

JOURNAL OF THE HOUSE

Fiftieth Legislative Assembly

TWENTIETH DAY

Bismarck, February 2, 1987

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

The prayer was offered by Ron Kelley, Prairie Bible Church, Mohall, North Dakota.

ROLL CALL

The roll was called and all Representatives were present, except Representatives Berg, Kuchera, and Melby.

A quorum was declared by the Speaker.

CORRECTION AND REVISION OF THE JOURNAL

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

REP. THOMPSON, Chairman

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

SIXTH ORDER OF BUSINESS

REP. ANDERSON MOVED that the amendments to HB 1068 as recommended by the Committee on Transportation as printed on page 587 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

HB 1068 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. KRETSCHMAR MOVED that the amendments to HB 1088 as recommended by the Committee on Judiciary as printed on pages 587-588 of the House Journal be adopted, and when so adopted, recommends the same DO PASS and be referred to Committee on Appropriations, which motion prevailed.

HB 1088 was rereferred to the Committee on Appropriations.

REP. ANDERSON MOVED that the amendments to HB 1089 as recommended by the Committee on Transportation as printed on pages 588-589 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

HB 1089 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. MOORE MOVED that the amendments to HB 1117 as recommended by the Committee on Political Subdivisions as printed on pages 589-590 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

HB 1117 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. MOORE MOVED that the amendments to HB 1289 as recommended by the Committee on Political Subdivisions as printed on page 590 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

HB 1289 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. MOORE MOVED that the amendments to HB 1317 as recommended by the Committee on Political Subdivisions as printed on pages 590-591 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

HB 1317 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. GATES MOVED that the amendments to HB 1414 as recommended by the Committee on Education as printed on page 592 of the House Journal be adopted, and when so adopted, recommends the same DO NOT PASS, which motion prevailed.

HB 1414 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. GATES MOVED that the amendments to HB 1416 as recommended by the Committee on Education as printed on page 593 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

HB 1416 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MOTION

REP. MOORE MOVED that HB 1499 be returned to the House floor from the Committee on Political Subdivisions for the purpose of withdrawal, which motion prevailed.

REQUEST

REP. SHAW REQUESTED the unanimous consent of the House to withdraw HB 1499. There being no objection, it was so ordered by the Speaker.

MOTION

REP. MARTINSON MOVED that HB 1102 and HB 1125 be returned to the House floor from the Committee on State and Federal Government for the purpose of withdrawal, which motion prevailed.

REQUEST

REP. MARTINSON REQUESTED the unanimous consent of the House to withdraw HB 1102 and HB 1125. There being no objection, it was so ordered by the Speaker.

MOTION

REP. MARTINSON MOVED that HB 1292 be returned to the House floor from the Committee on State and Federal Government for the purpose of withdrawal, which motion prevailed.

REQUEST

REP. L. HANSON REQUESTED the unanimous consent of the House to withdraw HB 1292. There being no objection, it was so ordered by the Speaker.

MOTIONS

REP. MELBY MOVED that the House reconsider its action whereby HB 1350 passed, which motion prevailed on a verification vote.

REP. STRINDEN MOVED that HB 1350 be placed at the bottom of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1047: A BILL for an Act to create and enact a new chapter to title 26.1 of the North Dakota Century Code, relating to the establishment of joint underwriting associations.

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 20 YEAS, 84 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: DeMers, J.; Flaagan; Frey; Graba; Hokana; Kelly; Kolbo; Kretschmar; Larson; Laughlin; Lindgren; Mertens; O'Shea; Riehl; Scherber; Schneider; Stofferahn; Ulmer; Wilkie; Williams, A.

NAYS: Aas; Almlie; Anderson; Belter; Berg, G.; Berg, R.; Brokaw; Christman; Cleveland; Dalrymple; DeMers, P.; Dorso; Dotzenrod; Enget; Gates; Gerntholz; Goetz; Gorman; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hill; Hoffner; Kent; Kingsbury; Klundt; Knell; Knudson; Koland; Kuchera; Lang; Lautenschlager; Linderman; Marks; Martin; Martinson; Melby; Meyer; Moore; Murphy; Myrdal; Nelson, C.; Nelson, J.; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; Payne; Peterson; Rice; Rydell; Schindler; Shaw; Shide; Shockman; Skjerven; Smette; Solberg; Sorensen; Starke; Thompson; Tokach; Tollefson; Tomac; Trautman; Vander Vorst; Wald; Watne;

Wentz; Whalen; Williams, C.; Williams, W.; Winkelman;
Speaker Kloubec

ABSENT AND NOT VOTING: Shaft; Strinden

HB 1047 was declared lost.

POINT OF PERSONAL PRIVILEGE

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

Today, delegates and stockholders from across the upper Midwest and Northwest are arriving in Bismarck for the 56th Annual Meeting of the Farmers Union Central Exchange to be held February 3 and 4, 1987, at the Bismarck Civic Center. Farmers Union Central Exchange, Inc., whose trade name is Cenex, is a regional farm supply cooperative headquartered in Inver Grove Heights, Minnesota, owned by and serving 1700 local cooperatives in thirteen states.

In North Dakota, Cenex cooperatives number 294 with 75,000 members. Cenex is our state's largest supplier of commercial fertilizer and second largest supplier of petroleum products. The local customer-owned Cenex cooperative is the dominant supplier of farm inputs and a major economic force in many North Dakota communities.

Since it was organized in 1931, Cenex has returned cash savings to North Dakota cooperatives totaling over 61 million dollars. In addition, North Dakota cooperatives have ownerships of nearly 60 million dollars in Cenex.

Cenex currently ranks 237th on the Fortune 500 list of largest corporations.

The 1987 Annual Meeting is the first in Cenex history to be held in North Dakota. I wish to welcome the Cenex delegates and stockholders and wish them a productive meeting. We have ordered this very mild February weather to accommodate those coming from other states and hope they will come to North Dakota for many future annual meetings.

MESSAGE TO THE SENATE 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:

HB 1038, HB 1074, HB 1269, HB 1270, HB 1288, HB 1299,
HB 1300, HB 1370, HB 1404, HB 1409, HB 1422, HB 1423,
HB 1529

ROY GILBREATH, Chief Clerk

MESSAGE FROM THE SENATE
SENATE CHAMBER

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

SB 2019, SB 2044, SB 2050, SB 2106, SB 2108, SB 2129,
SB 2130, SB 2163, SB 2170, SB 2194, SB 2208, SB 2258,
SB 2273, SB 2275, SB 2295, SB 2313, SB 2317, SB 2329,
SB 2334, SB 2335, SB 2339, SB 2342, SB 2343, SB 2399,
SB 2427, SB 2437, SB 2441, SCR 4007

PERRY GROTEBERG, Secretary

SECOND READING OF HOUSE BILLS

HB 1114: A BILL for an Act to create and enact a new section to chapter 54-10 of the North Dakota Century Code, relating to confidentiality of the state auditor's working papers.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 101 YEAS, 1 NAY, 4 ABSENT AND NOT VOTING.

YEAS: Aas; Almlie; Anderson; Belter; Berg, C.; Berg, R.; Brokaw; Christman; Cleveland; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Dotzenrod; Enget; Flaagan; Gates; Gertholz; Goetz; Gorman; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hill; Hoffner; Hokana; Kelly; Kingsbury; Klundt; Knell; Knudson; Koland; Kolbo; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Marks; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Myrdal; Nelson, C.; Nelson, J.; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Rice; Riehl; Rydell; Scherber; Schindler; Schneider; Shaw; Shide; Shockman; Skjervan; Smette; Solberg; Sorensen; Starke; Stofferahn; Thompson; Tokach; Tollefson; Tomac; Trautman; Ulmer; Vander Vorst; Wald; Watne; Wentz; Whalen; Wilkie; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Kloubec

NAYS: Frey

ABSENT AND NOT VOTING: Kent; Peterson; Shaft; Strinden

HB 1114 passed and the title was agreed to.

HB 1378: A BILL for an Act to amend and reenact section 53-06.1-06 of the North Dakota Century Code, relating to expenses and prizes of games of chance.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 100 YEAS, 2 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Aas; Almlie; Anderson; Belter; Berg, G.; Berg, R.; Christman; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Dotzenrod; Enget; Flaagan; Frey; Gates; Gerntholz; Goetz; Gorman; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hill; Hoffner; Hokana; Kelly; Kent; Kingsbury; Klundt; Knell; Knudson; Koland; Kolbo; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Marks; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Myrdal; Nelson, C.; Nelson, J.; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Rice; Riehl; Rydell; Scherber; Schindler; Schneider; Shaw; Shide; Shockman; Smette; Solberg; Sorensen; Starke; Stofferahn; Thompson; Tokach; Tollefson; Tomac; Trautman; Ulmer; Vander Vorst; Wald; Watne; Wentz; Whalen; Wilkie; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Kloubec

NAYS: Brokaw; Cleveland

ABSENT AND NOT VOTING: Peterson; Shaft; Skjerven; Strinden

HB 1378 passed and the title was agreed to.

HB 1408: A BILL for an Act to amend and reenact section 30.1-23-01 of the North Dakota Century Code, relating to collection of personal property of decedent by affidavit.

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 105 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Aas; Almlie; Anderson; Belter; Berg, G.; Berg, R.; Brokaw; Christman; Cleveland; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Dotzenrod; Enget; Flaagan; Frey; Gates; Gerntholz; Goetz; Gorman; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hill; Hoffner; Hokana; Kelly; Kent; Kingsbury; Klundt; Knell; Knudson; Koland; Kolbo; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Marks; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Myrdal; Nelson, C.; Nelson, J.; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Peterson; Rice; Riehl; Rydell; Scherber; Schindler; Schneider; Shaft; Shaw; Shide; Shockman; Skjerven; Smette; Solberg; Sorensen; Starke; Stofferahn; Thompson; Tokach; Tollefson; Tomac; Trautman; Ulmer; Vander Vorst; Wald; Watne; Wentz; Whalen; Wilkie; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Kloubec

NAYS: None

ABSENT AND NOT VOTING: Strinden

HB 1408 passed and the title was agreed to.

HB 1129: A BILL for an Act to amend and reenact section 38-08-06.3 of the North Dakota Century Code, relating to information that must accompany payments to royalty owners.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 56 YEAS, 48 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Aas; Anderson; Berg, G.; Berg, R.; Brokaw; Christman; Dalrymple; DeMers, J.; DeMers, P.; Enget; Flaagan; Frey; Gerntholz; Gorman; Graba; Hanson, L.; Hanson, O.; Haugen; Haugland; Hill; Hoffner; Hokana; Kingsbury; Klundt; Knudson; Kolbo; Kuchera; Laughlin; Linderman; Marks; Martin; Melby; Mertens; Meyer; Murphy; Nowatzki; Oban; O'Connell; Opedahl; O'Shea; Riehl; Schneider; Shaw; Shockman; Solberg; Starke; Stofferahn; Thompson; Tokach; Tomac; Ulmer; Vander Vorst; Watne; Wentz; Wilkie; Williams, A.

NAYS: Almlie; Belter; Cleveland; Dorso; Dotzenrod; Gates; Goetz; Gunsch; Halmrast; Hamerlik; Hausauer, A.; Hausauer, R.; Kelly; Kent; Knell; Koland; Kretschmar; Lang; Larson; Lautenschlager; Lindgren; Martinson; Moore; Myrdal; Nelson, C.; Nelson, J.; Nicholas; Olsen, D.; Olson, A.; Olson, V.; Payne; Peterson; Rice; Rydell; Scherber; Schindler; Shaft; Shide; Skjerven; Smette; Sorensen; Tollefson; Trautman; Wald; Williams, C.; Williams, W.; Winkelman; Speaker Kloubec

ABSENT AND NOT VOTING: Strinden; Whalen

HB 1129 passed and the title was agreed to.

HB 1277: A BILL for an Act to amend and reenact section 39-12-05 of the North Dakota Century Code, relating to weight limitations for certain motor vehicles.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 27 YEAS, 79 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Berg, G.; Brokaw; DeMers, J.; DeMers, P.; Flaagan; Hanson, L.; Hoffner; Hokana; Kingsbury; Kretschmar; Laughlin; Marks; Meyer; Murphy; Nelson, C.; Nelson, J.; Oban; O'Shea; Schindler; Shockman; Solberg; Stofferahn; Trautman; Vander Vorst; Watne; Williams, A.; Williams, W.

NAYS: Aas; Almlie; Anderson; Belter; Berg, R.; Christman; Cleveland; Dalrymple; Dorso; Dotzenrod; Enget; Frey; Gates; Gerntholz; Goetz; Gorman; Graba; Gunsch; Halmrast; Hamerlik; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hill; Kelly; Kent; Klundt; Knell; Knudson; Koland; Kolbo; Kuchera; Lang; Larson; Lautenschlager; Linderman; Lindgren; Martin; Martinson; Melby; Mertens; Moore; Myrdal; Nicholas; Nowatzki; O'Connell; Olson, D.; Olson, A.; Olson, V.; Opedahl; Payne; Peterson; Rice; Riehl; Rydell; Scherber; Schneider; Shaft; Shaw; Shide; Skjerven; Smette; Sorensen; Starke; Strinden; Thompson; Tokach; Tollefson; Tomac; Ulmer; Wald; Wentz; Whalen; Wilkie; Williams, C.; Winkelman; Speaker Kloubec

ABSENT AND NOT VOTING: None

HB 1277 was declared lost.

HB 1333: A BILL for an Act to amend and reenact section 40-49-14 of the North Dakota Century Code, relating to bids on contracts let by a board of park commissioners.

Which has been read.

ROLL CALL

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

YEAS: Aas; Almlie; Anderson; Belter; Berg, G.; Berg, R.; Christman; Cleveland; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Dotzenrod; Flaagan; Frey; Gates; Gerntholz; Goetz; Gorman; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hill; Hoffner; Hokana; Kelly; Kent; Kingsbury; Klundt; Knell; Knudson; Koland; Kolbo; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Lindgren; Marks; Martin; Martinson; Melby; Mertens; Meyer; Moore; Myrdal; Nelson, C.; Nelson, J.; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Peterson; Rice; Riehl; Rydell; Scherber; Schindler; Schneider; Shaft; Shaw; Shide; Skjerven; Smette; Solberg; Sorensen; Starke; Stofferahn; Strinden; Thompson; Tokach; Tollefson; Tomac; Trautman; Ulmer; Vander Vorst; Wald; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Speaker Kloubec

NAYS: Brokaw; Enget; Graba; Gunsch; Linderman; Murphy; Shockman; Wilkie; Winkelman

ABSENT AND NOT VOTING: None

HB 1333 passed and the title was agreed to.

HB 1365: A BILL for an Act to amend and reenact section 61-24.3-04 of the North Dakota Century Code, relating to the extent and type of water treatment and the location for water treatment plants for the southwest pipeline project.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 88 YEAS, 16 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Aas; Almlie; Anderson; Belter; Berg, G.; Berg, R.; Christman; Cleveland; Dalrymple; DeMers, J.; Dotzenrod; Enget; Flaagan; Gates; Gerntholz; Goetz; Gorman; Gunsch; Halmrast; Hamerlik; Hanson, O.; Haugen;

Haugland; Hausauer, A.; Hausauer, R.; Hill; Hokana; Kelly; Kent; Klundt; Knell; Knudson; Koland; Kolbo; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Lindgren; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Myrdal; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Peterson; Rice; Riehl; Rydell; Schindler; Schneider; Shaft; Shaw; Shide; Skjerven; Smette; Solberg; Sorensen; Starke; Stofferahn; Strinden; Thompson; Tokach; Tollefson; Tomac; Trautman; Vander Vorst; Wald; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Kloubec

NAYS: Brokaw; DeMers, P.; Frey; Graba; Hanson, L.; Hoffner; Kingsbury; Linderman; Marks; Nelson, J.; Opedahl; Scherber; Shockman; Ulmer; Watne; Wilkie

ABSENT AND NOT VOTING: Dorso; Nelson, C.

HB 1365 passed and the title was agreed to.

HB 1387: A BILL for an Act to amend and reenact section 16.1-15-09 of the North Dakota Century Code, relating to canvassing of votes on electronic counting machines.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 104 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Aas; Almlie; Anderson; Belter; Berg, R.; Brokaw; Christman; Cleveland; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Dotzenrod; Enget; Flaagan; Frey; Gates; Gerntholz; Goetz; Gorman; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hill; Hoffner; Hokana; Kelly; Kent; Kingsbury; Klundt; Knell; Knudson; Koland; Kolbo; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Marks; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Myrdal; Nelson, J.; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Peterson; Rice; Riehl; Rydell; Scherber; Schindler; Schneider; Shaft; Shaw; Shide; Shockman; Skjerven; Smette; Solberg; Sorensen; Starke; Stofferahn; Strinden; Thompson; Tokach; Tollefson; Tomac; Trautman; Ulmer; Vander Vorst; Wald; Watne; Wentz; Whalen; Wilkie; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Kloubec

NAYS: None

ABSENT AND NOT VOTING: Berg, G.; Nelson, C.

HB 1387 passed and the title was agreed to.

MESSAGE FROM THE SENATE
SENATE CHAMBER

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

SCR 4024

PERRY GROTEBERG, Secretary

SECOND READING OF HOUSE BILL

HB 1398: A BILL for an Act to amend and reenact sections 16.1-16-01, 16.1-16-04, 16.1-16-06, 16.1-16-09, 16.1-16-10, and 54-03-07 of the North Dakota Century Code, relating to legislative contests; and to repeal sections 16.1-16-11, 16.1-16-12, 16.1-16-13, 16.1-16-14, 16.1-16-15, 16.1-16-16, and 16.1-16-17 of the North Dakota Century Code, relating to legislative election contests.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 101 YEAS, 2 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Aas; Almlie; Anderson; Belter; Berg, R.; Christman; Cleveland; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Dotzenrod; Enget; Flaagan; Frey; Gates; Gertholz; Goetz; Gorman; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hill; Hoffner; Hokana; Kelly; Kent; Kingsbury; Klundt; Knell; Knudson; Koland; Kolbo; Kretechmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Marks; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Myrdal; Nelson, J.; Nicholas; Nowatzki; Oban; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Rice; Riehl; Rydell; Scherber; Schindler; Schneider; Shaft; Shaw; Shide; Shockman; Skjerven; Smette; Solberg; Sorensen; Starke; Stofferahn; Strinden; Thompson; Tokach; Tollefson; Tomac; Trautman; Ulmer; Vander Vorst; Wald; Watne; Wentz; Whalen; Wilkie; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Kloube

NAYS: Brokaw; O'Connell

ABSENT AND NOT VOTING: Berg, G.; Nelson, C.; Peterson

HB 1398 passed and the title was agreed to.

RECOGNITION

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

SECOND READING OF HOUSE BILLS

HB 1402: A BILL for an Act to amend and reenact section 27-08.1-08 of the North Dakota Century Code, relating to residency requirements for small claims court referees.

Which has been read.

ROLL CALL

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

YEAS: Aas; Almlie; Anderson; Belter; Berg, G.; Berg, R.; Brokaw; Christman; Cleveland; Dalrymple; DeMers, J.; DeMers, P.; Dorao; Dotzenrod; Enget; Flaagan; Frey; Gates; Gerntholz; Goetz; Gorman; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hill; Hoffner; Hokana; Kelly; Kent; Kingsbury; Klundt; Knell; Knudson; Koland; Kolbo; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Marks; Martinson; Melby; Meyer; Moore; Murphy; Myrdal; Nelson, J.; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Rice; Riehl; Rydell; Scherber; Schindler; Schneider; Shaft; Shaw; Shide; Shockman; Skjerven; Smette; Solberg; Sorensen; Starke; Stofferahn; Strinden; Thompson; Tokach; Tollefson; Tomac; Trautman; Ulmer; Vander Vorst; Wald; Watne; Wentz; Whalen; Wilkie; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Kloubec

NAYS: None

ABSENT AND NOT VOTING: Martin; Mertens; Nelson, C.; Peterson

HB 1402 passed and the title was agreed to.

HB 1405: A BILL for an Act to amend and reenact section 26.1-38-01 of the North Dakota Century Code, relating to

the insurance companies that must participate in the life and health insurance guaranty association.

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, 54 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Aas; Berg, G.; Berg, R.; Brokaw; Cleveland; Dalrymple; DeMers, J.; Dotzenrod; Frey; Gates; Gerntholz; Gorman; Graba; Halmrast; Hamerlik; Haugland; Hausauer, A.; Hoffner; Hokana; Kelly; Klundt; Koland; Kolbo; Kretschmar; Kuchera; Larson; Laughlin; Linderman; Lindgren; Mertens; Meyer; Nelson, J.; Nowatzki; Oban; O'Connell; Olson, V.; Opedahl; Riehl; Rydell; Scherber; Shaft; Shide; Shockman; Sorensen; Starke; Tollefson; Vander Vorst; Watne; Williams, A.; Williams, C.

NAYS: Almlie; Anderson; Belter; Christman; DeMers, P.; Dorso; Enget; Goetz; Gunsch; Hanson, L.; Hanson, O.; Haugen; Hausauer, R.; Hill; Kent; Kingsbury; Knell; Knudson; Lang; Lautenschlager; Marks; Martin; Martinson; Melby; Moore; Murphy; Myrdal; Nelson, C.; Nicholas; Olsen, D.; Olson, A.; O'Shea; Payne; Rice; Schindler; Schneider; Shaw; Skjerven; Smette; Solberg; Stofferahn; Strinden; Thompson; Tokach; Tomac; Trautman; Ulmer; Wald; Wentz; Whalen; Wilkie; Williams, W.; Winkelman; Speaker Kloubec

ABSENT AND NOT VOTING: Flaagan; Peterson

HB 1405 was declared lost.

MOTIONS

REP. WHALEN MOVED that HB 1550 be returned to the House floor from the Committee on Industry, Business and Labor and be rereferred to the Committee on Human Services and Veterans Affairs, which motion prevailed.

REP. ANDERSON MOVED that HB 1439 be rereferred to the Committee on Transportation, which motion prevailed.

SECOND READING OF HOUSE BILLS

HB 1407: A BILL for an Act to create and enact a new section to chapter 26.1-39 of the North Dakota Century Code, relating to the use of property and casualty insurance binders; and to provide a penalty.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 105 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Aas; Almlie; Anderson; Belter; Berg, G.; Berg, R.; Brokaw; Christman; Cleveland; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Dotzenrod; Enget; Flaagan; Frey; Gates; Gerntholz; Goetz; Gorman; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hill; Hoffner; Hokana; Kelly; Kent; Kingsbury; Klundt; Knell; Knudson; Koland; Kolbo; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Marks; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Myrdal; Nelson, C.; Nelson, J.; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Rice; Riehl; Rydell; Scherber; Schindler; Schneider; Shaft; Shaw; Shide; Shockman; Skjerven; Smette; Solberg; Sorensen; Starke; Stofferahn; Strinden; Thompson; Tokach; Tollefson; Tomac; Trautman; Ulmer; Vander Vorst; Wald; Watne; Wentz; Whalen; Wilkie; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Kloubec

NAYS: None

ABSENT AND NOT VOTING: Peterson

HB 1407 passed and the title was agreed to.

HB 1411: A BILL for an Act to create and enact a new subsection to section 26.1-26-42 of the North Dakota Century Code, relating to the causes for suspension or revocation of insurance agents' licenses.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 104 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Aas; Almlie; Anderson; Belter; Berg, G.; Berg, R.; Brokaw; Christman; Cleveland; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Dotzenrod; Enget; Flaagan; Frey; Gates; Gerntholz; Goetz; Gorman; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hill; Hoffner; Hokana; Kelly; Kent; Kingsbury; Klundt; Knell; Knudson; Koland; Kolbo; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Marks; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Myrdal; Nelson, C.; Nelson, J.; Nicholas;

Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Rice; Riehl; Scherber; Schindler; Schneider; Shaft; Shaw; Shide; Shockman; Skjerven; Smette; Solberg; Sorensen; Starke; Stofferahn; Strinden; Thompson; Tokach; Tollefson; Tomac; Trautman; Ulmer; Vander Vorst; Wald; Watne; Wentz; Whalen; Wilkie; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Kloubec

NAYS: None

ABSENT AND NOT VOTING: Peterson; Rydell

HB 1411 passed and the title was agreed to.

MOTION

REP. GOETZ MOVED that the House waive the reading of the title to HB 1428, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1428: A BILL for an Act to amend and reenact sections 26.1-22-01, 26.1-22-02, 26.1-22-05, 26.1-22-06, 26.1-22-09, 26.1-22-10, 26.1-22-11, 26.1-22-14, 26.1-22-15, 26.1-22-18, and 26.1-22-22 of the North Dakota Century Code, relating to a winter show obtaining insurance through the state fire and tornado fund.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 71 YEAS, 33 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Aas; Almlie; Berg, G.; Berg, R.; Brokaw; Cleveland; Dorso; Dotzenrod; Flaagan; Gates; Gerntholz; Goetz; Gorman; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hausauer, R.; Hill; Hokana; Kelly; Kent; Kingsbury; Knudson; Koland; Kolbo; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Marks; Martin; Martinson; Melby; Mertens; Moore; Murphy; Myrdal; Nicholas; Nowatzki; Oban; Olson, V.; Payne; Rice; Rydell; Scherber; Schindler; Shaw; Shide; Shockman; Smette; Starke; Stofferahn; Strinden; Thompson; Tokach; Tollefson; Tomac; Trautman; Ulmer; Vander Vorst; Wentz; Whalen; Wilkie; Speaker Kloubec

NAYS: Anderson; Belter; Christman; Dalrymple; DeMers, J.; DeMers, P.; Enget; Frey; Graba; Gunsch; Haugen; Hoffner; Klundt; Knell; Meyer; Nelson, C.; Nelson, J.; O'Connell; Olsen, D.; Olson, A.; Opedahl; O'Shea; Riehl; Schneider; Skjerven; Solberg; Sorensen; Wald;

Watne; Williams, A.; Williams, C.; Williams, W.;
Winkelman

ABSENT AND NOT VOTING: Peterson; Shaft

HB 1428 passed and the title was agreed to.

SPECIAL ORDER OF BUSINESS

REP. STRINDEN REQUESTED that the House be on a Special Order of Business to welcome Colonel James Buchli, mission specialist on the January 1985 flight of the space shuttle Discovery.

REP. STRINDEN MOVED that Speaker Kloubec appoint a committee to escort Colonel Buchli to the rostrum, which motion prevailed. Speaker Kloubec appointed Reps. Starke and Gorman to such committee and Colonel Buchli was thereupon escorted to the rostrum.

SECOND READING OF HOUSE BILL

HB 1434: A BILL for an Act to amend and reenact section 54-17-02 of the North Dakota Century Code, relating to members of the industrial commission.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 6 YEAS, 95 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Almlie; Berg, G.; Berg, R.; Haugen; Melby; Myrdal

NAYS: Aas; Anderson; Belter; Brokaw; Christman; Cleveland; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Dotzenrod; Enget; Flaagan; Frey; Gates; Gerntholz; Goetz; Gorman; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, R.; Hill; Hoffner; Hokana; Kelly; Kent; Kingsbury; Klundt; Knell; Knudson; Koland; Kolbo; Kretschmar; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Marks; Martin; Martinson; Mertens; Meyer; Moore; Murphy; Nelson, C.; Nelson, J.; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, V.; Opedahl; O'Shea; Payne; Rice; Riehl; Rydell; Scherber; Schindler; Schneider; Shaft; Shaw; Shide; Shockman; Skjerven; Smette; Solberg; Sorensen; Stofferahn; Strinden; Thompson; Tokach; Tollefson; Tomac; Trautman; Ulmer; Vander Vorst; Wald; Watne; Wentz; Whalen; Wilkie; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Kloubec

ABSENT AND NOT VOTING: Hausauer, A.; Kuchera; Olson, A.; Peterson; Starke

HB 1434 was declared lost.

MOTION

REP. GOETZ MOVED that the House waive the reading of the title to HB 1446, which motion prevailed.

SECOND READING OF HOUSE BILLS

HB 1446: A BILL for an Act to create and enact two new sections to chapter 26.1-21 of the North Dakota Century Code, relating to expenses paid from the state bonding fund for the defense of state employees and assessments against state agencies for the expenses of defending state employees; and to amend and reenact section 32-12.1-15 of the North Dakota Century Code, relating to authorization for state agencies to purchase insurance upon approval by the commissioner of insurance.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 93 YEAS, 11 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Aas; Almlie; Anderson; Berg, G.; Berg, R.; Brokaw; Christman; Cleveland; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Dotzenrod; Enget; Flaagan; Gates; Gertholz; Goetz; Gorman; Graba; Gunsch; Halmarst; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hill; Hokana; Kent; Kingsbury; Klundt; Knell; Knudson; Koland; Kolbo; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Marks; Martin; Martinson; Mertens; Meyer; Moore; Murphy; Myrdal; Nelson, C.; Nelson, J.; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Peterson; Rice; Riehl; Rydell; Schindler; Shaft; Shaw; Shide; Shockman; Skjerven; Smette; Solberg; Sorensen; Stofferahn; Strinden; Thompson; Tokach; Tollefson; Tomac; Trautman; Ulmer; Vander Vorst; Wentz; Whalen; Wilkie; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Kloubec

NAYS: Frey; Hamerlik; Hoffner; Kelly; Kretschmar; Kuchera; Melby; Scherber; Schneider; Wald; Watne

ABSENT AND NOT VOTING: Belter; Starke

HB 1446 passed and the title was agreed to.

HB 1456: A BILL for an Act to create and enact a new section to chapter 15-10 of the North Dakota Century Code, relating to

an English language proficiency requirement for faculty of state institutions of higher education.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 100 YEAS, 3 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Aas; Almlie; Anderson; Belter; Berg, G.; Berg, R.; Brokaw; Christman; Cleveland; Dalrymple; DeMers, J.; DeMers, P.; Dotzenrod; Enget; Flaagan; Frey; Gates; Gerntholz; Goetz; Gorman; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hill; Hoffner; Kelly; Kent; Kingsbury; Klundt; Knell; Knudson; Koland; Kolbo; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Marks; Martin; Martinson; Melby; Mertens; Moore; Myrdal; Nelson, C.; Nelson, J.; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Peterson; Rice; Riehl; Rydell; Scherber; Schindler; Schneider; Shaft; Shaw; Shide; Shockman; Skjerven; Smette; Solberg; Sorensen; Stofferahn; Strinden; Thompson; Tokach; Tollefson; Tomac; Trautman; Ulmer; Vander Vorst; Wald; Watne; Wentz; Whalen; Wilkie; Williams, A.; Williams, W.; Winkelman; Speaker Kloubec

NAYS: Meyer; Murphy; Williams, C.

ABSENT AND NOT VOTING: Dorso; Hokana; Starke

HB 1456 passed and the title was agreed to.

HB 1466: A BILL for an Act to amend and reenact section 54-36-01 of the North Dakota Century Code, relating to the membership of the Indian affairs commission.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 12 YEAS, 90 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Berg, G.; Cleveland; Kent; Kingsbury; Kuchera; O'Connell; Shaft; Skjerven; Thompson; Trautman; Wald; Whalen

NAYS: Aas; Almlie; Anderson; Belter; Berg, R.; Brokaw; Christman; Dalrymple; DeMers, J.; DeMers, P.; Dotzenrod; Enget; Flaagan; Frey; Gerntholz; Goetz;

Gorman; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.;
 Hanson, O.; Haugen; Haugland; Hausauer, A.;
 Hausauer, R.; Hill; Hoffner; Hokana; Kelly; Klundt;
 Knell; Knudson; Koland; Kolbo; Kretschmar; Lang;
 Larson; Laughlin; Lautenschlager; Linderman; Lindgren;
 Marks; Martin; Martinson; Melby; Mertens; Meyer; Moore;
 Murphy; Myrdal; Nelson, C.; Nelson, J.; Nicholas;
 Nowatzki; Oban; Olsen, D.; Olson, A.; Olson, V.;
 Opedahl; O'Shea; Payne; Peterson; Rice; Riehl; Rydell;
 Scherber; Schindler; Schneider; Shaw; Shide; Shockman;
 Smette; Solberg; Sorensen; Strinden; Tokach; Tollefson;
 Tomac; Ulmer; Vander Vorst; Watne; Wentz; Wilkie;
 Williams, A.; Williams, C.; Williams, W.; Winkelman;
 Speaker Kloubec

ABSENT AND NOT VOTING: Dorso; Gates; Starke; Stofferahn

HB 1466 was declared lost.

MOTION

REP. GATES MOVED that HB 1520 be returned to the House floor from the Committee on Education for the purpose of withdrawal, which motion prevailed.

REQUEST

REP. WALD REQUESTED the unanimous consent of the House to withdraw HB 1520. There being no objection, it was so ordered by the Speaker.

SECOND READING OF HOUSE BILL

HB 1471: A BILL for an Act to amend and reenact section 54-21.3-03 of the North Dakota Century Code, relating to the state building code.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 104 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Aas; Almlie; Anderson; Belter; Berg, G.; Berg, R.;
 Brokaw; Christman; Cleveland; Dalrymple; DeMers, J.;
 DeMers, P.; Dorso; Dotzenrod; Enget; Flaagan; Frey;
 Gates; Gertholz; Goetz; Gorman; Graba; Gunsch;
 Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugen;
 Haugland; Hausauer, A.; Hausauer, R.; Hill; Hoffner;
 Hokana; Kelly; Kent; Kingsbury; Klundt; Knell; Knudson;
 Koland; Kolbo; Kretschmar; Kuchera; Lang; Larson;
 Laughlin; Lautenschlager; Linderman; Lindgren; Marks;
 Martin; Martinson; Melby; Mertens; Meyer; Moore;
 Murphy; Myrdal; Nelson, C.; Nelson, J.; Nicholas;
 Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.;

Olson, V.; Opedahl; O'Shea; Payne; Peterson; Rice;
 Riehl; Rydell; Scherber; Schindler; Schneider; Shaft;
 Shaw; Shide; Shockman; Skjerven; Smette; Solberg;
 Sorensen; Stofferahn; Strinden; Thompson; Tokach;
 Tollefson; Tomac; Trautman; Ulmer; Vander Vorst; Watne;
 Wentz; Whalen; Wilkie; Williams, A.; Williams, C.;
 Williams, W.; Winkelman; Speaker Kloubec

NAYS: None

ABSENT AND NOT VOTING: Starke; Wald

HB 1471 passed and the title was agreed to.

MESSAGE FROM THE SENATE SENATE CHAMBER

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

SB 2204

PERRY GROTEBERG, Secretary

SECOND READING OF HOUSE BILL

HB 1493: A BILL for an Act to create and enact a new section to chapter 57-38 of the North Dakota Century Code, to provide an income tax credit for employers with a qualifying number of full-time employees; and to provide an effective date.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 2 YEAS, 101 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Frey; Wentz

NAYS: Aas; Almlie; Anderson; Belter; Berg, G.; Berg, R.;
 Brokaw; Christman; Cleveland; Dalrymple; DeMers, J.;
 DeMers, P.; Dorso; Dotzenrod; Enget; Flaagan; Gates;
 Gerntholz; Goetz; Gorman; Graba; Gunsch; Halmrast;
 Hamerlik; Hanson, L.; Hanson, O.; Haugen; Haugland;
 Hausauer, A.; Hausauer, R.; Hill; Hoffner; Hokana;
 Kelly; Kent; Kingsbury; Klundt; Knell; Knudson; Koland;
 Kolbo; Kretschmar; Kuchera; Larson; Laughlin;
 Lautenschlager; Linderman; Lindgren; Marks; Martin;
 Martinson; Melby; Mertens; Meyer; Moore; Murphy;
 Myrdal; Nelson, C.; Nelson, J.; Nicholas; Nowatzki;
 Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.;
 Opedahl; O'Shea; Payne; Peterson; Rice; Riehl; Rydell;
 Scherber; Schindler; Schneider; Shaft; Shaw; Shide;
 Shockman; Skjerven; Smette; Solberg; Sorensen;

Stofferahn; Strinden; Thompson; Tokach; Tollefson;
Tomas; Trautman; Ulmer; Vander Vorst; Wald; Watne;
Wilkie; Williams, A.; Williams, C.; Williams, W.;
Winkelman; Speaker Kloubec

ABSENT AND NOT VOTING: Lang; Starke; Whalen

HB 1493 was declared lost.

MOTION

REP. STRINDEN MOVED that HB 1494 be grouped with all other bills that deal with teachers' retirement, which motion prevailed.

SECOND READING OF HOUSE BILLS

HB 1517: A BILL for an Act to amend and reenact section 57-15-14 of the North Dakota Century Code, relating to tax levy limitations in school districts.

Which has been read.

ROLL CALL

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

YEAS: Gunsch; Hanson, O.; Kingsbury; Knudson; Murphy;
Myrdal; Shockman; Vander Vorst

NAYS: Aas; Almlie; Anderson; Belter; Berg, G.; Berg, R.;
Brokaw; Christman; Cleveland; Dalrymple; DeMers, J.;
DeMers, P.; Dorso; Dotzenrod; Enget; Flaagan; Frey;
Gates; Gerntholz; Goetz; Gorman; Graba; Halmrast;
Hamerlik; Hanson, L.; Haugen; Haugland; Hausauer, A.;
Hausauer, R.; Hill; Hoffner; Hokana; Kelly; Kent;
Kludt; Knell; Koland; Kolbo; Kretschmar; Kuchera;
Lang; Larson; Laughlin; Lautenschlager; Linderman;
Lindgren; Marks; Martin; Martinson; Melby; Mertens;
Meyer; Moore; Nelson, C.; Nelson, J.; Nicholas;
Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.;
Olson, V.; Opedahl; O'Shea; Payne; Peterson; Rice;
Riehl; Rydell; Scherber; Schindler; Schneider; Shaft;
Shaw; Shide; Skjerven; Smette; Solberg; Sorensen;
Stofferahn; Strinden; Thompson; Tokach; Tollefson;
Tomas; Trautman; Ulmer; Wald; Watne; Wentz; Whalen;
Wilkie; Williams, A.; Williams, C.; Williams, W.;
Winkelman; Speaker Kloubec

ABSENT AND NOT VOTING: Starke

HB 1517 was declared lost.

HB 1519: A BILL for an Act to repeal section 44-01-06 of the North Dakota Century Code, relating to the requirement for all elected and appointed state officials to be bonded.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 105 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Aas; Almlie; Anderson; Belter; Berg, G.; Berg, R.; Brokaw; Christman; Cleveland; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Dotzenrod; Enget; Flaagan; Frey; Gates; Gertholz; Goetz; Gorman; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hill; Hoffner; Hokana; Kelly; Kent; Kingsbury; Klundt; Knell; Knudson; Koland; Kolbo; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Marks; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Myrdal; Nelson, C.; Nelson, J.; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Peterson; Rice; Riehl; Rydell; Scherber; Schindler; Schneider; Shaft; Shaw; Shide; Shockman; Skjerven; Smette; Solberg; Sorensen; Stofferahn; Strinden; Thompson; Tokach; Tollefson; Tomac; Trautman; Ulmer; Vander Vorst; Wald; Watne; Wentz; Whalen; Wilkie; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Kloubec

NAYS: None

ABSENT AND NOT VOTING: Starke

HB 1519 passed and the title was agreed to.

MOTION

REP. STRINDEN MOVED that the rules be suspended, that HCR 3012, HCR 3015, and HCR 3016 be placed on the consent calendar for second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS ON CONSENT CALENDAR

HCR 3012: A concurrent resolution directing the Legislative Council to study procedures and standards in appeals for court review of decisions of county commissioners and other local governing bodies.

HCR 3015: A concurrent resolution directing the Legislative Council to study the administrative structure of school districts providing elementary and secondary education in this state and other states.

HCR 3016: A concurrent resolution urging the creation of a state centennial band.

Which have been read.

The question being on the final adoption of the resolutions.

So the resolutions were adopted on a voice vote.

MOTION

REP. STRINDEN MOVED that the rules be suspended, that HCR 3038, HCR 3039, HCR 3040, HCR 3041, HCR 3042, and HCR 3043 not be printed, not be referred to committee, be read in title only, and be printed in the Journal, and placed on the consent calendar for second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS ON CONSENT CALENDAR

HCR 3038: A concurrent resolution congratulating the 1986 State University of North Dakota - Dickinson Blue Hawks football team for its nationally ranked performance.

HCR 3039: A concurrent resolution designating October 1, 1989, as "Citizens Day" to recognize the role citizens played in creating and developing the state of North Dakota.

HCR 3040: A concurrent resolution designating the new highway bridge carrying Bismarck Expressway across the Missouri River between Bismarck and Mandan as the North Dakota Centennial Bridge.

HCR 3041: A concurrent resolution designating November 2 of each year as "Statehood Day" observing North Dakota's entry into the Union.

HCR 3042: A concurrent resolution designating July 10, 1988, as "Division Day" to observe and remember the day when citizens of Dakota Territory convened a "pro-division" convention to create two states.

HCR 3043: A concurrent resolution designating April 5, 1989, as "Native American Day" to honor the indigenous people of the land that became the state of North Dakota.

Which have been read.

The question being on the final adoption of the resolutions.

So the resolutions were adopted on a voice vote.

MOTIONS

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

REP. GOETZ MOVED that the House be on the Fifth order of business, and at the conclusion of the Fifth order, the House be on the Thirteenth order of business, and at the conclusion of the Thirteenth order, the House stand adjourned until 12:30 p.m., Tuesday, February 3, 1987, which motion prevailed.

REPORTS OF STANDING COMMITTEES

MR. SPEAKER: Your Committee on Industry, Business and Labor to which was referred HB 1041 has had the same under consideration and recommends by a vote of 10 YEAS, 3 NAYS, 3 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. WHALEN, Chairman

HB 1041 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on State and Federal Government to which was referred HB 1118 has had the same under consideration and recommends by a vote of 13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

REP. MARTINSON, Chairman

HB 1118 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Transportation to which was referred HB 1228 has had the same under consideration and recommends by a vote of 15 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 6, after the semicolon insert the word "and"

On page 1, line 18, delete the words "; and to repeal section 39-06-33.1 of the North"

On page 1, delete line 19

On page 1, line 20, delete the word "licenses"

On page 5, line 32, delete the word "twenty-four" and insert in lieu thereof the word "fifty"

On page 8, line 24, after the word "commissioner" insert the words "not to exceed six months"

On page 9, line 9, delete the word "idenfication" and insert in lieu thereof the word "identification"

On page 9, line 19, after the word "commissioner" insert the words ", not to exceed six months"

On page 9, delete lines 20 and 21

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

HB 1228 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Natural Resources to which was referred HB 1263 has had the same under consideration and recommends by a vote of 13 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 3, delete the words "and the use of flashlights in taking"

On page 1, line 4, delete the word "raccoon"

On page 1, remove the overstrike over lines 22 and 23

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

HB 1263 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Agriculture to which was referred HB 1285 has had the same under consideration and recommends by a vote of 7 YEAS, 6 NAYS, 3 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. NICHOLAS, Chairman

HB 1285 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Natural Resources to which was referred Engrossed HB 1298 has had the same under consideration and recommends by a vote of 15 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 12, delete the words "the United States or any of its departments or"

On page 1, line 13, delete the words "agencies or the state or any of its agencies" and insert in lieu thereof the words "any federal or state agency"

On page 1, line 15, delete the words "United States or any" and insert in lieu thereof the words "federal or state agency"

On page 1, delete line 16

On page 1, line 19, delete the words "government or" and after the word "agency" insert the words "or agencies"

On page 3, line 5, after the word "section" delete the words ", preliminary to the construction and"

On page 3, delete lines 6 and 7

On page 3, line 8, delete the words "advertising for bids, and execution of contracts and bonds"

And renumber the lines, sections, and pages accordingly

REP. A. OLSON, Chairman

Engrossed HB 1298 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Human Services and Veterans Affairs to which was referred HB 1336 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. HAUGLAND, Chairman

HB 1336 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on State and Federal Government to which was referred HB 1351 has had the same under consideration and recommends by a vote of 12 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. MARTINSON, Chairman

HB 1351 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Human Services and Veterans Affairs to which was referred HB 1361 has had the same under consideration and recommends by a vote of 12 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. HAUGLAND, Chairman

HB 1361 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on State and Federal Government to which was referred HB 1372 has had the same under consideration and recommends by a vote of 9 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. MARTINSON, Chairman

HB 1372 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Agriculture to which was referred HB 1396 has had the same under consideration and recommends by a vote of 9 YEAS, 5 NAYS, 2 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. NICHOLAS, Chairman

HB 1396 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Judiciary to which was referred HB 1417 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

REP. KRETSCHMAR, Chairman

HB 1417 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Human Services and Veterans Affairs to which was referred HB 1457 has had the same under consideration and recommends by a vote of 15 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

REP. HAUGLAND, Chairman

HB 1457 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Human Services and Veterans Affairs to which was referred HB 1522 has had the same under consideration and recommends by a vote of 15 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

REP. HAUGLAND, Chairman

HB 1522 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Education to which was referred HB 1525 has had the same under consideration and recommends by a vote of 16 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

REP. GATES, Chairman

HB 1525 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Agriculture to which was referred HB 1531 has had the same under consideration and recommends by a vote of 15 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

REP. NICHOLAS, Chairman

HB 1531 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Natural Resources to which was referred HCR 3007 has had the same under consideration and recommends by a vote of 8 YEAS, 6 NAYS, 3 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 5, delete the word "Dam" and insert in lieu thereof the word "Reservoir" and delete the word "constructed" and insert in lieu thereof the word "completed"

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

HCR 3007 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Judiciary to which was referred SB 2479 has had the same under consideration and recommends by a vote of 13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

REP. KRETSCHMAR, Chairman

SB 2479 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

FIRST READING OF SENATE BILLS

SB 2071: A BILL for an Act to create and enact a new section to chapter 47-16 of the North Dakota Century Code, relating to inspection of oil and gas production and royalty payment records.

Was read the first time and referred to the Committee on Natural Resources.

SB 2072: A BILL for an Act to amend and reenact subsection 7 of section 38-11.1-03 and section 38-11.1-04 of the North Dakota Century Code, relating to the definition of surface owner and surface damage payments with respect to oil and gas production damage.

Was read the first time and referred to the Committee on Natural Resources.

SB 2080: A BILL for an Act to create and enact three new sections to chapter 24-07 and a new subsection to section 32-12.1-03 of the North Dakota Century Code, relating to the designation of certain roads as minimum maintenance roads and the limitation of liabilities of political subdivisions for those roads.

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

SB 2253: A BILL for an Act to create and enact a new section to chapter 46-02 of the North Dakota Century Code, relating to in-plant printing.

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

SB 2373: A BILL for an Act to amend and reenact section 54-21-25 of the North Dakota Century Code, relating to the director of institution's authority to transfer adult inmates and juvenile delinquents; and to repeal 12-47-35 of the North Dakota Century Code, relating to the governor's authority to transfer adult inmates to the federal government.

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

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

ROY GILBREATH, Chief Clerk