

## JOURNAL OF THE SENATE

## Forty-ninth Legislative Assembly

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## FIFTY-SECOND DAY

Bismarck, March 22, 1985

The Senate convened at 9:00 a.m., with President Meiers presiding.

The prayer was offered by Reverend Daniel Wissman, Good Shepherd Lutheran Church, Bismarck.

Oh Lord our God. We begin this day and this legislative day overwhelmed by the actions that need to be taken and by Your grace and love. We thank You for safely bringing us through the night by protecting us from all evil. We thank You for opportunities to serve You and our fellow citizens.

Give us an understanding for people. Give us wisdom to distinguish between needs and wants. Give us insight to work through politics and political ploys. Give us knowledge to plan for the future. Give us courage to make a difference. Give us faith to be loyal to You and Your will.

In Your word we read about Your love for Your creation. In reading the history of this nation and the history of this state of North Dakota, we can count Your numerous blessings. Continue to support and bless us as we support and help our constituents and citizens of this state. Amen.

## ROLL CALL

The roll was called and all Senators were present.

A quorum was declared by the President.

## REVISION AND CORRECTION OF THE JOURNAL

MADAM PRESIDENT: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Fifty-first day and recommends that the same be corrected as follows and when so corrected, recommends that the same be approved:

On page 1625, line 35, after the numerals "1399" add the numerals "1528, 1547, 1596, 1625"

SEN. DAVID, Chairman

SEN. KELLY MOVED that the report be adopted, which motion prevailed.

**MESSAGES TO THE HOUSE  
SENATE CHAMBER**

**MR. SPEAKER:** I have the honor to inform you that the Senate has concurred in the House amendments to SB 2074, SB 2075, SB 2078, SB 2086, SB 2095, SB 2127, SB 2144, SB 2164, SB 2194, SB 2234, SB 2275, SB 2282, SB 2292, SB 2303, SB 2324, SB 2325, SB 2329, SB 2330, SB 2356, SB 2360, SB 2362, SB 2386, SB 2390, SB 2409, SB 2444, SB 2466, SB 2471, SB 2478, SB 2480, SCR 4007, SCR 4026, and SCR 4053 and subsequently passed the same.

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 2065 and SB 2438 and the President has appointed as a conference committee to act with a like committee from the House on:

SB 2065: Sens. Peterson, Freborg, Heinrich  
SB 2438: Sens. Stenehjelm, Olson, Lashkowitz

LEO LEIDHOLM, Secretary

**SENATE CHAMBER**

**MR. SPEAKER:** I have the honor to inform you that the President has appointed as a conference committee to act with a like committee from the House on:

HB 1072: Sens. Parker, Todd, Krauter  
HB 1287: Sens. Reiten, Mutch, Langley  
HB 1327: Sens. Moore, Kilander, Satrom  
HB 1493: Sens. Kilander, Moore, Waldera  
HB 1574: Sens. Wright, Moore, Waldera

LEO LEIDHOLM, Secretary

**MESSAGES FROM THE HOUSE  
HOUSE CHAMBER**

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

SB 2172, SB 2174, SB 2179, SB 2349

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 2056, SB 2109, SB 2304, SB 2343, SB 2485, SCR 4018

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 3097, HCR 3098

ROY GILBREATH, Chief Clerk

## MOTION

SEN. NETHING MOVED that the Senate stand in recess until 12:30 p.m., which motion prevailed.

THE SENATE RECONVENED pursuant to recess taken, with the President presiding.

## MESSAGES FROM THE HOUSE

## 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 2068: Reps. Cleveland, Lindgren, Shockman  
 SB 2273: Reps. Martinson, Kretschmar, W. Williams  
 SB 2313: Reps. Whalen, Koland, Lloyd  
 SB 2338: Reps. Riley, Murphy, L. Hanson

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 2345: Reps. Hughes, A. Hausauer, Watne  
 SB 2355: Reps. Larson, Riley, Dotzenrod  
 SB 2464: Reps. Dalrymple, Schmidt, Keller

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 1069 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1069: Reps. Lindgren, Dalrymple, R. Solberg

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 HE 1013, HE 1243, HB 1250 and HB 1446 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1013: Reps. Kingsbury, Unhjem, Laughlin  
 HB 1243: Reps. Kingsbury, Unhjem, Stofferahn

HB 1250: Reprs. Kingsbury, Gunsch, Graba  
 HB 1446: Reprs. Hamerlik, R. Larson, DeMers

ROY GILBREATH, Chief Clerk

PRESENTATION OF PETITIONS AND COMMUNICATIONS

State of North Dakota  
 EXECUTIVE OFFICE  
 Bismarck

March 12, 1985

The Honorable Ruth Meiers  
 President of the Senate  
 Senate Chambers  
 State Capitol  
 Bismarck, North Dakota 58505

Dear Lieutenant Governor Meiers:

I have reappointed Peter Quist as Securities Commissioner. Mr. Quist's appointment will be July 1, 1985 to June 30, 1989.

I am at this time requesting confirmation of Mr. Quist's appointment by the Senate.

Sincerely,

GEORGE A. SINNER  
 Governor

REPORT OF PROCEDURAL COMMITTEE

MADAM PRESIDENT: Your procedural Committee on Committees respectfully submit the following committee to consider the nomination for Securities Commissioner:

Sen. Todd, Chairman  
 Sen. Mutch  
 Sen. Tennefos  
 Sen. Adams  
 Sen. Krauter  
 Sen. Tallackson  
 Sen. J. Meyer

SEN. NETHING, Chairman

SEN. NETHING MOVED that the report be adopted, which motion prevailed.

APPOINTMENT REFERRAL

THE PRESIDENT REFERRED the appointment of Peter Quist as Securities Commissioner to the Committee for Securities Commissioner.

## MOTION

SEN. NETHING MOVED that HB 1089, HB 1421, HB 1485, HB 1542, HB 1557, HB 1585, HB 1609, and HB 1643 be placed at the foot of the calendar, which motion prevailed.

## CONSIDERATION OF AMENDMENTS

SEN. LIPS MOVED that the amendments to HB 1019 as recommended by the Committee on Appropriations as printed on pages 1654-1655 of the Senate Journal be adopted, and when so adopted, recommends that HB 1019 DO PASS, which motion prevailed.

SEN. LIPS MOVED that the amendments to HB 1020 as recommended by the Committee on Appropriations as printed on pages 1655-1656 of the Senate Journal be adopted, and when so adopted, recommends that HB 1020 DO PASS, which motion prevailed.

## MOTION

SEN. NELSON MOVED that the rules be suspended, that HB 1020 be placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

## SECOND READING OF HOUSE BILL

HB 1020: A BILL for an Act making an appropriation for defraying the expenses of the economic development commission of the state of North Dakota; and providing for a transfer.

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 48 YEAS, 2 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Berube; Christensen; David; Dotzenrod; Freborg; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Maixner; Meyer, D.; Moore; Mushik; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Reclin; Reiten; Satrom; Shea; Stenehjeme; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: Matchie; Meyer, J.

ABSENT AND NOT VOTING: Heigaard; Meyer, W.; Vosper

HB 1020 passed and the title was agreed to.

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## MOTION

SEN. NETHING MOVED that the vote by which HB 1020 passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

## CONSIDERATION OF AMENDMENTS

SEN. LIPS MOVED that the amendments to HB 1025 as recommended by the Committee on Appropriations as printed on pages 1656-1657 of the Senate Journal be adopted, and when so adopted, recommends that HB 1025 DO PASS, which motion prevailed.

## MOTION

SEN. KUSLER MOVED that the rules be suspended, that HB 1025 be placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

## SECOND READING OF HOUSE BILL

HB 1025: A BILL for an Act making an appropriation for defraying the expenses of various agricultural councils and commissions 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 52 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Berube; Christensen; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Vosper

HB 1025 passed and the title was agreed to.

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## MOTION

SEN. NETHING MOVED that the vote by which HB 1025 passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

## CONSIDERATION OF AMENDMENTS

SEN. LIPS MOVED that the amendments to HB 1029 as recommended by the Committee on Appropriations as printed on pages 1657-1658 of the

Senate Journal be adopted, and when so adopted, recommends that HB 1029 DO PASS, which motion prevailed.

SEN. LIPS MOVED that the amendments to HB 1394 as recommended by the Committee on Appropriations as printed on page 1658 of the Senate Journal be adopted, and when so adopted, recommends that HB 1394 DO PASS.

#### MOTION

SEN. MAIXNER MOVED that the amendments to HB 1394 be laid on the table.

#### REQUEST

SEN. TENNEFOS REQUESTED a recorded roll call vote on the motion that the amendments to HB 1394 be laid on the table, which request was granted.

#### ROLL CALL

The question being on the motion that the amendments to HB 1394 be laid on the table, the roll was called and there were 24 YEAS, 27 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Christensen; Heinrich; Hilken; Ingstad; Kelsh; Krauter; Kusler; Lashkowitz; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Naaden; Nelson; Nething; Olson; Stenehjem; Thane; Waldera; Wogsland; Wright

NAYS: Berube; David; Dotzenrod; Freborg; Heigaard; Kelly; Kilander; Langley; Lips; Meyer, W.; Moore; Mushik; Mutch; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Streibel; Stromme; Tallackson; Tennefos; Todd; Tweten; Walsh; Wenstrom

ABSENT AND NOT VOTING: Holmberg; Vosper

The motion that the amendments to HB 1394 be laid on the table lost.

The amendments to HB 1394 were adopted on a voice vote.

#### CONSIDERATION OF AMENDMENTS

SEN. CHRISTENSEN MOVED that the amendments to HB 1486 as recommended by the Committee on Judiciary as printed on page 1659 of the Senate Journal be adopted, and when so adopted, recommends that HB 1486 DO PASS, which motion prevailed.

#### SECOND READING OF SENATE BILL

SB 2507: A BILL for an Act to grant an appropriation for use in the defense of the litigation entitled Burlington Northern Railroad Company v. State of North Dakota, acting by and through the State Board of Equalization, et al, District Court, South Central Judicial District, Burleigh County Civil No. 35884.

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 27 YEAS, 24 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Berube; Dotzenrod; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelsh; Krauter; Kusler; Langley; Lashkowitz; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Mushik; Redlin; Satrom; Shea; Stromme; Tallackson; Waldera; Walsh; Wenstrom; Wogsland

NAYS: Adams; Bakewell; Christensen; David; Freborg; Kelly; Kilander; Lips; Lodoen; Moore; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Reiten; Streibel; Tennefos; Thane; Todd; Tweten; Wright

ABSENT AND NOT VOTING: Stenehjem; Vosper

SB 2507 passed and the title was agreed to.

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#### MOTION

SEN. MAIXNER MOVED that the vote by which SB 2507 passed be reconsidered and the motion to reconsider be laid on the table.

#### REQUESTS

SEN. OLSON REQUESTED a roll call vote on the motion that the vote by which SB 2507 passed be reconsidered and the motion to reconsider be laid on the table, which request was granted.

SEN. OLSON REQUESTED a call of the Senate, which request was granted.

#### MOTION

SEN. NETHING MOVED that the call of the Senate be rescinded, which motion prevailed.

#### ROLL CALL

The question being on the motion that the vote by which SB 2507 passed be reconsidered and the motion to reconsider be laid on the table, the roll was called and there were 24 YEAS, 28 NAYS, 1 ABSENT AND NOT VOTING.

The motion lost.

#### MOTION

SEN. REITEN MOVED that SB 2510 which is on the Eleventh order be laid over one legislative day, which motion prevailed.

## SECOND READING OF HOUSE BILL

HB 1015: A BILL for an Act making an appropriation for defraying the expenses of the pardon board and the parole and probation office 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 53 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Berube; Christensen; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: None

HB 1015 passed and the title was agreed to.

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## MOTION

SEN. NOTHING MOVED that the vote by which HB 1015 passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

## SECOND READING OF HOUSE BILL

HB 1195: A BILL for an Act to create and enact two new sections to chapter 14-09 and a new section to chapter 50-09 of the North Dakota Century Code, relating to notification of child support enforcement agency in divorce actions and providing child support arrearage information to credit reporting agencies; to amend and reenact section 14-08-03 and subsection 2 of section 14-08-07 of the North Dakota Century Code, relating to the procedure for an action for support and transcription of child support orders.

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 53 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Berube; Christensen; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: None

HB 1195 passed and the title was agreed to.

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MOTION

SEN. NOTHING MOVED that the vote by which HB 1195 passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1285: A BILL for an Act to create and enact a new section to chapter 28-21 of the North Dakota Century Code, relating to levy on personal 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 53 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Berube; Christensen; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Filander; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: None

HB 1285 passed and the title was agreed to.

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## MOTION

SEN. NETHING MOVED that the vote by which HB 1285 passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

## SECOND READING OF HOUSE BILL

HB 1588: A BILL for an Act to amend and reenact sections 27-08.1-01 and 27-08.1-03 of the North Dakota Century Code, relating to the jurisdictional limits of small claims courts.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 53 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Berube; Christensen; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: None

HB 1588 passed and the title was agreed to.

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## MOTION

SEN. NETHING MOVED that the vote by which HB 1588 passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

## MOTION

SEN. NETHING MOVED that HB 1485 be moved to the head of the calendar, which motion prevailed

## SECOND READING OF HOUSE BILL

HB 1485: A BILL for an Act to amend and reenact sections 27-08.1-03 and 27-08.1-04 of the North Dakota Century Code, relating to a defendant's answer in small claims court.

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

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 3 YEAS, 50 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Langley; Meyer, D.; Meyer, W.

NAYS: Adams; Bakewell; Berube; Christensen; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, J.; Moore; Mushik; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjelm; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

ABSENT AND NOT VOTING: None

HB 1485 was declared lost.

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MESSAGE FROM THE HOUSE  
HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to inform you that the House has reconsidered its action whereby it did not concur in the Senate amendments to HB 1250, and consequently did not concur in the Senate amendments to HB 1250, and the Speaker has appointed as a conference committee to meet with a like committee from the Senate, the following:

HB 1250: Reps. Kingsbury, Martinson, Graba

ROY GILBREATH, Chief Clerk

REPORT OF PROCEDURAL COMMITTEE

MADAM PRESIDENT: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill and find the same correctly enrolled:

SB 2296

SEN. BAKEWELL, Chairman

SEN. INGSTAD MOVED that the report be adopted, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1615: A BILL for an Act to amend and reenact subsection 5 of section 12.1-27.1-01 of the North Dakota Century Code, relating to dissemination of obscene material.

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 51 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Adams; Berube; Christensen; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: Bakewell; David

ABSENT AND NOT VOTING: None

HB 1615 passed and the title was agreed to.

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## MOTION

SEN. NETHING MOVED that the vote by which HB 1615 passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

## SECOND READING OF HOUSE BILLS

HB 1008: A BILL for an Act making an appropriation for defraying the expenses of the division of independent study of the state of North Dakota.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 52 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Berube; Christensen; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Vosper

HB 1008 passed and the title was agreed to.

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HB 1016: A BILL for an Act making an appropriation for defraying the expenses of the adjutant general of the state of North Dakota; and providing for an appropriation and transfer of funds from the Vietnam bonus sinking fund and national guard tuition trust fund.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 53 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Berube; Christensen; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme; Tallackson; Thane; Tennefos; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: None

HB 1016 passed and the title was agreed to.

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HB 1022: A BILL for an Act making an appropriation for defraying the expenses of the parks and recreation department of the state of North Dakota.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 53 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Berube; Christensen; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: None

HB 1022 passed and the title was agreed to.

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HB 1024: A BILL for an Act making an appropriation for defraying the administrative expenses of the unsatisfied judgment fund of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 52 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Berube; Christensen; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nelson; Nething; Olson; Parker; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Peterson

HB 1024 passed and the title was agreed to.

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HB 1026: A BILL for an Act making an appropriation for the distribution of state general fund revenue to local political subdivisions of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 51 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Berube; Christensen; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Ingstad; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme;

Tallackson; Tennefos; Thane; Todd; Tweten; Vosper;  
Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Holmberg; Kelly

HB 1026 passed and the title was agreed to.

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HB 1037: A BILL for an Act making an appropriation for defraying the expenses of the predatory animal control of the state of North Dakota.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 52 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Berube; Christensen; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Maixner

HB 1037 passed and the title was agreed to.

\*\*\*\*\*

HB 1085: A BILL for an Act to amend and reenact subsection 1 of section 39-03.1-09, sections 39-03.1-10, 39-03.1-12, and 39-03.1-14 of the North Dakota Century Code, relating to retirement benefits and state and employee contributions under the highway patrolmen's retirement system.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 50 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Berube; Christensen; David; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz;

Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: Kelly; Stromme

ABSENT AND NOT VOTING: Dotzenrod

HB 1085 passed and the title was agreed to.

\*\*\*\*\*

HB 1145: A BILL for an Act to adopt the Uniform Transfers to Minors Act, relating to transfer of property to custodians for the benefit of minors; to amend and reenact subsection 45 of section 30.1-01-06 of the North Dakota Century Code, relating to definition of trusts under the Uniform Probate Code; and to repeal chapter 47-24 of the North Dakota Century Code, relating to the Uniform Gifts to Minors Act.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 51 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Berube; Christensen; David; Dotzenrod; Freborg; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Heigaard; Stromme

HB 1145 passed and the title was agreed to.

\*\*\*\*\*

HB 1267: A BILL for an Act to provide for the administration of recreational leadership grants and facilities grants.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 50 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Berube; Christensen; Dotzenrod; Freborg; Heinrich; Hilken; Holmberg; Ingstad; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: David; Kelly

ABSENT AND NOT VOTING: Heigaard

HB 1267 passed and the title was agreed to.

\*\*\*\*\*

HB 1349: A BILL for an Act making an appropriation to the state treasurer for state revenue sharing payments; and declaring an emergency.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 53 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Berube; Christensen; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: None

HB 1349 passed, the title was agreed to, and the emergency clause carried.

\*\*\*\*\*

HB 1408: A BILL for an Act to create and enact a new subsection to section 54-35-02 of the North Dakota Century Code, to

provide that the Legislative Council may appoint or retain legal counsel to protect the interests of the legislative branch in actions and proceedings.

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

#### MOTIONS

SEN. STENEHJEM MOVED that HB 1408 be amended as follows:

On page 1, line 10, delete the first word "To" and insert in lieu thereof the words "Upon approval of two-thirds of the members of the legislative council, to"

And renumber the lines accordingly

SEN. STENEHJEM MOVED that the proposed amendments be adopted, which motion prevailed on a division vote.

SEN. STENEHJEM MOVED that the rules be suspended, that HB 1408 be placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

HB 1408: A BILL for an Act to create and enact a new subsection to section 54-35-02 of the North Dakota Century Code, to provide that the Legislative Council may appoint or retain legal counsel to protect the interests of the legislative branch in actions and proceedings.

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

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 29 YEAS, 24 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Christensen; David; Freborg; Holmberg; Ingstad; Kelly; Kilander; Lips; Lodoen; Meyer, W.; Moore; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Reiten; Stenehjsem; Streibel; Tennefos; Todd; Tweten; Vosper; Wenstrom; Wright

NAYS: Berube; Dotzenrod; Heigaard; Heinrich; Hilken; Kelsh; Krauter; Kusler; Langley; Lashkowitz; Maixner; Matchie; Meyer, D.; Meyer, J.; Mushik; Redlin; Satrom; Shea; Stromme; Tallackson; Thane; Waldera; Walsh; Wogsland

ABSENT AND NOT VOTING: None

HB 1408 passed and the title was agreed to.

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## MOTION

SEN. NETHING MOVED that the vote by which HB 1408 passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

## SECOND READING OF HOUSE BILLS

HB 1427: A BILL for an Act to amend and reenact section 32-04-12 of the North Dakota Century Code, relating to specific performance of agreements to arbitrate.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 51 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Berube; Christensen; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Kusler; Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Krauter; Redlin

HB 1427 passed and the title was agreed to.

\*\*\*\*\*

HB 1507: A BILL for an Act to amend and reenact sections 26.1-05-05 and 26.1-05-31 of the North Dakota Century Code, relating to the qualifications of directors of insurance companies and deleting the requirement of stock ownership and to salaries, expenses, and pensions of officers and agents of domestic insurance companies.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 42 YEAS, 3 NAYS, 8 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Berube; Christensen; David; Dotzenrod; Freborg; Heigaard; Hilken; Ingstad; Kelly; Kelsh; Kilander; Kusler; Langley; Lashkowitz; Lips; Lodoen; Matchie; Meyer, J.; Moore; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Reiten; Satrom; Shea; Streibel; Tallackson; Tennefos; Thane;

Todd; Tweten; Vosper; Waldera; Wenstrom; Wogsland;  
Wright

NAYS: Heinrich; Maixner; Mushik

ABSENT AND NOT VOTING: Holmberg; Krauter; Meyer, D.;  
Meyer, W.; Redlin; Stenehjem; Stromme; Walsh

HB 1507 passed and the title was agreed to.

\*\*\*\*\*

HB 1583: A BILL for an Act to provide an appropriation to construct and equip a housing office building at the university of North Dakota.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 44 YEAS, 3 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Berube; Christensen; Dotzenrod;  
Freborg; Heinrich; Hilken; Ingstad; Kelly; Kelsh;  
Kilander; Kusler; Langley; Lashkowitz; Lips; Lodoen;  
Maixner; Matchie; Meyer, J.; Mushik; Mutch; Naaden;  
Nelson; Nething; Olson; Peterson; Redlin; Reiten;  
Satrom; Shea; Streibel; Stromme; Tallackson; Tennefos;  
Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom;  
Wogsland; Wright

NAYS: David; Moore; Parker

ABSENT AND NOT VOTING: Heigaard; Holmberg; Krauter;  
Meyer, D.; Meyer, W.; Stenehjem

HB 1583 passed and the title was agreed to.

\*\*\*\*\*

HB 1587: A BILL for an Act to set safety standards for anhydrous ammonia facilities; 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 49 YEAS, 1 NAY, 3 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Berube; Christensen; David;  
Dotzenrod; Freborg; Heigaard; Heinrich; Hilken;  
Holmberg; Ingstad; Kelly; Kelsh; Kilander; Kusler;  
Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie;

Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch;  
 Naaden; Nelson; Nething; Olson; Parker; Peterson;  
 Redlin; Reiten; Satrom; Shea; Streibel; Stromme;  
 Tallackson; Tennefos; Thane; Todd; Waldera; Walsh;  
 Wenstrom; Wogsland; Wright

NAYS: Vosper

ABSENT AND NOT VOTING: Krauter; Stenehjem; Tweten

HB 1587 passed and the title was agreed to.

\*\*\*\*\*

HB 1636: A BILL for an Act to amend and reenact section 10-06-13 of the North Dakota Century Code, relating to divestiture of farmland or ranchland.

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

#### MOTIONS

SEN. J. MEYER MOVED that HB 1636 be amended as follows:

On page 2 of the engrossed bill, line 21, after the word "to" insert the following words: "the prior mortgagor with an option to buy"

On page 2 of the engrossed bill, line 23, delete the words ", if any mineral interest owned by that prior mortgagor is"

On page 2 of the engrossed bill, line 24, delete the words "not severed from the interest in the surface to the land,"

And renumber the lines and pages accordingly

SEN. J. MEYER MOVED that the proposed amendments be adopted, which motion prevailed.

SEN. J. MEYER MOVED that the rules be suspended, that HB 1636 be placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

HB 1636: A BILL for an Act to amend and reenact section 10-06-13 of the North Dakota Century Code, relating to divestiture of farmland or ranchland.

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

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 28 YEAS, 22 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Berube; Dotzenrod; Heigaard; Heinrich; Hilken; Ingstad; Kelsh; Kusler; Langley; Lashkowitz; Lips; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Mushik; Redlin; Satrom; Shea; Stromme; Tallackson; Thane; Tweten; Vosper; Waldera; Walsh; Wogsland

NAYS: Adams; Bakewell; Christensen; David; Freborg; Kelly; Kilander; Lodoen; Moore; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Reiten; Streibel; Tennefos; Todd; Wenstrom; Wright

ABSENT AND NOT VOTING: Holmberg; Krauter; Stenehjerm

HB 1636 passed and the title was agreed to.

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MESSAGES TO THE HOUSE  
SENATE CHAMBER

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

HB 1015, HB 1020, HB 1025, HB 1195, HB 1285, HB 1588,  
HB 1615

LEO LEIDHOLM, Secretary

SENATE CHAMBER

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

HB 1408

LEO LEIDHOLM, Secretary

SENATE CHAMBER

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

HB 1282, HB 1314, HB 1316

LEO LEIDHOLM, Secretary

MESSAGE FROM THE HOUSE  
HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to return SB 2178, SB 2197, SB 2274, SB 2373, SB 2411, SB 2436, and SB 2468 which the House has amended:

HOUSE AMENDMENTS TO ENGROSSED SB 2178

On page 1 of the engrossed bill, line 26, delete the word "nonpublic"

- On page 9 of the engrossed bill, line 31, delete the word "two" and insert in lieu thereof the word "four"
- On page 10 of the engrossed bill, line 21, delete the word "two" and insert in lieu thereof the word "four"
- On page 12 of the engrossed bill, line 2, delete the words "one year" and insert in lieu thereof the words "two years"
- On page 15 of the engrossed bill, line 13, delete the words "one year" and insert in lieu thereof the words "two years"
- On page 15 of the engrossed bill, line 33, delete the word "twenty-five" and insert in lieu thereof the words "one hundred"
- On page 16 of the engrossed bill, line 1, delete the word "twenty-five" and insert in lieu thereof the words "one hundred"
- On page 16 of the engrossed bill, line 15, delete the word "twenty-five" and insert in lieu thereof the words "one hundred"
- On page 17 of the engrossed bill, line 16, delete the word "fifty" and insert in lieu thereof the words "one hundred"
- On page 18 of the engrossed bill, line 20, delete the word "fifty" and insert in lieu thereof the words "one hundred"
- On page 18 of the engrossed bill, line 29, delete the word "fifty" and insert in lieu thereof the words "one hundred"
- On page 31 of the engrossed bill, line 20, delete the words "Interest and penalties" and insert in lieu thereof the word "Penalties"
- On page 31 of the engrossed bill, delete lines 21 through 25
- On page 31 of the engrossed bill, line 30, delete the words "five thousand dollars" and insert in lieu thereof the words "the value of the property that should have been paid or delivered"

And renumber the lines, subsections, and pages accordingly

#### HOUSE AMENDMENTS TO ENGROSSED SB 2197

- On page 1 of engrossed bill, line 2, after the first comma insert the words "subsection 1 of section 52-03-07,"
- On page 1 of the engrossed bill, line 5, after the word "definitions" insert the words ", administrative use of Reed Act moneys,"

On page 11 of the engrossed bill, after line 16, insert the following new section:

"SECTION 2. AMENDMENT. Subsection 1 of section 52-03-07 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

52-03-07. Administrative use.

1. Money credited to the account of this state in the unemployment trust fund by the secretary of the treasury of the United States of America pursuant to section 903 of the Social Security Act [42 U.S.C. 1103], as amended, may be requisitioned and used for the payment of expenses incurred for the administration of this law pursuant to a specific appropriation by the legislative assembly; provided, that the expenses are incurred and the money is requisitioned after the enactment of an appropriation law which:
  - a. Specifies the purposes for which money is appropriated and the amounts appropriated therefor;
  - b. Limits the period within which such money may be expended to a period ending not more than two years after the date of the enactment of the appropriation law; and
  - c. Limits the amount which may be used during a twelve-month period beginning on July first and ending on the next June thirtieth to an amount which does not exceed the amount by which:
    - (1) The aggregate of the amounts credited to the account of this state pursuant to section 903 of the Social Security Act [42 U.S.C. 1103], as amended, during the same twelve-month period and the ~~twenty-four~~ thirty-four preceding twelve-month periods, exceeds
    - (2) The aggregate of the amounts used pursuant to this section and charged against the amounts credited to the account of this state during any of such ~~twenty-five~~ thirty-five 12-month periods. For the purposes of this section, amounts used during any such twelve-month period shall be charged against equivalent amounts which were first credited and which are not already

so charged; except that no amount used for administration during such twelve-month period may be charged against any amount credited during such a twelve-month period earlier than the ~~twenty-fourth~~ thirty-fourth preceding such period."

On page 16 of the engrossed bill, line 29, overstrike the words "individual claiming benefits" and insert immediately thereafter the word "claimant"

On page 16 of the engrossed bill, overstrike lines 32 through 35

On page 17 of the engrossed bill, line 1, overstrike the words "approved by the bureau.", and after the word "employer" insert the words "or claimant"

On page 17 of the engrossed bill, line 3, after the underscored period insert the following: "A claimant's attorney fees, for representation in district court, shall be paid by the bureau, in an amount approved by the bureau, only if the claimant finally prevails. The bureau shall not pay attorney fees for representation in any proceeding before the bureau or its representatives."

And renumber the lines and pages accordingly

HOUSE AMENDMENTS TO REENGROSSED SB 2274

On page 1 of the reengrossed bill, line 15, delete the second comma and insert in lieu thereof the word "or", and delete the words ", or limited insurance"

On page 1 of the reengrossed bill, line 16, delete the word "representative,"

On page 1 of the reengrossed bill, line 25, after the period insert the following sentence: "An applicant is exempt from precicensure requirements under this section for a major category of insurance if a national insurance designation that would exempt the applicant from written examination pursuant to section 26-17.1-35 has been obtained."

On page 2 of the reengrossed bill, line 5, delete the third comma and insert in lieu thereof the word "or", and delete the word ", or"

On page 2 of the reengrossed bill, line 6, delete the words "limited insurance representative,"

On page 2 of the reengrossed bill, line 11, after the period insert the following: "The commissioner may waive requirement of seven and one-half hours per year of

classroom work. The continuing education advisory task force may recommend granting up to fifteen hours continuing education credit for nationally recognized insurance education correspondence programs. The commissioner shall review the task force's recommendation, and the commissioner may approve up to fifteen hours of credit."

- On page 2 of the reengrossed bill, line 13, after the word "to" insert the words "the year next preceding the year in which they were earned or to"
- On page 3 of the reengrossed bill, line 31, delete the word "six" and insert in lieu thereof the word "three"
- On page 4 of the reengrossed bill, line 33, delete the words ", if that state" and insert in lieu thereof a period
- On page 4 of the reengrossed bill, delete line 34
- On page 5 of the reengrossed bill, delete lines 1 and 2
- On page 5 of the reengrossed bill, line 23, delete the second comma and insert in lieu thereof the word "or", and delete the words ", or limited insurance"
- On page 5 of the reengrossed bill, line 24, delete the word "representative,"
- On page 5 of the reengrossed bill, line 33, after the period insert the following sentence: "An applicant is exempt from prelicensure requirements under this section for a major category of insurance if a national insurance designation that would exempt the applicant from written examination pursuant to section 26.1-26-25 has been obtained."
- On page 6 of the reengrossed bill, line 5, delete the third comma and insert in lieu thereof the word "or", and delete the word ", or"
- On page 6 of the reengrossed bill, line 6, delete the words "limited insurance representative,"
- On page 6 of the reengrossed bill, line 11, after the period insert the following: "The commissioner may waive the requirement of seven and one-half hours per year of classroom work. The continuing education advisory task force may recommend granting up to fifteen hours continuing education credit for nationally recognized insurance education correspondence programs. The commissioner shall review the task force's recommendation, and the commissioner may approve up to fifteen hours of credit."

- On page 6 of the reengrossed bill, line 13, after the word "to" insert the words "the year next preceding the year in which they were earned or to"
- On page 7 of the reengrossed bill, line 31, delete the word "six" and insert in lieu thereof the word "three"
- On page 8 of the reengrossed bill, line 33, delete the words ", if that state" and insert in lieu thereof a period
- On page 8 of the reengrossed bill, delete line 34
- On page 9 of the reengrossed bill, delete lines 1 and 2
- And renumber the lines and pages accordingly

## HOUSE AMENDMENTS TO ENGROSSED SB 2373

- 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

HOUSE AMENDMENTS TO ENGROSSED SB 2411

- On page 2 of the engrossed bill, line 12, after the second comma, insert the words "seasonal or tourist attractions who derive at least fifty percent of their annual gross sales from seasonal or tourist customers,", and delete the words "and then only if the event"
- On page 2 of the engrossed bill, line 13, delete the words "is sponsored by a hobby, craft, or art organization,"
- On page 3 of the engrossed bill, line 32, delete the word "Aural" and insert in lieu thereof the words "The sale of aural", and after the period insert the words "Rental of these items is permitted."
- On page 4 of the engrossed bill, line 11, delete the words "other than" and insert in lieu thereof the word "except"
- On page 4 of the engrossed bill, line 12, after the word "equipment" insert the words "and except sporting goods"
- On page 5 of the engrossed bill, line 32, delete the words "of a nongambling nature"
- On page 6 of the engrossed bill, line 7, overstrike the word "three" and insert immediately thereafter the word "six"

And renumber the lines and pages accordingly

HOUSE AMENDMENTS TO REENGROSSED SB 2436

- On page 2 of the reengrossed bill, line 17, delete the word "and" and insert in lieu thereof the following: "the use of process color printing, presses larger than eleven by"

seventeen inches [27.94 x 43.18 centimeters], die cutting, snap out forms, continuous forms, perfect binding, and the production in excess of ten thousand impressions of any page or fifty thousand impressions in the aggregate of items consisting of multiple pages."

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

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

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

And renumber the lines and pages accordingly

#### HOUSE AMENDMENTS TO ENGROSSED SB 2468

On page 2 of the engrossed bill, line 30, overstrike the word "during" and insert immediately thereafter the word "for", and delete the words "twelve months" and insert in lieu thereof the words "twelve-month period"

And renumber the lines accordingly

ROY GILBREATH, Chief Clerk

#### MOTIONS

SEN. TALLACKSON MOVED that HB 1545 which is on the fourteenth order be laid over one legislative day, which motion prevailed.

SEN. WRIGHT MOVED that HB 1638 which is on the Fourteenth order be laid over one legislative day, which motion prevailed.

#### SECOND READING OF HOUSE BILL

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

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 47 YEAS, 0 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Christensen; David; Dotzenrod; Ereborg; Heigaard; Heinrich; Hilken; Ingstad; Kelly; Kelsh; Kilander; Kusler; Langley; Lashkowitz; Lips;

Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.;  
 Meyer, W.; Moore; Mushik; Mutch; Naaden; Nelson;  
 Nething; Olson; Parker; Peterson; Redlin; Reiten;  
 Satrom; Shea; Streibel; Stromme; Teneffos; Thane; Todd;  
 Tweten; Vosper; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Berube; Holmberg; Krauter;  
 Stenehjelm; Tallackson; Waldera

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

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#### SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

HCR 3071: A concurrent resolution directing the Legislative Council to study the extent liability insurance coverage is provided for state and political subdivision employees and the necessity and desirability of providing or authorizing that coverage, and the desirability of expanding governmental immunity for political subdivisions.

Which has been read.

The question being on the final adoption of the resolution.

HCR 3071 was declared adopted on a voice vote.

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HCR 3076: A concurrent resolution directing the Legislative Council to study state agency and institution pay practices.

Which has been read.

The question being on the final adoption of the resolution.

HCR 3076 was declared adopted on a voice vote.

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#### SECOND READING OF HOUSE BILLS

HB 1033: A BILL for an Act making an appropriation for defraying the expenses of the radio communications department of the state of North Dakota.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 45 YEAS, 0 NAYS, 8 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Christensen; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Ingstad; Kelly; Kelsh; Kilander; Kusler; Langley; Lashkowitz; Lips; Lodoen; Matchie; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Streibel; Stromme; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Berube; Holmberg; Krauter; Maixner; Meyer, D.; Naaden; Stenehjerm; Tallackson

HB 1033 passed and the title was agreed to.

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HB 1034: A BILL for an Act making an appropriation for defraying the expenses of the division of disaster emergency services of the state of North Dakota.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 42 YEAS, 0 NAYS, 11 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Christensen; David; Dotzenrod; Freborg; Heinrich; Hilken; Ingstad; Kelly; Kelsh; Kilander; Kusler; Langley; Lashkowitz; Lips; Lodoen; Matchie; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Streibel; Stromme; Tennefos; Thane; Todd; Tweten; Waldera; Walsh; Wenstrom; Wright

NAYS: None

ABSENT AND NOT VOTING: Berube; Heigaard; Holmberg; Krauter; Maixner; Meyer, D.; Naaden; Stenehjerm; Tallackson; Vosper; Wogsland

HB 1034 passed and the title was agreed to.

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HB 1038: A BILL for an Act making an appropriation to the superintendent of public instruction for the general support of the North Dakota teacher center network.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 38 YEAS, 8 NAYS, 7 ABSENT AND NOT VOTING.

YEAS: Adams; Christensen; Dotzenrod; Heigaard; Heinrich; Hilken; Ingstad; Kelly; Kelsh; Kilander; Kusler; Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Mushik; Nething; Olson; Redlin; Reiten; Satrom; Shea; Stromme; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: Bakewell; David; Freborg; Moore; Nelson; Parker; Peterson; Streibel

ABSENT AND NOT VOTING: Berube; Holmberg; Krauter; Mutch; Naaden; Stenehjelm; Tallackson

HB 1038 passed and the title was agreed to.

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#### SECOND READING OF HOUSE CONCURRENT RESOLUTIONS ON CONSENT CALENDAR

HCR 3045: A concurrent resolution urging Congress to review and revise the bankruptcy laws to provide creditors with more protection from losses resulting from debtors filing for bankruptcy.

HCR 3079: A concurrent resolution directing the Legislative Council to study the adequacy and appropriateness of the funding of transportation assistance programs for the elderly and handicapped in North Dakota.

Which have been read.

The question being on the final adoption of the resolutions.

The resolutions were adopted on a voice vote.

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#### CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. PETERSON MOVED that the Senate do not concur in the House amendments to SB 2062 as printed on page 1660 of the Senate Journal and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed.

#### APPOINTMENT OF A CONFERENCE COMMITTEE

THE PRESIDENT APPOINTED as a Conference Committee on SB 2062:

Sens. Peterson, Freborg, Heinrich

## CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. WRIGHT MOVED that the Senate do not concur in the House amendments to SB 2186 as printed on pages 1660-1661 of the Senate Journal and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed.

## APPOINTMENT OF A CONFERENCE COMMITTEE

THE PRESIDENT APPOINTED as a Conference Committee on SB 2186:

Sens. Adams, Moore, Waldera

## CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. CHRISTENSEN MOVED that the Senate do not concur in the House amendments to SB 2245 as printed on page 1661 of the Senate Journal and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed.

## APPOINTMENT OF A CONFERENCE COMMITTEE

THE PRESIDENT APPOINTED as a Conference Committee on SB 2245:

Sens. Christensen, Holmberg, Redlin

## CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. CHRISTENSEN MOVED that the Senate do not concur in the House amendments to SB 2260 as printed on page 1662 of the Senate Journal and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed.

## APPOINTMENT OF A CONFERENCE COMMITTEE

THE PRESIDENT APPOINTED as a Conference Committee on SB 2260:

Sens. Stenehjem, Olson, J. Meyer

## CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. MUTCH MOVED that the Senate do not concur in the House amendments to SB 2354 as printed on page 1610 of the Senate Journal and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed.

## APPOINTMENT OF A CONFERENCE COMMITTEE

THE PRESIDENT APPOINTED as a Conference Committee on SB 2354:

Sens. Mutch, Parker, Langley

## CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. MUTCH MOVED that the Senate do not concur in the House amendments to SB 2405 as printed on page 1610 of the Senate Journal and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed.

## APPOINTMENT OF A CONFERENCE COMMITTEE

THE PRESIDENT APPOINTED as a Conference Committee on SB 2405:

Sens. Kilander, Parker, Langley

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. STENEHJEM MOVED that the Senate do not concur in the House amendments to SB 2410 as printed on page 1611 of the Senate Journal and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed.

APPOINTMENT OF A CONFERENCE COMMITTEE

THE PRESIDENT APPOINTED as a Conference Committee on SB 2410:

Sens. Kelly, Stenehjem, J. Meyer

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. MUTCH MOVED that the Senate do not concur in the House amendments to SB 2413 as printed on page 1665 of the Senate Journal and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed.

APPOINTMENT OF A CONFERENCE COMMITTEE

THE PRESIDENT APPOINTED as a Conference Committee on SB 2413:

Sens. Parker, Reiten, Langley

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. PARKER MOVED that the Senate do not concur in the House amendments to SB 2477 as printed on page 1612 of the Senate Journal, which motion prevailed.

APPOINTMENT OF A CONFERENCE COMMITTEE

THE PRESIDENT APPOINTED as a Conference Committee on SB 2477:

Sens. Todd, Parker, Kelsh

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. CHRISTENSEN MOVED that the Senate do not concur in the House amendments to SB 2489 as printed on page 1666 of the Senate Journal and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed.

APPOINTMENT OF A CONFERENCE COMMITTEE

THE PRESIDENT APPOINTED as a Conference Committee on SB 2489:

Sens. Holmberg, Stenehjem, Maixner

APPOINTMENT OF CONFERENCE COMMITTEES

SEN. LIPS MOVED that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on HB 1013, which motion prevailed.

THE PRESIDENT APPOINTED as a Conference Committee on HB 1013:

Sens. Wenstrom, Tweten, Walsh

SEN. CHRISTENSEN MOVED that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on HB 1069, which motion prevailed.

THE PRESIDENT APPOINTED as a Conference Committee on HB 1069:

Sens. Holmberg, Olson, Redlin

SEN. LIPS MOVED that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on HB 1243, which motion prevailed.

THE PRESIDENT APPOINTED as a Conference Committee on HB 1243:

Sens. Thane, Tennefos, Mushik

SEN. LIPS MOVED that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on HB 1250, which motion prevailed.

THE PRESIDENT APPOINTED as a Conference Committee on HB 1250:

Sens. Naaden, Tweten, Shea

#### REPORT OF PROCEDURAL COMMITTEE

MADAM PRESIDENT: Your procedural Committee on Delayed Bills has examined a concurrent resolution directing the Legislative Council to study the issue of state courts' jurisdiction over civil cases which arise within the exterior boundaries of Indian reservations and to urge a concurrent study by the Congress of the United States; a concurrent resolution expressing the support of the Forty-ninth Legislative Assembly and urging cooperation for the Young Men's Christian Association model legislature program; and a concurrent resolution urging the President and the Congress of the United States to support continuation of the Small Business Administration; a concurrent resolution urging the Congress of the United States and the Secretary of Agriculture to allow the production of sunflowers on a portion of a producer's acreage conservation reserve (ACR) land; and recommends the same be introduced.

SEN. TENNEFOS, Chairman

SEN. NELSON MOVED that the report be adopted, which motion prevailed.

#### FIRST READING OF SENATE CONCURRENT RESOLUTIONS

Sen. Satrom introduced:

(Approved by the Committee on Delayed Bills)

SCR 4073: A concurrent resolution urging the President and the Congress of the United States to support continuation of the Small Business Administration.

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

Sen. Lips introduced:

(Approved by the Committee on Delayed Bills)

SCR 4074: A concurrent resolution expressing the support of the Forty-ninth Legislative Assembly and urging cooperation for the Young Men's Christian Association model legislature program.

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

Sen. Wenstrom introduced:

(Approved by the Committee on Delayed Bills)

SCR 4075: A concurrent resolution directing the Legislative Council to study the issue of state courts' jurisdiction over civil cases which arise within the exterior boundaries of Indian reservations and to urge a concurrent study by the Congress of the United States.

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

Sens. Todd, Lodoen, Vosper, Redlin, Langley introduced:

(Approved by the Committee on Delayed Bills)

SCR 4076: A concurrent resolution urging the Congress of the United States and the Secretary of Agriculture to allow the production of sunflowers on a portion of a producer's acreage conservation reserve (ACR) land.

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

#### MESSAGES FROM THE HOUSE 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 2065: Reprs. Schindler, D. Olsen, Halmrast

ROY GILBREATH, Chief Clerk

#### HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to return herewith SCR 4051 which the House has amended:

#### HOUSE AMENDMENTS TO ENGROSSED SCR 4051

On page 1 of the engrossed resolution, line 1, after the words "A concurrent resolution" delete the remainder of the resolution and insert in lieu thereof the following: "directing the Legislative Council, with the assistance of citizen advisers, to study issues of concern to the state and persons living within the boundaries of the Fort Berthold Reservation.

WHEREAS, jurisdictional issues affect the interests of the state and persons living within the boundaries of the Fort Berthold Reservation; and

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WHEREAS, federal law may provide the basis for tribal and state agreement to resolve these jurisdictional concerns; and

WHEREAS, a study of these jurisdictional issues should be made to determine whether the potential and existing jurisdictional concerns could be resolved through legislative action as allowed under federal law;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That the Legislative Council study and make recommendations to the Legislative Assembly and provide its study results and recommendations to the Three Affiliated Tribes regarding the following issues:

1. The feasibility of state legislation under the authority of federal law to resolve jurisdictional issues regarding tribal and state government;
2. State and tribal law and practice regarding the recognition of state and tribal court judgments, especially those affecting the rights of individuals, and whether the rights established by state and tribal court judgments are protected under state and tribal laws;
3. The operation and administration of state tax laws on the Fort Berthold Reservation;
4. The impact on taxing districts of the presence of tax-exempt lands owned by the tribal government and members within the exterior boundaries of the Fort Berthold Reservation and methods to replace funds lost to political subdivisions by the exemption of those lands; and

BE IT FURTHER RESOLVED, that the committee conducting the study hold at least one of its meetings at a convenient site on the Fort Berthold Reservation to allow testimony of local residents regarding the committee's study; and

BE IT FURTHER RESOLVED, that the Legislative Council call upon citizen advisers to serve as members of the study committee and that the citizen membership of the committee include two representatives of affected political subdivisions and two representatives of the Three Affiliated Tribes; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Fiftieth Legislative Assembly."

And renumber the lines and pages accordingly

ROY GILBREATH, Chief Clerk

#### REPORT OF CONFERENCE COMMITTEE

MADAM PRESIDENT: Your Conference Committee to which was referred Engrossed SB 2251 has had the same under consideration and recommends that the HOUSE RECEDE from its amendments as found on page 1436 of the Senate Journal and that Engrossed SB 2251 be amended as follows:

- On page 1 of the engrossed bill, line 2, delete the numerals "10-19.1" and insert in lieu thereof the numerals "10-23", and delete the words "as created by Senate Bill"
- On page 1 of the engrossed bill, line 3, delete the words "No. 2041, as approved by the forty-ninth legislative assembly"
- On page 1 of the engrossed bill, line 11, delete the numerals "10-19.1" and insert in lieu thereof the numerals "10-23"
- On page 1 of the engrossed bill, line 12, delete the words "as created by Senate Bill No. 2041, as approved"
- On page 1 of the engrossed bill, line 13, delete the words "by the forty-ninth legislative assembly,"
- On page 1 of the engrossed bill, line 20, delete the numerals "10-21-13.2" and insert in lieu thereof the words "2 of this Act"
- On page 1 of the engrossed bill, line 27, delete the numerals "10.19.1" and insert in lieu thereof the numerals "10-23"
- On page 1 of the engrossed bill, line 28, delete the words "as created by Senate Bill No. 2041, as approved"
- On page 2 of the engrossed bill, line 1, delete the words "by the forty-ninth legislative assembly,"

And renumber the lines and pages accordingly

For the Senate: Sens. Todd, Mutch, Krauter

For the House: Reps. Riley, Shide, Dotzenrod

Engrossed SB 2251 was placed on the Seventh order of business on the calendar for the succeeding legislative day.

## REPORTS OF STANDING COMMITTEES

MADAM PRESIDENT: Your Committee on Appropriations to which was referred HB 1032 has had the same under consideration and recommends that the same DO PASS.

SEN. LIPS, Chairman

HB 1032 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Education to which was referred HB 1048 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1 of the engrossed bill, line 27, remove the overstrike over the word "~~four~~", delete the word "three", delete the word "seventy" and insert in lieu thereof the word "eight"

On page 2 of the engrossed bill, line 2, delete the word "seventy-five" and insert in lieu thereof the word "forty-three"

On page 2 of the engrossed bill, immediately following line 17, insert the following subsections:

- "4. No school district shall receive foundation payments beyond the October payment unless the following reports have been filed with the superintendent of public instruction:
- a. Annual average daily membership report.
  - b. Annual school district financial report.
  - c. The September tenth fall enrollment report.
  - d. The personnel report forms for certified and noncertified employees.
5. No school district shall receive the January foundation payment unless the taxable valuation and mill levy certifications are on file with the department of public instruction by December fifteenth."

And renumber the lines and pages accordingly

SEN. PETERSON, Chairman

HB 1048 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Education to which was referred HB 1049 has had the same under consideration and recommends that

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

On page 2 of the reengrossed bill, line 16, delete the words "In no event may the annual payments provided for in this"

On page 2 of the reengrossed bill, delete lines 17 through 19

On page 2 of the reengrossed bill, line 20, delete the words "five school years"

On page 2 of the reengrossed bill, line 24, after the period insert the following: "The superintendent of public instruction shall do an onsite audit of the books and records, regarding transportation cost, pupils transported and miles traveled, of at least ten school districts each fiscal year to verify compliance with section 15-40.1-16."

And renumber the lines and pages accordingly

SEN. PETERSON, Chairman

HB 1049 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Appropriations to which was rereferred HB 1246 has had the same under consideration and recommends that the same DO NOT PASS.

SEN. LIPS, Chairman

HB 1246 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Appropriations to which was referred HB 1458 has had the same under consideration and recommends that the same DO PASS.

SEN. LIPS, Chairman

HB 1458 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Natural Resources to which was referred HCR 3095 has had the same under consideration and recommends that the same DO NOT PASS.

SEN. MOORE, Chairman

HCR 3095 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

#### FIRST READING OF HOUSE CONCURRENT RESOLUTIONS

HCR 3097: A concurrent resolution directing the Legislative Council to study whether there is a need for a medical examiner system in this state, and the feasibility of implementing a medical examiner system that would include

the use of a full-time forensic pathologist as chief medical examiner.

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

**HCR 3098:** A concurrent resolution directing the Legislative Council to study the Uniform Marital Property Act, existing marital property law in this state, and the marital property laws of other states.

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

#### COMMUNICATION

##### Doctor of the Day Schedule

March 25	- C. S. Nandra, M.D.	- Crosby
	Family Practice	
March 26	- Irene Martin	- Bismarck
	Family Practice	
March 27	- Erling Martinson	- Grand Forks
	Family Practice	
March 28	- Knute Thorsgard	- Grand Forks
	Family Practice	
March 29	- Knute Thorsgard	- Grand Forks
	Family Practice	

#### MOTION

**SEN. NETHING MOVED** that at the conclusion of the Fifth and Fourteenth orders of business and after the reading of HB 1019, HB 1029, HB 1032, HB 1246, HB 1394, HB 1458, HB 1486, HB 1522, HB 1523, HB 1545, HB 1638, and HCR 3095, the Senate adjourn and convene at 9:00 a.m., Monday, March 25, 1985, which motion prevailed.

**LEO LEIDHOLM, Secretary**