-06-02, subsection 4 of section 57-06-14, subsection 13 of section 57-15-10, sections 57-23-03, 57-23.1-01, 57-23.1-02, 57-31-01, 57-31-02, and 57-31-03 of the North Dakota Century Code, relating to taxation and the removal of references to the personal property tax, to the removal of statutory references to sleeping car and carline companies, to remove references to the tax appeals board, to the proceedings for the abatement of property taxes, to tax levy limitations with respect to taxes levied for a city employees' pension plan, and to the taxation of transient stocks of merchandise.

Which has been read.

## ROLL CALL

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

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

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

NAYS: None

ABSENT AND NOT VOTING: Gullickson; Kuchera; Nicholas; Peterson, J.; Richard; Solberg, R.; Strinden; Thompson; Unhjem

SB 2250 passed and the title was agreed to.

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SB 2260: A BILL for an Act to amend and reenact sections 28-14-03.1 and 29-17-12 of the North Dakota Century Code, relating to the size of juries in civil and criminal cases.

Which has been read.

#### ROLL CALL

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

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

NAYS: Brokaw; Conny; Dalrymple; Hausauer, A.; Kent; Knudson; Kretschmar; Lang; Martin; Martinson; Pederson, R.; Schindler; Schneider; Skjerven; Vander Vorst; Wentz

ABSENT AND NOT VOTING: Gullickson; Kuchera; Nicholas;  
Peterson, J.; Richard; Solberg, R.; Thompson; Timm;  
Watne

SB 2260 passed and the title was agreed to.

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#### MOTION

REP. KRETSCHMAR MOVED that the House waive the reading of the title to SB 2300, which motion prevailed.

SB 2300: A BILL for an Act to amend and reenact sections 57-39.2-02.1 and 57-40.2-02.1 of the North Dakota Century Code, relating to the rate of gas used primarily for heating or cooling purposes in residential or commercial buildings.

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 68 YEAS, 33 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, R.; Cleveland; Conmy; Dalrymple; DeMers; Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Gunsch; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hoffner; Hughes; Kelly; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Larson; Lautenschlager; Lindgren; Lipsiea; Martin; Martinson; Moore; Nalewaja; Nicholas; Oban; Olsen, D.; Olson, A.; Olson, V.; Payne; Peterson, J.; Retzer; Riley; Rydell; Sauter; Schmidt; Schneider; Shaw; Shide; Skjerven; Smette; Strinden; Timm; Tollefson; Unhjem; Vander Vorst; Wald; Wentz; Williams, A.; Williams, C.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: Berg, G.; Brokaw; Dorso; Dotzenrod; Graba; Halmrast; Hill; Keller; Lang; Laughlin; Linderman; Lloyd; Melby; Mertens; Meyer; Murphy; Myrdal; Nowatzki; O'Connell; Opedahl; O'Shea; Pederson, R.; Rice; Richard; Riehl; Schindler; Shockman; Solberg, O.; Starke; Stofferahn; Ulmer; Watne; Williams, W.

ABSENT AND NOT VOTING: Gullickson; Kuchera; Solberg, R.; Thompson; Whalen

SB 2300 passed and the title was agreed to.

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## MOTION

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

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

## MOTION

REP. STRINDEN MOVED that SB 2352 be placed at the bottom of the calendar, which motion prevailed.

## SECOND READING OF SENATE BILLS

SB 2369: A BILL for an Act to amend and reenact subsection 1 of section 43-41-02 of the North Dakota Century Code, relating to the exemptions from the licensing requirements for social workers.

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 76 YEAS, 21 NAYS, 9 ABSENT AND NOT VOTING.

YEAS: Anderson, R.; Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; Conmy; Dalrymple; DeMers; Enget; Frey; Gates; Gerntholz; Graba; Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kent; Kloubec; Klundt; Knudson; Koland; Kretschmar; Larson; Linderman; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Mertens; Meyer; Moore; Myrdal; Nalewaja; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, V.; Opedahl; O'Shea; Pederson, R.; Richard; Riehl; Riley; Rydell; Sauter; Schmidt; Schneider; Shaw; Shide; Smette; Solberg, O.; Starke; Stofferahn; Tollefson; Ulmer; Vander Vorst; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: Anderson, C.; Dorso; Dotzenrod; Eckroth; Gunsch; Hanson, O.; Kingsbury; Lang; Laughlin; Melby; Murphy; Olson, A.; Payne; Rice; Schindler; Shockman; Skjerven; Thompson; Timm; Wald; Whalen

ABSENT AND NOT VOTING: Goetz; Gullickson; Kuchera; Lautenschlager; Peterson, J.; Retzer; Solberg, R.; Strinden; Unhjem

SB 2369 passed and the title was agreed to.

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SB 2413: A BILL for an Act to create and enact a new section to chapter 39-04 of the North Dakota Century Code, relating to registration fees of motor vehicles owned by collectors.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 95 YEAS, 7 NAYS, 4 ABSENT AND NOT VOTING.

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

NAYS: Dalrymple; Dorso; Dotzenrod; Olson, A.; O'Shea; Payne; Schindler

ABSENT AND NOT VOTING: Goetz; Gullickson; Solberg, R.; Strinden

SB 2413 passed and the title was agreed to.

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SB 2435: A BILL for an Act to amend and reenact section 28-22-03.1, subsection 3 of section 32-09.1-01, and section 32-09.1-09 of the North Dakota Century Code, relating to an exemption of social security benefits and veterans' disability pensions benefits from attachment, execution, and garnishment actions.

Which has been read.

#### ROLL CALL

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

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

SB 2435 passed and the title was agreed to.

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SB 2489: A BILL for an Act to create and enact a new section to chapter 53-06.1 of the North Dakota Century Code, relating to adoption of rules by the attorney general to divide and regulate classes of licenses of organizations which conduct games of chance.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 97 YEAS, 5 NAYS, 4 ABSENT AND NOT VOTING.

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

Peterson, J.; Rice; Richard; Riehl; Riley; Rydell; Sauter; Schmidt; Schneider; Shaw; Shide; Shockman; Skjerven; Smette; Solberg, O.; Starke; Stofferahn; Thompson; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Wald; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Wold; Speaker Hausauer, R.

**NAYS:** Cleveland; Pederson, R.; Retzer; Schindler; Winkelman

**ABSENT AND NOT VOTING:** Goetz; Gullickson; Solberg, R.; Strinden

SB 2489 passed and the title was agreed to.

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SB 2495: A BILL for an Act to amend and reenact subsection 1 of section 4-36-03 of the North Dakota Century Code, relating to qualifications for loans under the Agricultural Development Act.

Which has been read.

#### ROLL CALL

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

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

**NAYS:** None

**ABSENT AND NOT VOTING:** Goetz; Gullickson; Solberg, R.; Wald

SB 2495 passed and the title was agreed to.

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SB 2038: A BILL for an Act to provide an appropriation for additional compensation to North Dakota state employees for the period beginning April 1, 1985, and ending June 30, 1985; providing for revisions to the North Dakota central personnel compensation plan.

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 8 YEAS, 94 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: DeMers; Hamerlik; Hanson, L.; Kuchera; O'Connell; Payne; Riehl; Wentz

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

ABSENT AND NOT VOTING: Goetz; Gullickson; Schneider; Solberg, R.

SB 2038 was declared lost.

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#### MOTIONS

REP. KRETSCHMAR MOVED that SB 2053 and SB 2253 be laid over one legislative day, which motion prevailed.

REP. KRETSCHMAR MOVED that the House waive the reading of the title to SB 2063, which motion prevailed.

## SECOND READING OF SENATE BILLS

SB 2063: A BILL for an Act to create and enact section 15-40.2-08.1 of the North Dakota Century Code, relating to the payment of tuition for handicapped children placed outside their school districts of residence for purposes other than education; and to amend and reenact section 15-40.2-08 of the North Dakota Century Code, relating to tuition payments for foster care students placed outside their school districts of residence.

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 21 YEAS, 78 NAYS, 7 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Brokaw; Cleveland; Hamerlik; Haugland; Hill; Hoffner; Klundt; Knudson; Mertens; Myrdal; Oban; O'Connell; Olsen, D.; Sauter; Schindler; Skjerven; Ulmer; Vander Vorst; Wentz; Williams, C.

NAYS: Anderson, R.; Belter; Berg, G.; Berg, R.; Conmy; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gertholz; Graba; Gunsch; Halmrast; Hanson, L.; Hanson, O.; Hedstrom; Hughes; Keller; Kelly; Kent; Kingsbury; Kloubec; Koland; Kretschmar; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Melby; Meyer; Moore; Murphy; Nalewaja; Nicholas; Nowatzki; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Peterson, J.; Retzer; Rice; Richard; Riehl; Riley; Rydell; Shaw; Shide; Shockman; Smette; Solberg, O.; Starke; Stofferahn; Strinden; Thompson; Timm; Tollefson; Unhjem; Wald; Watne; Whalen; Williams, A.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

ABSENT AND NOT VOTING: Goetz; Gullickson; Hausauer, A.; Kuchera; Schmidt; Schneider; Solberg, R.

SB 2063 was declared lost.

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SB 2100: A BILL for an Act to create and enact a new subsection to section 4-27-06 of the North Dakota Century Code, relating to assessments charged milk producers; to amend and reenact subsection 1 of section 4-27-06 of the North Dakota Century Code, relating to the assessment charged milk producers under the North Dakota Dairy Promotion Act; to repeal subsection 1 of section 4-27-06 of the North Dakota Century Code, relating to assessments charged milk producers; and to provide an effective date.

Which has been read.

#### ROLL CALL

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

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

NAYS: Kuchera; Mertens; O'Connell; Shockman

ABSENT AND NOT VOTING: Goetz; Gullickson; Hausauer, A.; Lang; Riley; Schneider; Solberg, R.; Unhjem

SB 2100 passed and the title was agreed to.

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SB 2181: A BILL for an Act to adopt the Uniform Postconviction Procedure Act (1980), relating to a remedy to a person convicted of and sentenced for a crime and the procedure for challenging the validity of the conviction or sentence; to repeal chapter 29-32 of the North Dakota Century Code, relating to the Uniform Postconviction Procedure Act; and to provide an effective date.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 83 YEAS, 15 NAYS, 8 ABSENT AND NOT VOTING.

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

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

NAYS: Gerntholz; Gunsch; Hanson, O.; Hughes; Melby; Nalewaja; Olson, A.; Rice; Schindler; Schmidt; Shide; Skjerven; Thompson; Timm; Whalen

ABSENT AND NOT VOTING: Goetz; Gullickson; Hausauer, A.; Lang; Schneider; Solberg, R.; Unhjem; Wald

SB 2181 passed and the title was agreed to.

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MESSAGE FROM THE SENATE  
SENATE CHAMBER

MR. SPEAKER: I have the honor to return herewith HB 1067, HB 1069, HB 1153, HB 1170, HB 1243, HB 1250, HB 1318, HB 1341, and HB 1399 which the Senate has amended:

SENATE AMENDMENTS TO ENGROSSED HB 1067

On page 3 of the engrossed bill, line 14, after the word "daughter" insert the words ", stepson, stepdaughter"

On page 5 of the engrossed bill, line 12, overstrike the words "cause to be printed in" and insert immediately thereafter the words "furnish to"

And renumber the lines and pages accordingly

SENATE AMENDMENTS TO ENGROSSED HB 1069

On page 5 of the engrossed bill, line 33, after the word "been" insert the words "diagnosed and"

On page 5 of the engrossed bill, line 35, after the word "elsewhere" insert the words "by a court of competent jurisdiction,"

On page 6 of the engrossed bill, line 2, delete the word "owning" and insert in lieu thereof the word "purchasing"

On page 7 of the engrossed bill, line 22, after the word "concerts," insert the words "public auction sales,"

- On page 8 of the engrossed bill, line 2, after the period insert the words "Such an ordinance supersedes this section within the jurisdiction of the political subdivision."
- On page 8 of the engrossed bill, line 26, delete the numerals "62.1-01-01" and insert in lieu thereof the numerals "62.1-02-01"
- On page 10 of the engrossed bill, line 22, delete the numerals "62.1-02-11" and insert in lieu thereof the numerals "62.1-02-10"
- On page 13 of the engrossed bill, line 22, delete the words "An unloaded rifle or shotgun while carried in a motor" and insert in lieu thereof the words "A bow and arrow, an unloaded rifle or shotgun, or an unloaded weapon that will expel, or is readily capable of expelling, a projectile by the action of a spring, compressed air, or compressed gas including any such weapon commonly referred to as a BB gun, air rifle, or CO<sub>2</sub> gun, while carried in a motor vehicle"
- On page 13 of the engrossed bill, line 23, delete the word "vehicle"
- And renumber the lines and pages accordingly

## SENATE AMENDMENTS TO HB 1153

- On page 4, line 27, overstrike the word "the" and insert immediately thereafter the word "whose", and overstrike the words "of which"
- On page 4, line 29, after the comma insert the words "none of which, other than a national securities exchange or association, holds in excess of twenty percent of the capital stock of the corporation, and"
- On page 5, line 5, delete the word "the"
- On page 5, line 6, delete the words "federal securities laws", overstrike the words "," and none of", delete the word "which", and overstrike the second comma
- On page 5, overstrike lines 7 and 8
- On page 5, line 9, overstrike the words "the capital stock of such corporation" and insert immediately thereafter the words "the federal securities laws"
- On page 5, after line 35, insert the following:

"Secured party"  
"Security agreement"

Section 41-09-05  
Section 41-09-05"

- On page 6, line 13, after the word "purchaser" insert the words ", or if his interest is transferred to him other than by registration of transfer, pledge, or release, the initial transaction statement sent to the registered owner or the registered pledgee"
- On page 8, line 3, after the word "The" insert the words "law (including the conflict of laws rules) of the jurisdiction of organization of the issuer governs the"
- On page 10, line 11, delete the word ", if" and insert in lieu thereof the following: "; a. If"
- On page 10, line 12, delete the word ", if" and insert in lieu thereof the following: "; b. If"
- On page 10, line 14, after the word "purchaser" insert the words "or, if his interest is transferred to him other than by registration of transfer, pledge, or release, the initial transaction statement sent to the registered owner or registered pledgee", and overstrike the word "those" and insert immediately thereafter the following: "c. Those"
- On page 10, line 22, overstrike the words "Such a" and insert immediately thereafter the word "A", and after the word "reference" insert the words "under this subdivision"
- On page 10, line 27, overstrike the letter "a."
- On page 11, line 5, overstrike the words "b. The rule of subdivision a" and insert immediately thereafter the words "This subsection"
- On page 12, line 31, after the word "person" insert the words "or, if his interest is transferred to him other than by registration of transfer, pledge, or release, the initial transaction statement sent to the registered owner or the registered pledgee"
- On page 15, line 19, delete the words "where the secured obligation is transferred" and insert in lieu thereof the words "if the security interest is assigned"
- On page 18, line 18, after the comma insert the words "to whom the transfer, pledge, or release"
- On page 18, line 19, after the word "security" insert the words "is registered", and after the word "claims" insert the words "as to which the issuer has a duty under subsection 4 of section 41-08-39 at the time of registration and which are"
- On page 18, line 21, delete the words "a person acting for him" and insert in lieu thereof the words ", if his interest is"

transferred to him other than by registration of transfer, pledge, or release, the initial transaction statement sent to the registered owner or the registered pledgee"

On page 20, delete lines 15 through 34 and insert in lieu thereof the following: "issuer that:

- a. He is an appropriate person to originate the instruction; and
  - b. At the time the instruction is presented to the issuer he will be entitled to the registration of transfer, pledge, or release.
6. A person who originates an instruction warrants to any person specially guaranteeing his signature (subsection 3 of section 41-08-28) that:
- a. He is an appropriate person to originate the instruction; and
  - b. At the time the instruction is presented to the issuer:
    - (1) He will be entitled to the registration of transfer, pledge, or release; and
    - (2) The transfer, pledge, or release requested in the instruction will be registered by the issuer free from all liens, security interests, restrictions, and claims other than those specified in the instruction.
7. A person who originates an instruction warrants to a purchaser for value and to any person guaranteeing the instruction (subsection 6 of section 41-08-28) that:
- a. He is an appropriate person to originate the instruction;
  - b. The uncertificated security referred to therein is valid; and
  - c. At the time the instruction is presented to the issuer:
    - (1) The transferor will be entitled to the registration of transfer, pledge, or release;

- (2) The transfer, pledge, or release requested in the instruction will be registered by the issuer free from all liens, security interests, restrictions, and claims other than those specified in the instruction; and
- (3) The requested transfer, pledge, or release will be rightful.
8. If a secured party is the registered pledgee or the registered owner of an uncertificated security, a person who originates an instruction of release or transfer to the debtor or, after payment and on order of the debtor, a transfer instruction to a third person, warrants to the debtor or the third person only that he is an appropriate person to originate the instruction and at the time the instruction is presented to the issuer, the transferor will be entitled to the registration of release or transfer. If a transfer instruction to a third person who is a purchaser for value is originated on order of the debtor, the debtor makes to the purchaser the warranties of subdivision b and paragraphs 2 and 3 of subdivision c of subsection 7."

On page 21, delete lines 1 through 28

On page 29, line 8, delete the word "transferor" and insert in lieu thereof the word "debtor"

On page 29, line 10, delete the word "signed" and insert in lieu thereof the words ", which, in the case of the creation of the security interest, is signed", and delete the word "transferor" and insert in lieu thereof the word "debtor"

On page 29, line 11, after the comma insert the words "or which, in the case of the release or assignment of the security interest created pursuant to this subdivision, is signed by the secured party,"

On page 29, line 26, delete the word "or"

On page 29, line 30, after the word "party" insert the following:  
"; or

- j. With respect to the transfer of a security interest where the secured party is a financial intermediary and the security has already been transferred to the financial intermediary under subdivision a, b, c, d, or g, at the time the transferor has signed a security agreement containing a description

of the security and value is given by the secured party"

- On page 30, line 11, after the word "registered" insert the words "free of the claim"
- On page 30, line 22, after the period insert the following sentence: "A financial intermediary may have a security interest in securities held in account for its customers."
- On page 30, line 32, overstrike the word "or" and insert immediately thereafter the following: "; (2) He,", and after the word "requested" insert an underscored comma
- On page 30, line 34, delete the word "the" and insert in lieu thereof the words "a certificated or uncertificated"
- On page 31, line 1, delete the numeral "(2)" and insert in lieu thereof the numeral "(3)"
- On page 31, line 4, delete the numeral "(3)" and insert in lieu thereof the numeral "(4)"
- On page 32, line 1, overstrike the words "or at" and insert immediately thereafter the words "; b. At"
- On page 32, line 2, after the word "request" insert an underscored comma
- On page 32, line 3, delete the word "such", and after the word "certificated" insert the words "or uncertificated"
- On page 32, line 5, delete the letter "b" and insert in lieu thereof the letter "c"
- On page 36, delete line 8 and insert in lieu thereof the following:
- "1. In addition to other methods, a transfer, pledge, or release of a security or any interest therein may be effected by the making of appropriate entries on the books of a clearing corporation reducing the account of the transferor, pledgor, or pledgee and increasing the amount of the obligation, or the number of shares or rights transferred, pledged, or released, if the security is shown on the account of a transferor, pledgor, or pledgee in the books of the clearing corporation; is subject to the control of the clearing corporation; and
    - a. If a security certificated,"

- On page 36, line 9, after the letter "a-" insert the numeral "(1)", remove the overstrike over the word "is", and delete the word "is", and overstrike the words "or of" and insert immediately thereafter the words ", another clearing corporation,"
- On page 36, line 10, after the word "bank" insert an underscored comma, and overstrike the words "either subject to the"
- On page 36, line 11, delete the word "control", overstrike the words "of the clearing corporation" and insert immediately thereafter the words "any of them", and remove the overstrike over the semicolon and immediately thereafter insert the word "and"
- On page 36, line 12, after the letter "b-" insert the numeral "(2)", remove the overstrike over the word "is", and delete the words "and is"
- On page 36, line 15, remove the overstrike over the semicolon, and delete the words ", or an uncertified security is"
- On page 36, delete lines 16 through 18
- On page 36, line 19, delete the word "is", and overstrike the words "shown on the account of a transferor or pledgor"
- On page 36, overstrike lines 20 through 27
- On page 36, line 28, overstrike the words "transferred or pledged" and insert immediately thereafter the following:  
"or
- b. If uncertified, is registered in the name of a clearing corporation, another clearing corporation, or a nominee of any of them"
- On page 36, line 35, overstrike the word "or" and insert immediately thereafter an underscored comma, and after the word "pledges" insert the words ", or releases"
- On page 37, line 1, overstrike the words "or pledge" and the words "has the effect of"
- On page 37, line 2, overstrike the words "a delivery of a", delete the word "certificated", and overstrike the words "security in bearer form or"
- On page 37, line 3, overstrike the words "duly endorsed in blank (section", delete the numerals "41-08-29", and overstrike the closing parenthesis
- On page 37, overstrike line 4

- On page 37, line 5, overstrike the words "shares or rights transferred or pledged" and insert immediately thereafter the words "is effective (section 41-08-29) and the purchaser acquires the rights of the transferor (section 41-08-17). A pledge or release under this section is the transfer of a limited interest"
- On page 37, line 6, overstrike the second word "the"
- On page 37, overstrike line 7
- On page 37, line 8, overstrike the words "by the pledgee or a secured party ("
- On page 37, line 9, delete the words "section 41-08-36.1", and overstrike the parenthesis and insert immediately thereafter the words "the security interest is perfected at the time when both value is given by the pledgee and the appropriate entries are made (section 41-08-36)"
- On page 37, line 10, overstrike the words "is a holder" and insert immediately thereafter the words "may be a bona fide purchaser (section 41-08-18)"
- On page 43, line 19, delete the words "Except as provided in subsection 6, an" and insert in lieu thereof the word "An"
- On page 43, line 23, after the word "issuer" insert the words "if the process was served at a time and in a manner affording the issuer a reasonable opportunity to act on it in accordance with the requirements of subsection 5"
- On page 43, line 26, after the word "pledgee" insert the words "if the notification was received at a time and in a manner affording the issuer a reasonable opportunity to act on it in accordance with the requirements of subsection 5"
- On page 43, line 34, delete the semicolon and insert in lieu thereof an underscored period
- On page 43, delete line 35
- On page 44, delete lines 1 through 4
- On page 44, line 13, before the word "If" insert the numeral "6."
- On page 44, line 18, delete the numeral "6" and insert in lieu thereof the numeral "7"
- On page 48, delete lines 1 through 23 and insert in lieu thereof the following subsections:
- "2. Upon surrender of a certificated security with all necessary endorsements and presentation of a

written request by the person surrendering the security, the issuer, if he has no duty as to adverse claims or has discharged the duty (section 41-08-39), shall issue to the person or a person designated by him an equivalent uncertificated security subject to all liens, restrictions, and claims that were noted on the certificated security.

3. Upon receipt of a transfer instruction originated by an appropriate person who so requests, the issuer of an uncertificated security shall cancel the uncertificated security and issue an equivalent certificated security on which must be noted conspicuously any liens and restrictions of the issuer and any adverse claims (as to which the issuer has a duty under subsection 4 of section 41-08-39) to which the uncertificated security was subject. The certificated security shall be registered in the name of and delivered to:

a. The registered owner, if the uncertificated security was not subject to a registered pledge; or

b. The registered pledgee, if the uncertificated security was subject to a registered pledge."

On page 49, line 2, after the word "owner" insert the words "and, if the security has been transferred subject to a registered pledge, the name and address and any taxpayer identification number of the registered pledgee"

And renumber the lines and pages accordingly

SENATE AMENDMENTS TO HB 1170

On page 1, line 1, delete the word "section" and insert in lieu thereof the word "sections", and after the numerals "50-11-06.1" insert the word and numerals "and 50-11-06.3"

On page 1, line 3, after the word "adults" insert the words "and the requirement that such homes be licensed"

On page 1, line 10, overstrike the words "shall mean" and insert immediately thereafter the word "means"

On page 1, line 11, overstrike the words "any home" and insert immediately thereafter the words "a licensed occupied private residence", and overstrike the word "less" and insert immediately thereafter the word "fewer"

On page 1, after line 14, insert the following new section:

"SECTION 2. AMENDMENT. Section 50-11-06.3 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

50-11-06.3. License required - Term - Revocation. ~~No person shall keep, operate, conduct, or manage a foster family care home for adults as defined in this chapter. No person shall provide food, shelter, and care for adults in a private residence without holding a valid license issued by the department of human services as herein provided unless care is provided to only one person or to only two persons who are related to each other. The license shall not be valid for more than one year. Any license may be revoked by the department for violation of the provisions of this chapter and the rules which may be prescribed by the department. No person acting on behalf of any state, county, or local governmental entity may arrange for, promote or authorize payment for, care provided in a foster family care home for adults which does not have a valid license issued by the department.~~"

And renumber the lines, sections, and pages accordingly

SENATE AMENDMENTS TO ENGROSSED HB 1243

On page 3 of the engrossed bill, line 27, overstrike the word "three" and insert immediately thereafter the word "five"

And renumber the lines and pages accordingly

SENATE AMENDMENTS TO ENGROSSED HB 1250

On page 1 of the engrossed bill, line 17, after the word "meeting" insert the words "and for meals attended at the request of and on behalf of the state or any of its subdivisions, agencies, bureaus, boards, or commissions"

On page 2 of the engrossed bill, line 16, delete the words "or the"

On page 2 of the engrossed bill, line 17, delete the words "certificate of a member of the legislative assembly"

On page 3 of the engrossed bill, line 16, overstrike the word "twenty" and insert immediately thereafter the word "twenty-five"

On page 4 of the engrossed bill, line 35, overstrike the word "twenty" and insert immediately thereafter the word "twenty-five"

And renumber the lines and pages accordingly

SENATE AMENDMENTS TO ENGROSSED HB 1318

On page 2 of the engrossed bill, delete lines 11 through 27

- On page 4 of the engrossed bill, line 31, delete the words "nor use" and insert in lieu thereof the word "using"
- On page 4 of the engrossed bill, line 32, delete the word ""nutritionist", "
- On page 5 of the engrossed bill, line 1, delete the words ""nutritionist" or", delete the comma, and delete the words "may use"
- On page 5 of the engrossed bill, line 3, delete the words ""nutritionist" or", delete the comma, and delete the words "may use"
- On page 7 of the engrossed bill, line 12, after the word "services" insert the words ", including weight control programs"
- On page 7 of the engrossed bill, line 13, after the word "dietitian" insert the words ", a dietitian licensed in another state that has licensure requirements considered by the board to be at least as stringent as the requirements for licensure under this Act, or a dietitian registered by the commission on dietetic registration of the American dietetic association"
- On page 7 of the engrossed bill, line 25, delete te words "A nutrition" and insert in lieu thereof the word "An"
- On page 7 of the engrossed bill, line 32, delete the word "persons" and insert in lieu thereof the word "person"
- On page 7 of the engrossed bill, line 33, delete the words "persons do" and insert in lieu thereof the words "person does", delete the words "themselves as" and insert in lieu thereof the words "that the person is a "
- On page 7 of the engrossed bill, line 34, delete the word "dietitians" and insert in lieu thereof the word "dietitian", and delete the word "nutritionists" and insert in lieu thereof the word "nutritionist"
- On page 8 of the engrossed bill, after line 2, insert the following subsection:

"10. A person who markets or distributes food, food materials, or dietary supplements, or any person who engages in the explanation of the use of those products or the preparation of those products, if that person does not represent that that person is a licensed registered dietitian or licensed nutritionist."

And renumber the lines and pages accordingly

SENATE AMENDMENTS TO ENGROSSED HB 1341

On page 1 of the engrossed bill, line 21, after the word "parents" insert the words "and care is requested by a parent"

And renumber the lines and pages accordingly

SENATE AMENDMENTS TO ENGROSSED HB 1399

On page 3 of the engrossed bill, line 34, delete the words "must be left unplugged, if"

On page 3 of the engrossed bill, line 35, delete the words "requested by the landowner" and insert in lieu thereof the words "with sodium bentonite chunks pursuant to subdivision b of subsection 1 of this section, and stabilization must occur within a reasonable length of time"

And renumber the lines and pages accordingly

LEO LEIDHOLM, Secretary

MOTION

REP. MOORE MOVED that the House waive the reading of the title to SB 2217, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2217: A BILL for an Act to create and enact a new subdivision to subsection 1 of section 57-38-01.2 of the North Dakota Century Code, relating to a state income tax exemption for social security and railroad retirement benefits which are subject to federal income tax; to amend and reenact subsections 3 and 4 of section 57-38-30.3 of the North Dakota Century Code, relating to a state income tax exemption for social security and railroad retirement benefits which are subject to federal income tax; and to provide an effective date.

Which has been read and is placed on the calendar without recommendation.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 33 YEAS, 69 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Berg, G.; DeMers; Frey; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Hill; Hoffner; Keller; Kelly; Kingsbury; Klundt; Laughlin; Lloyd; Martinson; Meyer; Oban; O'Connell; Opedahl; O'Shea; Pederson, R.; Riehl; Sauter; Schindler; Schneider; Skjerven; Starke; Stofferahn; Ulmer; Whalen; Williams, C.; Williams, W.

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

Haugland; Hausauer, A.; Hedstrom; Hughes; Kent; Kloubec; Knudson; Koland; Kretschmar; Kuchera; Larson; Lautenschlager; Linderman; Lindgren; Lipsiea; Martin; Melby; Mertens; Moore; Murphy; Myrdal; Nalewaja; Nicholas; Nowatzki; Olsen, D.; Olson, A.; Olson, V.; Payne; Peterson, J.; Retzer; Rice; Richard; Riley; Rydell; Schmidt; Shaw; Shide; Shockman; Smette; Solberg, O.; Strinden; Thompson; Timm; Tollefson; Unhjem; Vander Vorst; Watne; Wentz; Williams, A.; Winkelman; Wold; Speaker Hausauer, R.

ABSENT AND NOT VOTING: Gullickson; Lang; Solberg, R.; Wald

SB 2217 was declared lost.

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MESSAGE FROM THE SENATE  
SENATE CHAMBER

MR. SPEAKER: I have the honor to return herewith HB 1528, HB 1547, HB 1596, and HB 1625 which the Senate has amended:

SENATE AMENDMENTS TO ENGROSSED HB 1528

On page 2 of the engrossed bill, line 4, delete the word "four" and insert in lieu thereof the word "two"

On page 2 of the engrossed bill, line 10, delete the word "four" and insert in lieu thereof the word "two"

On page 3 of the engrossed bill, line 19, delete the word "four" and insert in lieu thereof the word "two"

On page 3 of the engrossed bill, line 24, delete the word "four" and insert in lieu thereof the word "two"

And renumber the lines and pages accordingly

SENATE AMENDMENTS TO ENGROSSED HB 1547

On page 1 of the engrossed bill, line 13, after the word "land" insert the words "and minerals"

On page 1 of the engrossed bill, line 14, delete the words "all corporations that are not nonprofit" and insert in lieu thereof the words "any corporation which acquires mineral interests through foreclosure or in lieu of foreclosure which were not specifically valued at the time the security interest in the minerals was acquired", and delete the second word "are" and insert in lieu thereof the word "is"

On page 1 of the engrossed bill, line 16, delete the word "are" and insert in lieu thereof the word "is"

And renumber the lines accordingly

## SENATE AMENDMENTS TO HB 1596

On page 1, line 11, delete the words "A crop lien or"

On 1, delete lines 12 through 17 and insert in lieu thereof the words "A security interest upon crops shall attach only to the crop next maturing after the delivery of the security agreement. The provisions of this section shall not apply to liens by contract given to secure the purchase price or the rental of land upon which the crops covered by the lien are to be grown."

And renumber the lines and pages accordingly

## SENATE AMENDMENTS TO HB 1625

On page 1, line 12, delete the word "direction" and insert in lieu thereof the word "recommendations"

On page 1, line 22, overstrike the word "he" and insert immediately thereafter the words "the superintendent of public instruction"

And renumber the lines and pages accordingly

LEO LEIDHOLM, Secretary

## SECOND READING OF SENATE BILLS

SB 2287: A BILL for an Act to amend and reenact section 29-28-07 of the North Dakota Century Code, relating to the right of the state to appeal in criminal prosecutions.

Which has been read.

## ROLL CALL

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

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

NAYS: None

ABSENT AND NOT VOTING: Gullickson; Lang; Martin;  
Richard; Solberg, R.; Strinden

SB 2287 passed and the title was agreed to.

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SB 2289: A BILL for an Act to amend and reenact section 57-02-08.1 of the North Dakota Century Code, relating to property tax credits for persons sixty-five years of age or older with limited income; and to provide an effective date.

Which has been read.

#### ROLL CALL

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

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

NAYS: None

ABSENT AND NOT VOTING: Gullickson; Hanson, O.; Knudson;  
Lang; Rice; Richard; Solberg, R.; Strinden

SB 2289 passed and the title was agreed to.

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SB 2316: A BILL for an Act to amend and reenact sections 61-16.1-45 and 61-21-46 of the North Dakota Century Code, relating to assessments for drain maintenance.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 79 YEAS, 20 NAYS, 7 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; Conmy; Dalrymple; Dorso; Dotzenrod; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Halmrast; Hamerlik; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kent; Kingsbury; Kloubec; Klundt; Koland; Kretschmar; Kuchera; Larson; Lautenschlager; Linderman; Lindgren; Lipsiea; Martin; Martinson; Mertens; Moore; Myrdal; Nalewaja; Nicholas; Oban; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Retzer; Rice; Riehl; Riley; Rydell; Schindler; Shaw; Shide; Shockman; Skjerven; Smette; Solberg, O.; Starke; Thompson; Timm; Tollefson; Unhjem; Vander Vorst; Wald; Watne; Wentz; Whalen; Williams, C.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: DeMers; Eckroth; Gunsch; Hanson, L.; Laughlin; Lloyd; Melby; Murphy; Nowatzki; O'Connell; Olsen, D.; Olson, A.; Richard; Sauter; Schmidt; Schneider; Stofferahn; Ulmer; Williams, A.; Williams, W.

ABSENT AND NOT VOTING: Gullickson; Knudson; Lang; Meyer; Peterson, J.; Solberg, R.; Strinden

SB 2316 passed and the title was agreed to.

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## MOTION

REP. KRETSCHMAR MOVED that the House waive the reading of the title to SB 2381, which motion prevailed.

SB 2381: A BILL for an Act to create and enact a new section to chapter 19-03.1 and a new subsection to section 19-03.1-01 of the North Dakota Century Code, relating to the creation of a controlled substances board to carry out the provisions of the Uniform Controlled Substances Act, and the definition of "board"; to amend and reenact subsection 12 of section 19-03.1-01, sections 19-03.1-02, 19-03.1-04, 19-03.1-06, 19-03.1-08, subsection 6 of section 19-03.1-09, section 19-03.1-10, subsection 7 of section 19-03.1-11, sections 19-03.1-12, 19-03.1-14, 19-03.1-15, 19-03.1-16, 19-03.1-17, 19-03.1-18, 19-03.1-19, 19-03.1-20, subsection 2 of section 19-03.1-22, section 19-03.1-26, subsection 2 of section 19-03.1-33, section 19-03.1-35, subsections 2, 4, 5, and 8 of section 19-03.1-36, sections 19-03.1-38, 19-03.1-39, and 54-12-15 of the North Dakota Century Code, relating to the implementation of and authority to control the Uniform Controlled Substances Act, and the duties of the drug enforcement unit; to repeal section 19-03.1-40 of the North Dakota Century Code, relating to proceedings

pending prior to enactment of the Uniform Controlled Substances Act; and to provide an appropriation.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 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; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Myrdal; Nalewaja; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Peterson, J.; Retzer; Rice; Richard; Riehl; Riley; Rydell; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Shockman; Skjerven; Smette; Solberg, O.; Starke; Stofferahn; Thompson; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: None

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

SB 2381 passed and the title was agreed to.

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SB 2400: A BILL for an Act to provide an appropriation to defray the expenses of a center for innovation and business development.

Which has been read.

#### ROLL CALL

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

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; DeMers; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, O.; Haugland; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kent; Kingsbury; Klundt; Knudson; Koland; Kretschmar;

Kuchera; Larson; Laughlin; Lautenschlager; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Melby; Mertens; Murphy; Myrdal; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; Peterson, J.; Retzer; Rice; Richard; Riehl; Riley; Rydell; Sauter; Shaw; Shide; Skjerven; Smette; Solberg, O.; 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:** Conmy; Dalrymple; Dorso; Hanson, L.; Hausauer, A.; Kloubec; Linderman; Meyer; Moore; Nalewaja; O'Shea; Payne; Pederson, R.; Schindler; Schneider; Shockman

**ABSENT AND NOT VOTING:** Gullickson; Lang; Schmidt; Solberg, R.

SB 2400 passed and the title was agreed to.

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SB 2417: A BILL for an Act to amend and reenact sections 25-04-13.1, 30.1-01-06, 30.1-26-01, 30.1-28-03, 30.1-28-04, and 30.1-28-11 of the North Dakota Century Code, and section 16 of chapter 313 of the 1983 Session Laws of North Dakota, relating to the superintendent of Grafton state school acting as guardian and limited guardianship or conservatorship.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 97 YEAS, 4 NAYS, 5 ABSENT AND NOT VOTING.

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

NAYS: Hanson, O.; Pederson, R.; Schindler; Whalen

ABSENT AND NOT VOTING: Dorso; Gullickson; Lang;  
Solberg, R.; Thompson

SB 2417 passed and the title was agreed to.

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#### MOTION

REP. KRETSCHMAR MOVED that the House waive the reading of the title to SB 2475, which motion prevailed.

SB 2475: A BILL for an Act to amend and reenact sections 4-01-21, 15-21-02, 26.1-01-09, 34-05-01.2, 49-01-05, 54-08-03, 54-09-05, 54-10-10, 54-11-13, 54-12-11, and 57-01-04 of the North Dakota Century Code, relating to the salaries of the commissioner of agriculture, superintendent of public instruction, commissioner of insurance, commissioner of labor, public service commissioners, lieutenant governor, secretary of state, state auditor, state treasurer, attorney general, and tax commissioner.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 77 YEAS, 25 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Berg, G.; Brokaw; Cleveland; Conmy; Dalrymple; DeMers; Dorso; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Gunsch; Halmrast; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Keller; Kelly; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Mertens; Meyer; Moore; Myrdal; Nalewaja; Nicholas; Nowatzki; O'Connell; Olson, V.; Opedahl; O'Shea; Peterson, J.; Retzer; Richard; Riehl; Rydell; Sauter; Schmidt; Schneider; Shockman; Smette; Solberg, O.; Starke; Stofferahn; Strinden; Timm; Tollefson; Ulmer; Unhjem; Wald; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: Anderson, C.; Anderson, R.; Belter; Berg, R.; Dotzenrod; Eckroth; Hamerlik; Hanson, L.; Hanson, O.; Hughes; Melby; Murphy; Oban; Olsen, D.; Olson, A.; Payne; Pederson, R.; Rice; Riley; Schindler; Shaw; Shide; Skjerven; Vander Vorst; Whalen

ABSENT AND NOT VOTING: Gullickson; Lang; Solberg, R.; Thompson

SB 2475 passed and the title was agreed to.

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SB 2479: A BILL for an Act to amend and reenact subsection 2 of section 43-30-01, and sections 43-30-04, 43-30-15, and 43-30-16 of the North Dakota Century Code, relating to the definition of private security service, rules adopted by the attorney general concerning the regulation of private investigative and security services, appeals to the private investigative and security board, and examination and license fees.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, 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; Conny; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Myrdal; Nalewaja; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Peterson, J.; Retzer; Rice; Richard; Riehl; Riley; Rydell; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Shockman; Skjerven; Smette; Solberg, O.; Starke; Stofferahn; Strinden; 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: Graba; Gullickson; Lang; Solberg, R.; Thompson

SB 2479 passed and the title was agreed to.

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## MOTION

REP. STRINDEN MOVED that the rules be suspended and that SB 2062, SB 2167, SB 2186, SB 2214, SB 2245, SB 2250, SB 2260, SB 2300, SB 2369, SB 2413, SB 2435, SB 2489, and SB 2495 be messaged to the Senate, which motion prevailed.

## SECOND READING OF SENATE CONCURRENT RESOLUTIONS

SCR 4011: A concurrent resolution urging the Board of University and School Lands to grant title to or an easement in land located east of Bismarck for the purposes of a county fairground for Burleigh County.

Which has been read.

The question being on the final adoption of the resolution.

SCR 4011 was declared adopted on a voice vote.

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SCR 4021: A concurrent resolution for the amendment of section 1 of article V of the Constitution of the State of North Dakota, or in the alternative for the amendment of the new section to the new article V of the Constitution of the State of North Dakota as created by section 4 of House Concurrent Resolution No. 3003, as approved by the forty-ninth legislative assembly, relating to the term of the governor and lieutenant governor.

Which has been read.

## ROLL CALL

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

YEAS: Anderson, C.; Anderson, R.; Berg, G.; Berg, R.; Brokaw; Cleveland; Conmy; DeMers; Dorso; Dotzenrod; Frey; Gates; Goetz; Graba; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hill; Hoffner; Hughes; Keller; Kelly; Kent; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Larson; Laughlin; Lautenschlager; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Mertens; Moore; Murphy; Nalewaja; Nicholas; Nowatzki; Oban; O'Connell; Olson, A.; Opedahl; O'Shea; Payne; Peterson, J.; Richard; Riehl; Riley; Rydell; Sauter; Schindler; Schmidt; Schneider; Shockman; Skjervan; Solberg, O.; Starke; Stofferahn; Strinden; Timm; Ulmer; Unhjem; Vander Vorst; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: Belter; Dalrymple; Eckroth; Enget; Gerntholz; Gunsch; Hedstrom; Kingsbury; Linderman; Melby; Myrdal; Olsen, D.; Olson, V.; Pederson, R.; Retzer; Rice; Shaw; Shide; Smette; Tollefson; Wald

ABSENT AND NOT VOTING: Gullickson; Lang; Meyer; Solberg, R.; Thompson

SCR 4021 was declared adopted.

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SCR 4037: A concurrent resolution directing the Legislative Council to study the feasibility of providing onsite child care facilities for children of public employees.

Which has been read.

#### ROLL CALL

The question being on the final adoption of the resolution, the roll was called and there were 46 YEAS, 56 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Berg, G.; Berg, R.; Cleveland; DeMers; Frey; Gates; Graba; Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer, A.; Hoffner; Kelly; Klundt; Knudson; Kretschmar; Kuchera; Larson; Laughlin; Linderman; Lindgren; Lloyd; Martinson; Mertens; Myrdal; Nalewaja; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Retzer; Richard; Rydell; Sauter; Schneider; Shaw; Starke; Stofferahn; Strinden; Ulmer; Unhjem; Wentz; Williams, W.; Winkelman

NAYS: Anderson, C.; Anderson, R.; Belter; Conmy; Dalrymple; Dorso; Dotzenrod; Eckroth; Enget; Gerntholz; Goetz; Gunsch; Hanson, O.; Hedstrom; Hill; Hughes; Keller; Kent; Kingsbury; Kloubec; Koland; Lautenschlager; Lipsiea; Martin; Melby; Meyer; Moore; Murphy; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Peterson, J.; Rice; Riehl; Riley; Schindler; Schmidt; Shide; Shockman; Skjerven; Smette; Solberg, O.; Thompson; Timm; Tollefson; Vander Vorst; Wald; Watne; Whalen; Williams, A.; Williams, C.; Wold; Speaker Hausauer, R.

ABSENT AND NOT VOTING: Brokaw; Gullickson; Lang; Solberg, R.

SCR 4037 was declared lost.

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SCR 4059: A concurrent resolution directing the Legislative Council to study the use of psychological tests and treatment of children attending elementary and secondary schools in this state and the desirability of providing certain safeguards against such testing and treatment without the consent of the children's parents or legal guardians.

Which has been read.

## ROLL CALL

The question being on the final adoption of the resolution, the roll was called and there were 32 YEAS, 70 NAYS, 4 ABSENT AND NOT VOTING.

**YEAS:** Belter; Conmy; Eckroth; Goetz; Hausauer, A.; Hedstrom; Knudson; Kuchera; Lipsiea; Lloyd; Martin; Melby; Murphy; Myrdal; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Payne; Pederson, R.; Peterson, J.; Retzer; Rydell; Shaw; Shide; Smette; Strinden; Vander Vorst; Wald; Whalen; Williams, A.; Winkelman

**NAYS:** Anderson, C.; Anderson, R.; Berg, G.; Berg, R.; Brokaw; Cleveland; Dalrymple; DeMers; Dorso; Dotzenrod; Enget; Frey; Gates; Gerntholz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hill; Hoffner; Hughes; Keller; Kelly; Kent; Kingsbury; Kloubec; Klundt; Koland; Kretschmar; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Martinson; Mertens; Moore; Nalewaja; Nicholas; Nowatzki; Oban; Opedahl; O'Shea; Rice; Richard; Riehl; Riley; Sauter; Schindler; Schmidt; Schneider; Shockman; Skjerven; Solberg, O.; Starke; Stofferahn; Thompson; Timm; Tollefson; Ulmer; Unhjem; Watne; Wentz; Williams, C.; Williams, W.; Wold; Speaker Hausauer, R.

**ABSENT AND NOT VOTING:** Gullickson; Lang; Meyer; Solberg, R.

SCR 4059 was declared lost.

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

Which has been read.

## ROLL CALL

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

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

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

NAYS: Anderson, C.; Gunsch; Hanson, O.; Kingsbury;  
 Olsen, D.; Thompson; Wald; Whalen

ABSENT AND NOT VOTING: Gullickson; Lang; Meyer;  
 Solberg, R.

SCR 4060 was declared adopted.

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

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 20 YEAS, 81 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Belter; Berg, R.; Cleveland; DeMers; Dotzenrod;  
 Hanson, L.; Kloubec; Kretschmar; Moore; Nalewaja;  
 Peterson, J.; Retzer; Rydell; Sauter; Shockman;  
 Stofferahn; Strinden; Unhjem; Vander Vorst; Wentz

NAYS: Anderson, C.; Anderson, R.; Berg, G.; Brokaw;  
 Conmy; Dalrymple; Dorso; Eckroth; Enget; Frey; Gates;  
 Gerntholz; Goetz; Graba; Gunsch; Halmrast; Hamerlik;  
 Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill;  
 Hoffner; Hughes; Keller; Kelly; Kent; Kingsbury;  
 Klundt; Knudson; Koland; Kuchera; Larson; Laughlin;  
 Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd;  
 Martin; Martinson; Melby; Mertens; Murphy; Myrdal;  
 Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.;  
 Olson, A.; Olson, V.; Opedahl; O'Shea; Payne;  
 Pederson, R.; Rice; Riehl; Riley; Schindler; Schmidt;  
 Schneider; Shaw; Shide; Skjerven; Smette; Solberg, O.;  
 Starke; Thompson; Timm; Tollefson; Ulmer; Wald; Watne;  
 Whalen; Williams, A.; Williams, C.; Williams, W.;  
 Winkelman; Wold; Speaker Hausauer, R.

ABSENT AND NOT VOTING: Gullickson; Lang; Meyer; Richard;  
 Solberg, R.

SCR 4063 was declared lost.

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SCR 4069: A concurrent resolution to appoint an official photographer for the Forty-ninth Legislative Assembly, to set forth the photography order, and to authorize payment.

Which has been read.

ROLL CALL

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

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; Conmy; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Hughes; Keller; Kelly; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Melby; Moore; Murphy; Myrdal; Nalewaja; Nicholas; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Peterson, J.; Retzer; Rice; Richard; Riehl; Riley; Rydell; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Shockman; Smette; Solberg, O.; 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: Skjerven

ABSENT AND NOT VOTING: Gullickson; Hoffner; Lang; Mertens; Meyer; Nowatzki; Solberg, R.

SCR 4069 was declared adopted.

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MESSAGE TO THE SENATE HOUSE CHAMBER

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

SB 2062, SB 2167, SB 2186, SB 2214, SB 2245, SB 2250, SB 2260, SB 2300, SB 2369, SB 2413, SB 2435, SB 2489, SB 2495

ROY GILBREATH, Chief Clerk

## MOTIONS

REP. STRINDEN MOVED that SB 2450 be laid over one legislative day, which motion prevailed.

REP. STRINDEN MOVED that the rules be suspended, that SB 2151 be held at the desk for a possible reconsideration on a simple majority tomorrow, which motion prevailed on a verification vote.

REP. STRINDEN MOVED that SB 2053 be removed from the Fourteenth order on the calendar and be rereferred to the Committee on Appropriations, which motion prevailed.

## REPORT OF PROCEDURAL COMMITTEE

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

HB 1660

REP. STRINDEN, Chairman

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

## MOTIONS

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

REP. KRETSCHMAR MOVED that the House be on the Fifth order of business, and at the conclusion of the Fifth order, the House be on the Ninth order of business, and at the conclusion of the Ninth order, the House stand adjourned until 9:00 a.m., Friday, March 22, 1985, which motion prevailed.

## FIRST READING OF HOUSE BILL

Rep. Strinden introduced:

(Approved by the Committee on Delayed Bills)

HB 1660: A BILL for an Act making an appropriation for the distribution of funds for the replacement of personal property tax revenue.

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

## REPORTS OF STANDING COMMITTEES

MR. SPEAKER: Your Committee on Appropriations to which was referred Engrossed SB 2012 has had the same under consideration and recommends by a vote of 23 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 of the engrossed bill, line 11, after the second comma insert the words "and from special funds derived from the capitol building fund and other income"

On page 1 of the engrossed bill, after line 18, insert the following line:

"Capitol improvements 160,000"

On page 1 of the engrossed bill, line 20, delete the numerals "2,379,509" and insert in lieu thereof the numerals "2,539,509"

On page 1 of the engrossed bill, line 21, delete the numerals "50,000" and insert in lieu thereof the numerals "210,000"

On page 2 of the engrossed bill, after line 17, insert the following section:

"SECTION 3. APPROPRIATION - TRANSFER. The amount appropriated in section 1 of this Act includes \$160,000 which shall be transferred by the office of management and budget from the capitol building fund for the biennium beginning July 1, 1985, and ending June 30, 1987, as required for disbursement by the state laboratories department."

And renumber the lines, sections, and pages accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

##### State Laboratories Department

The salaries and wages line item includes funds for the continuation of a 5.5 percent increase to be provided during the 1983-85 biennium and average salary increases of four percent the second year of the 1985-87 biennium.

A capital improvements line item in the amount of \$160,000 from the Capitol building fund is added to provide renovation of the heating, ventilating, and air conditioning system at the State Laboratories building. A new section is added to provide for the transfer of funds from the Capitol building fund.

REP. J. PETERSON, Chairman

Engrossed SB 2012 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 Engrossed SB 2015 has had the same under consideration and recommends by a vote of 22 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 14, delete the numerals "229,415" and insert in lieu thereof the numerals "235,243"

On page 1 of the engrossed bill, line 17, delete the numerals "1,540,452" and insert in lieu thereof the numerals "1,546,280"

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Department of Banking and Financial Institutions

The amount of \$5,828 is reinstated to the operating expenses line item, which was deleted by the Senate. The \$5,828 is for board member meal and lodging reimbursement pursuant to the passage of House Bill No. 1123.

The salaries and wages line item allows funds to continue average salary increases of 5.5 percent the first year of the biennium and average salary increases of four percent the second year of the biennium. Funds are allowed to provide a minimum increase of \$50 per month for each year of the biennium. The salary increases are to be based on merit, performance, or equity adjustments, and are not intended to be across-the-board salary increases.

REP. J. PETERSON, Chairman

Engrossed SB 2015 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 2016 has had the same under consideration and recommends by a vote of 18 YEAS, 0 NAYS, 5 ABSENT AND NOT VOTING that the same DO PASS.

REP. J. PETERSON, Chairman

SB 2016 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 2017 has had the same under consideration and recommends by a vote of 18 YEAS, 0 NAYS, 5 ABSENT AND NOT VOTING that the same DO PASS.

REP. J. PETERSON, Chairman

SB 2017 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 2018 has had the same under consideration and recommends by a vote of 17 YEAS, 1 NAY, 5 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 12, delete the numerals "285,959" and insert in lieu thereof the numerals "280,516"

On page 1, line 16, delete the numerals "449,186" and insert in lieu thereof the numerals "443,743"

And renumber the lines and pages accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

Milk Stabilization Board

The salaries and wages line item is reduced by \$5,443 from other funds. This will allow funds to continue average salary increases of 5.5 percent the first year of the biennium and average salary increases of four percent the second year of the biennium. Funds are allowed to provide a minimum increase of \$50 per month for each year of the biennium. The salary increases are to be based on merit, performance, or equity adjustments, and are not intended to be across-the-board salary increases.

REP. J. PETERSON, Chairman

SB 2018 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 Engrossed SB 2024 has had the same under consideration and recommends by a vote of 18 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 of the engrossed bill, line 15, delete the numerals "1,888,445" and insert in lieu thereof the numerals "2,125,759"

On page 1 of the engrossed bill, line 20, delete the numerals "351,949,502" and insert in lieu thereof the numerals "352,186,816"

On page 1 of the engrossed bill, line 21, delete the numerals "351,919,502" and insert in lieu thereof the numerals "352,156,816"

And renumber the lines accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

Highway Department

The data processing line item is increased by \$237,314 to allow funds for improvements to the Highway Department's accounting system.

The salaries and wages line item allows funds to continue average salary increases of 5.5 percent (\$50 per month minimum) the first year of the biennium and to provide average salary increases of

four percent (\$50 per month minimum) the second year of the biennium.

REP. J. PETERSON, Chairman

Engrossed SB 2024 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 Engrossed SB 2026 has had the same under consideration and recommends by a vote of 23 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 of the engrossed bill, line 13, delete the numerals "2,050,184" and insert in lieu thereof the numerals "2,055,951"

On page 1 of the engrossed bill, line 20, delete the numerals "5,138,798" and insert in lieu thereof the numerals "5,144,565"

And renumber the lines accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT

##### Motor Vehicle Department

The salaries and wages line item is increased by \$5,767 from other funds. This will allow funds to continue average salary increases of 5.5 percent the first year of the biennium and average salary increases of four percent the second year of the biennium. Funds are allowed to provide a minimum increase of \$50 per month for each year of the biennium. The salary increases are to be based on merit, performance, or equity adjustments, and are not intended to be across-the-board salary increases.

REP. J. PETERSON, Chairman

Engrossed SB 2026 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 2035 has had the same under consideration and recommends by a vote of 19 YEAS, 1 NAY, 3 ABSENT AND NOT VOTING that the same DO PASS.

REP. J. PETERSON, Chairman

SB 2035 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 Engrossed SB 2036 has had the same under consideration and recommends by a vote of 19 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 9, delete the numerals "797,281" and insert in lieu thereof the numerals "786,481"

And renumber the lines and pages accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

Tax Commissioner

The amount to be transferred from the motor vehicle fuel tax to the general fund is reduced by \$10,800 to reflect the reduction of gas tax division salaries and wages in House Bill No. 1001.

REP. J. PETERSON, Chairman

Engrossed SB 2036 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 2049 has had the same under consideration and recommends by a vote of 17 YEAS, 4 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

REP. J. PETERSON, Chairman

SB 2049 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 2130 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 2130 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 2216 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 2216 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 2284 has had the same under consideration and recommends by a vote of 20 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

REP. J. PETERSON, Chairman

SB 2284 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 2306 has had the same under consideration and recommends by a

vote of 22 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

REP. J. PETERSON, Chairman

SB 2306 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 2312 has had the same under consideration and recommends by a vote of 22 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

REP. J. PETERSON, Chairman

SB 2312 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 2441 has had the same under consideration and recommends by a vote of 17 YEAS, 4 NAYS, 2 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. J. PETERSON, Chairman

SB 2441 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 2508 has had the same under consideration and recommends by a vote of 10 YEAS, 2 NAYS, 4 ABSENT AND NOT VOTING that the same DO PASS.

REP. KLOUBEC, Chairman

SB 2508 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

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

ROY GILBREATH, Chief Clerk