

JOURNAL OF THE SENATE

Fifty-seventh Legislative Assembly

* * * * *

Bismarck, March 14, 2001

The Senate convened at 1:00 p.m., with President Dalrymple presiding.

The prayer was offered by Pastor Keith Ritchie, Cornerstone Community Church, Bismarck.

The roll was called and all members were present except Senator Lee.

A quorum was declared by the President.

MOTION

SEN. CHRISTMANN MOVED that the rules be suspended, after action taken on the Sixth order, the bills on that order be placed on the Fourteenth order, as amended, for immediate second reading and final passage, which motion prevailed.

CONSIDERATION OF AMENDMENTS

HB 1182, as reengrossed: SEN. FLAKOLL (Education Committee) MOVED that the amendments on SJ page 792 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1182: A BILL for an Act to amend and reenact section 49-21-01.1 of the North Dakota Century Code, relating to the definition of telecommunications service for purposes of telecommunications regulation.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 38 YEAS, 10 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Bowman; Christmann; Cook; Dever; Erbele; Espegard; Fischer; Flakoll; Freborg; Grindberg; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lyson; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nething; Nichols; Polovitz; Robinson; Schobinger; Solberg; Stenehjem; Tallackson; Thane; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

NAYS: Christenson; Every; Heitkamp; Kelsh; Kroeplin; Lindaas; Mathern, D.; O'Connell; Tollefson; Tomac

ABSENT AND NOT VOTING: Lee

Reengrossed HB 1182, as amended, passed and the title was agreed to.

THE SENATE RECOGNIZED THE PRESENCE OF:

Former Senator Howard Freed.

CONSIDERATION OF AMENDMENTS

HB 1398, as engrossed: SEN. TRENBEATH (Judiciary Committee) MOVED that the amendments on SJ page 793 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1398: A BILL for an Act to create and enact a new section to chapter 12-44.1 of the North Dakota Century Code, relating to correctional facility files and records.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 48 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein;

Krauter; Krebsbach; Kringstad; Kroeplin; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjem; Tallackson; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

ABSENT AND NOT VOTING: Lee

Engrossed HB 1398, as amended, passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

HCR 3034: SEN. ESPEGARD (Industry, Business and Labor Committee) MOVED that the amendments on SJ pages 793-794 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3034: A concurrent resolution urging Congress to eliminate the Social Security disability insurance offset and supplemental security insurance offset for recipients of workers' compensation permanent partial impairment benefits.

The question being on the final adoption of the amended resolution, which has been read.

HCR 3034, as amended, was declared adopted, and the title was agreed to on a voice vote.

SECOND READING OF HOUSE BILL

HB 1107: A BILL for an Act to provide for the adoption of the Uniform Foreign Money-Judgments Recognition Act.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 1 YEA, 47 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Cook

NAYS: Andrist; Bercier; Bowman; Christenson; Christmann; Dever; Erbele; Espesgard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Kroeplin; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjem; Tallackson; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

ABSENT AND NOT VOTING: Lee

HB 1107 lost.

THE SENATE RECOGNIZED THE PRESENCE OF:

Former Senator Dan Wogsland.

SECOND READING OF HOUSE BILL

HB 1193: A BILL for an Act to amend and reenact section 28-26-06 of the North Dakota Century Code, relating to the assessment of legal fees following a judgment.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 48 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espesgard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Kroeplin; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjem; Tallackson; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

ABSENT AND NOT VOTING: Lee

Engrossed HB 1193 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1302: A BILL for an Act to amend and reenact section 47-14-09 of the North Dakota Century Code, relating to the application of state usury laws to licensed pawnbrokers.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 48 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Kroepelin; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjem; Tallackson; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

ABSENT AND NOT VOTING: Lee

HB 1302 passed and the title was agreed to.

MOTION

SEN. G. NELSON MOVED that the Senate stand at ease due to computer problems, which motion prevailed.

THE SENATE RECONVENED, with President Dalrymple presiding.

SECOND READING OF HOUSE BILL

HB 1342: A BILL for an Act to amend and reenact sections 32-09.1-09, 32-09.1-14, 32-09.1-19, and 32-09.1-21 of the North Dakota Century Code, relating to garnishment disclosure forms.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 48 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Kroepelin; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjem; Tallackson; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

ABSENT AND NOT VOTING: Lee

HB 1342 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1329: A BILL for an Act to provide immunity from suit for a financial institution or financial institution employee that makes a good-faith report of suspected exploitation of a disabled or vulnerable elderly adult; and to create and enact a new subsection to section 6-08.1-03 of the North Dakota Century Code, relating to the disclosure by a financial institution of suspected exploitation of a disabled or vulnerable elderly adult to a government agency or law enforcement agency.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 48 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Kroeplin; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjem; Tallackson; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

ABSENT AND NOT VOTING: Lee

HB 1329 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1422: A BILL for an Act to amend and reenact sections 45-11-01 and 47-25-01 of the North Dakota Century Code, relating to fictitious and trade names.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 48 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Kroeplin; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjem; Tallackson; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

ABSENT AND NOT VOTING: Lee

Engrossed HB 1422 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1424: A BILL for an Act to amend and reenact section 43-07-10 of the North Dakota Century Code, relating to licensing of contractors.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 48 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Kroeplin; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjem; Tallackson; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

ABSENT AND NOT VOTING: Lee

HB 1424 passed and the title was agreed to.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3029: A concurrent resolution designating United States Highway 83 through the state of North Dakota as the "Veterans of Foreign Wars Memorial Highway".

The question being on the final adoption of the resolution, which has been read, and has committee recommendation of DO PASS.

HCR 3029 was declared adopted, and the title was agreed to on a voice vote.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3031: A concurrent resolution making application to Congress to submit to the states an amendment to the Constitution of the United States to prohibit the United States Supreme Court and any federal court from ordering a state or political subdivision to levy or increase taxes.

The question being on the final adoption of the resolution, which has been read, and has committee recommendation of DO PASS.

HCR 3031 was declared adopted, and the title was agreed to on a voice vote.

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS ON CONSENT CALENDAR

HCR 3012: A concurrent resolution urging Congress to reject any attempt to extend the Internet Tax Freedom Act moratorium on imposition of state and local taxes on internet access and on electronic commerce transactions.

HCR 3060: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of providing school district property tax relief and replacement of revenues through state funding.

HCR 3062: A concurrent resolution directing the Legislative Council to study issues relating to the high and rising cost of prescription drugs in the United States and inequitable prescription drug pricing in the United States and possible methods of containing prescription drug costs.

The question being on the final adoption of the resolutions, which have been read.

HCR 3012, HCR 3060, and HCR 3062 were declared adopted on a voice vote, and the titles were agreed to.

MOTION

SEN. CHRISTMANN MOVED that SB 2063, SB 2073, SB 2148, and SB 2172 be moved to the top of the calendar, which motion prevailed.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. URLACHER MOVED that the Senate do concur in the House amendments to Engrossed SB 2063 as printed on SJ page 780, which motion prevailed on a voice vote.

Engrossed SB 2063, as amended, was placed on the Eleventh order of business.

SECOND READING OF SENATE BILL

SB 2063: A BILL for an Act to amend and reenact subsection 2 of section 11-09.1-05 and section 57-39.2-23 of the North Dakota Century Code, relating to sales and use tax levy powers of home rule counties and to confidentiality of city or county sales and use tax information; and to declare an emergency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 46 YEAS, 2 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Kroeplin; Lindaas; Lyson; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nething; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjem; Tallackson; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

NAYS: Mathern, D.; Nichols

ABSENT AND NOT VOTING: Lee

Reengrossed SB 2063 passed, the title was agreed to, and the emergency clause was declared carried.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. STENEHJEM MOVED that the Senate do concur in the House amendments to Engrossed SB 2073 as printed on SJ page 728, which motion prevailed on a voice vote.

Engrossed SB 2073, as amended, was placed on the Eleventh order of business.

SECOND READING OF SENATE BILL

SB 2073: A BILL for an Act to amend and reenact sections 2-08-03 and 2-08-04 of the North Dakota Century Code, relating to fees charged by the aeronautics commission.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 45 YEAS, 3 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Holmberg; Kilzer; Klein; Krebsbach; Kringstad; Kroeplin; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjem; Tallackson; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

NAYS: Heitkamp; Kelsh; Krauter

ABSENT AND NOT VOTING: Lee

Reengrossed SB 2073 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. FREBORG MOVED that the Senate do concur in the House amendments to SB 2148 as printed on SJ page 740, which motion prevailed on a voice vote.

SB 2148, as amended, was placed on the Eleventh order of business.

SECOND READING OF SENATE BILL

SB 2148: A BILL for an Act to amend and reenact sections 15.1-01-03, 15.1-12-05, 15.1-12-09, 15.1-12-10, and 15.1-12-27 of the North Dakota Century Code, relating to school district annexations, reorganizations, and dissolutions.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 48 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Kroeplin; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjem; Tallackson; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

ABSENT AND NOT VOTING: Lee

Engrossed SB 2148 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. WANZEK MOVED that the Senate do concur in the House amendments to SB 2172 as printed on SJ page 728, which motion prevailed on a voice vote.

SB 2172, as amended, was placed on the Eleventh order of business.

SECOND READING OF SENATE BILL

SB 2172: A BILL for an Act to amend and reenact sections 4-34-01 and 4-34-03 of the North Dakota Century Code, relating to beef promotion and the qualifications of members of the North Dakota beef commission.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 48 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Kroepelin; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjem; Tallackson; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

ABSENT AND NOT VOTING: Lee

Engrossed SB 2172 passed and the title was agreed to.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: The Senate has passed unchanged: HB 1033, HB 1071, HB 1167, HB 1198, HB 1205, HB 1252, HB 1271, HB 1277, HB 1356, HB 1378, HCR 3052.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: The Senate has passed, the emergency clause carried, unchanged: HB 1236.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: The Senate has amended and subsequently passed: HB 1238, HB 1367.

MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK)
MR. PRESIDENT: The House has concurred in the Senate amendments and subsequently passed: HB 1089, HB 1185, and HCR 3024.

MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK)
MR. PRESIDENT: The House has concurred in the Senate amendments and subsequently passed: HB 1084.

MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK)
MR. PRESIDENT: The House has passed, the emergency clause carried, unchanged: SB 2179.

MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK)
MR. PRESIDENT: The House has passed, the emergency clause carried, unchanged: SB 2209.

MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK)
MR. PRESIDENT: The House has passed unchanged: SB 2084, SB 2085, SB 2227, SB 2253, SB 2255, SB 2274, SB 2280, SB 2390, SB 2404, SCR 4009, SCR 4015, SCR 4016, SCR 4025, SCR 4028.

MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK)
MR. PRESIDENT: The House has passed unchanged: SB 2078, SB 2103, SB 2115, SB 2259, SB 2340, SB 2396, SB 2445, SCR 4013.

MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK)
MR. PRESIDENT: The House has amended and subsequently passed: SB 2102, SB 2173.

HOUSE AMENDMENTS TO SENATE BILL NO. 2102

Page 1, line 2, after "nuisance" insert "; and to provide an expiration date"

Page 1, line 7, after "building" insert "within a subdivision"

Page 1, after line 9, insert:

"SECTION 2. EXPIRATION DATE. This Act is effective through July 31, 2003, and after that date is ineffective."

Renumber accordingly

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2173

Page 1, line 2, remove the first "and"

Page 1, line 4, after "deeds" insert "; and to provide an expiration date"

Page 1, line 15, after "the" insert "1999 Supplement to the"

Page 1, line 21, remove the overstrike over "~~seven~~" and remove "ten"

Page 1, line 24, remove "Three dollars of the"

Page 2, remove lines 1 and 2

Page 2, line 18, remove the overstrike over "~~seven~~" and remove "ten"

Page 2, line 23, remove "Three dollars of the fee collected for the first page"

Page 2, remove lines 24 and 25

Page 3, after line 23, insert:

"SECTION 3. AMENDMENT. Subsection 1 of section 11-18-05 of the 1999 Supplement to the North Dakota Century Code is amended and reenacted as follows:

1. For recording an instrument affecting title to real estate:
 - a. Deeds, mortgages, and all other instruments not specifically provided for in this subsection, ~~seventen~~ dollars for the first page and three dollars for each additional page. In addition, for all documents recorded under this section that list more than five sections of land, a fee of one dollar for each additional section listed which is to be recorded in the tract index. Three dollars of the fee collected for the first page of each instrument recorded under this subdivision must be placed in the document preservation fund.
 - (1) "Page" means one side of a single legal size sheet of paper not exceeding eight and one-half inches [21.59 centimeters] in width and fourteen inches [35.56 centimeters] in length.
 - (2) The printed, written, or typed words must be considered legible by the register of deeds before the page will be accepted for recording.
 - (3) Each real estate instrument must have a legal description considered to be adequate by the register of deeds before such instrument will be accepted for recording.
 - (4) A space of at least four inches by three and one-half inches [10.16 by 8.89 centimeters] square must be provided on the first or last page of each instrument for the register of deeds' recording information. If recording information can only be placed on the reverse side of an instrument, an additional page charge must be levied.
 - b. Instruments satisfying, releasing, assigning, subordinating, continuing, amending, or extending more than one instrument previously recorded in the county in which recording is requested, ~~seventen~~ dollars for the first page and three dollars for each additional page plus three dollars for each such additional document number or book and page. In addition, for all documents recorded under this section which list more than five separate sections of land, a fee of one dollar for each additional section listed which is to be recorded in the tract index. Three dollars of the fee collected for the first page of each instrument recorded under this subdivision must be placed in the document preservation fund.
 - c. Plats, irregular tracts, or annexations, ten dollars for one lot plus ten cents for each additional lot, with the exception of auditor's lots which must be a single charge of seven dollars.

- d. All instruments presented for recording after June 30, 2001, must contain a one-inch [2.54-centimeter] top, bottom, or side margin on each page of the instrument for the placement of computerized recording labels. An instrument that does not conform to this margin requirement may be recorded upon payment of an additional fee of two dollars.

SECTION 4. EXPIRATION DATE. Sections 1 and 3 of this Act are effective through June 30, 2005, and after that date are ineffective."

Renumber accordingly

MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK)
MR. PRESIDENT: The House has amended and subsequently passed: SCR 4017.

HOUSE AMENDMENTS TO SENATE CONCURRENT RESOLUTION NO. 4017

Page 1, line 2, after "enforcement" insert "and correctional"

Page 1, line 6, after "enforcement" insert "and correctional"

Page 1, line 9, after "enforcement" insert "and correctional"

Page 1, line 11, after "enforcement" insert "and correctional"

Page 1, line 14, after "enforcement" insert "and correctional"

Page 1, line 16, after "enforcement" insert "and correctional"

Page 1, line 20, after "enforcement" insert "and correctional"

Renumber accordingly

MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK)
MR. PRESIDENT: The House has failed to pass: SB 2044, SB 2292.

MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK)
MR. PRESIDENT: The House has failed to pass: SB 2026, SB 2317.

MOTION

SEN. CHRISTMANN MOVED that the absent member be excused, which motion prevailed.

MOTION

SEN. CHRISTMANN MOVED that the Senate be on the Fourth, Fifth, Seventh, and Thirteenth orders of business and at the conclusion of those orders, the Senate stand adjourned until 1:00 p.m., Thursday, March 15, 2001, which motion prevailed.

REPORT OF STANDING COMMITTEE

HB 1065, as engrossed: Finance and Taxation Committee (Sen. Urlacher, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1065 was placed on the Sixth order on the calendar.

Page 3, line 22, replace "Except as otherwise provided in this subdivision," with "Guaranteed"

Page 3, line 23, remove "guaranteed"

Page 3, line 25, remove "In the case of a professional service"

Page 3, remove lines 26 through 31

Page 4, remove lines 1 through 3

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1137: Industry, Business and Labor Committee (Sen. Mutch, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1137 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1145, as engrossed: Education Committee (Sen. Freborg, Chairman) recommends **DO NOT PASS** (4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1145 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1226, as engrossed: Industry, Business and Labor Committee (Sen. Mutch, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1226 was placed on the Sixth order on the calendar.

Page 1, line 14, remove "26.1-36-08,"

Page 1, line 16, remove "26.1-36-12.1,"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1229, as engrossed: Education Committee (Sen. Freborg, Chairman) recommends **DO NOT PASS** (5 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1229 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1331: Judiciary Committee (Sen. Traynor, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1331 was placed on the Sixth order on the calendar.

Page 2, line 2, after "~~signer's~~" insert "complete" and remove the overstrike over "~~residential address-or~~"

Page 2, line 3, replace "complete mailing" with "rural route or general delivery"

Page 3, line 4, replace "mailing" with "residential address or rural route or general delivery"

Page 3, line 9, remove the overstrike over "~~Residential Address~~"

Page 3, line 10, remove the overstrike over "~~or~~"

Page 3, line 11, replace "mailing address" with "Rural Route or General Delivery Address"

Page 4, line 28, after "~~the~~" insert "complete" and remove the overstrike over "~~residential addresses-or~~"

Page 4, line 29, replace "complete mailing" with "rural route or general delivery"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HCR 3055: Industry, Business and Labor Committee (Sen. Mutch, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3055 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3057, as engrossed: Industry, Business and Labor Committee (Sen. Mutch, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HCR 3057 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3064, as engrossed: Industry, Business and Labor Committee (Sen. Mutch, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HCR 3064 was placed on the Tenth order on the calendar.

The Senate stood adjourned pursuant to Senator Christmann's motion.

WILLIAM R. HORTON, Secretary