

JOURNAL OF THE HOUSE

Fiftieth Legislative Assembly

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TWENTY-FOURTH DAY

Bismarck, February 6, 1987

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

The prayer was offered by Bragi Skulason, Pembina Hills Lutheran Church, Mountain, North Dakota.

ROLL CALL

The roll was called and all Representatives were present, except Representatives Graba, Hoffner, Lindgren, Peterson, and Starke.

A quorum was declared by the Speaker.

REQUEST

REP. STRINDEN REQUESTED that the record show that Rep. Graba was absent due to the illness of his wife, which request was granted.

CORRECTION AND REVISION OF THE JOURNAL

MR. SPEAKER: Your Committee on Correction and Revision of the Journal has carefully examined the Journal of the Twenty-third 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. MARTINSON MOVED that the amendments to HB 1109 as recommended by the Committee on State and Federal Government as printed on page 721 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

HB 1109 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. A. HAUSAUER MOVED that the amendments to HB 1265 as recommended by the Committee on Finance and Taxation as printed on page 722 of the House Journal be adopted, and when so adopted, recommends the same DO NOT PASS, which motion prevailed.

HB 1265 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. NICHOLAS MOVED that the amendments to HB 1397 as recommended by the Committee on Agriculture as printed on page 723 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

HB 1397 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. WHALEN MOVED that the amendments to HB 1452 as recommended by the Committee on Industry, Business and Labor as printed on page 724 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

HB 1452 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. A. HAUSAUER MOVED that the amendments to HB 1548 as recommended by the Committee on Finance and Taxation as printed on pages 724-725 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

HB 1548 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. GATES MOVED that the amendments to HB 1643 as recommended by the Committee on Education as printed on page 726 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

HB 1643 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MOTION

REP. WHALEN MOVED that HB 1490 be returned to the House floor from the Committee on Industry, Business and Labor for the purpose of withdrawal, which motion prevailed.

REQUEST

REP. LARSON REQUESTED the unanimous consent of the House to withdraw HB 1490. There being no objection, it was so ordered by the Speaker.

MOTION

REP. WHALEN MOVED that HB 1528 be returned to the House floor from the Committee on Industry, Business and Labor for the purpose of withdrawal, which motion prevailed.

REQUEST

REP. SCHNEIDER REQUESTED the unanimous consent of the House to withdraw HB 1528. There being no objection, it was so ordered by the Speaker.

MOTION

REP. A. OLSON MOVED that HB 1353 be returned to the House floor from the Committee on Natural Resources for the purpose of withdrawal, which motion prevailed.

REQUEST

REP. J. DEMERS REQUESTED the unanimous consent of the House to withdraw HB 1353. There being no objection, it was so ordered by the Speaker.

MOTIONS

REP. MARTINSON MOVED that HB 1575, which is on the Eleventh order, be rereferred to the Committee on State and Federal Government, which motion prevailed.

REP. MOORE MOVED that HB 1354 be returned to the House floor from the Committee on Political Subdivisions for the purpose of withdrawal, which motion prevailed.

REQUEST

REP. DORSO REQUESTED the unanimous consent of the House to withdraw HB 1354. There being no objection, it was so ordered by the Speaker.

MOTION

REP. GATES MOVED that HB 1477 be returned to the House floor from the Committee on Education for the purpose of withdrawal, which motion prevailed.

REQUEST

REP. A. HAUSAUER REQUESTED the unanimous consent of the House to withdraw HB 1477. There being no objection, it was so ordered by the Speaker.

MESSAGES 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 1129, HB 1228, HB 1263, HB 1298, HB 1396, HB 1417,
HB 1457, HB 1467, Engrossed HCR 3007

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

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

SB 2296, SB 2479, SCR 4024

ROY GILBREATH, Chief Clerk

MOTION

REP. STRINDEN MOVED that HB 1303, HB 1358, HB 1440, and HB 1444, which are on the Eleventh order, be laid over one legislative day, which motion prevailed.

**MESSAGES 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 2058, SB 2117, SB 2239, SB 2268, SB 2363, SB 2417,
SB 2426, SCR 4023

PERRY GROTEBERG, Secretary

SENATE CHAMBER

MR. SPEAKER: I have the honor to transmit herewith the following which the President Pro Tem has signed and your signature is respectfully requested:

SCR 4030, SCR 4039

PERRY GROTEBERG, Secretary

SENATE CHAMBER

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

HB 1058, HCR 3038

PERRY GROTEBERG, Secretary

MOTION

REP. GOETZ MOVED that the House waive the reading of the title to HB 1034, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1034: A BILL for an Act to amend and reenact subsection 4 of section 14-09-09.8, sections 14-13-03, 23-16-08, 25-01-01, 25-10-01, 25-10-02, 25-11-02, 25-15-03, 25-15-08, subsection 2 of section 25-16-01, sections 25-16-02, 25-16-03, 25-16-04, 25-16-06, 25-16-08, 25-16-09, 25-16-10, 25-16-12, 50-06-01.4, subsection 1 of section 50-19-01, sections 50-19-02, 50-19-03, 50-19-03.1, 50-19-04, 50-19-06, 50-19-07, 50-19-09, 50-19-10, 50-19-12, 50-19-13, 50-19-14, 50-20-01, 50-20-02, subsections 3 and 7 of section 50-25.1-02, sections 50-25.1-03, 50-25.1-03.1, 50-25.1-04, 50-25.1-04.1, 50-25.1-05, subsection 2 of section 50-25.1-05.2, sections 50-25.1-05.3, 50-25.1-06, 50-25.1-07, 50-25.1-11, and 54-38-01 of the North Dakota Century Code, relating to the structure of the department of human services; and to repeal section 54-38-02 of the North Dakota Century Code, relating to the alcoholism and drug abuse division.

Which has been read.

ROLL CALL

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

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

ABSENT AND NOT VOTING: Graba; Hoffner; Lindgren; Martin

HB 1034 passed and the title was agreed to.

SIGNING OF BILLS AND RESOLUTIONS

THE CHIEF CLERK ANNOUNCED that the Speaker signed the following:

SCR 4030, SCR 4039

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:

SCR 4044

PERRY GROTEBERG, Secretary

MOTION

REP. WINKELMAN MOVED that HB 1123 be placed at the foot of the calendar, which motion prevailed.

MOTION

REP. GOETZ MOVED that the House waive the reading of the title to HB 1131, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1131: A BILL for an Act to create and enact a new subsection to section 39-29-09 of the North Dakota Century Code, relating to all-terrain vehicle operation requirements; and to amend and reenact subsection 1 of section 39-29-01 of the North Dakota Century Code, relating to definition of all-terrain vehicle and safety requirements.

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 84 YEAS, 15 NAYS, 7 ABSENT AND NOT VOTING.

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

NAYS: Flaagan; Gunsch; Hausauer, A.; Hill; Klundt; Meyer; Murphy; Myrdal; O'Connell; Riehl; Starke; Tokach; Tomac; Williams, C.; Winkelman

ABSENT AND NOT VOTING: Graba; Hanson, O.; Hoffner; Lindgren; Martin; Nicholas; Peterson

HB 1131 passed and the title was agreed to.

MOTION

REP. GOETZ MOVED that the House waive the reading of the title to HB 1214, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1214: A BILL for an Act to amend and reenact subsection 1 of section 39-16-05, subsection 1 of section 39-16.1-09, subsection 1 of section 39-16.1-10, and section 39-16.1-12 of the North Dakota Century Code, relating to proof of financial responsibility after an accident, proof of motor vehicle insurance coverage, filing certificates of insurance by an insurance carrier, notice of insurance coverage cancellation to the highway commissioner.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 98 YEAS, 2 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: 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; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hill; Hokana; Kelly; Kent; Klundt; Knell; Knudson; Koland; Kolbo; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Marks; 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; Rice; Riehl; Rydell; Scherber; Schindler; Schneider; Shaft; 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: Kingsbury; Murphy

ABSENT AND NOT VOTING: Graba; Hoffner; Lindgren; Martin; Peterson; Shaw

HB 1214 passed and the title was agreed to.

MOTION

REP. GOETZ MOVED that the House waive the reading of the title to HB 1247, which motion prevailed.

SECOND READING OF HOUSE BILLS

HB 1247: A BILL for an Act to amend and reenact subsection 1 of section 47-30.1-06, subsections 2 and 5 of section 47-30.1-17, subsections 3 and 4 of section 47-30.1-18, sections 47-30.1-22, 47-30.1-26, and 47-30.1-35 of the

North Dakota Century Code, relating to abandoned property under the Uniform Unclaimed Property Act.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 89 YEAS, 10 NAYS, 7 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; Gunsch; Halmrast; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hill; Hokana; Kelly; Kent; Klundt; Knell; Knudson; Koland; Kolbo; Kretschmar; Lang; Larson; Laughlin; Lautenschlager; Linderman; Marks; Martinson; Melby; 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; Skjerven; Smette; Solberg; Sorensen; Starke; Stofferahn; Tokach; Tollefson; Tomac; Trautman; Ulmer; Vander Vorst; Wald; Whalen; Wilkie; Williams, A.; Williams, W.; Winkelmann
Speaker Kloubec

NAYS: Brokaw; Cleveland; Hamerlik; Kingsbury; Kuchera; Shockman; Strinden; Thompson; Watne; Wentz

ABSENT AND NOT VOTING: Graba; Hoffner; Lindgren; Martin; Mertens; Peterson; Williams, C.

HB 1247 passed and the title was agreed to.

HB 1254: A BILL for an Act to create and enact a new section to chapter 50-25.1 of the North Dakota Century Code, relating to the organization of local child protection teams in each county; and to amend and reenact subsection 5.1 of section 50-25.1-02 of the North Dakota Century Code, relating to the definition of a local child protection team.

Which has been read.

ROLL CALL

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

YEAS: 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; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hill; Hokana; Kelly; Kent; Kingsbury; Klundt; Knell; Knudson; Koland; Kolbo; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Marks; 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: Graba; Hausauer, R.; Hoffner; Lindgren; Martin; Peterson

HB 1254 passed and the title was agreed to.

MOTIONS

REP. ANDERSON MOVED that HB 1123 be placed at the top of the calendar, which motion prevailed.

REP. ANDERSON MOVED that HB 1123 be rereferred to the Committee on Transportation, which motion prevailed.

MESSAGE TO THE SENATE

HOUSE CHAMBER

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

SCR 4030, SCR 4039

ROY GILBREATH, Chief Clerk

SECOND READING OF HOUSE BILL

HB 1330: A BILL for an Act to create and enact two new sections to chapter 50-06.1 of the North Dakota Century Code, relating to a registry of traumatic head injuries and to require the attending physician to report such injuries.

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 64 YEAS, 32 NAYS, 10 ABSENT AND NOT VOTING.

YEAS: Aas; Almlie; Belter; Berg, R.; Brokaw; Christman; Cleveland; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Dotzenrod; Enget; Flaagan; Gates; Gerntholz; Gorman; Halmrast; Hamerlik; Hanson, L.; Haugen; Haugland; Hausauer, R.; Hill; Hokana; Kelly; Kent; Klundt; Knudson; Kolbo; Kretschmar; Lang; Larson; Laughlin; Lautenschlager; Linderman; Marks; Mertens; Moore; Nelson, C.; Nicholas; Nowatzki; Oban; O'Connell; Olson, V.; Opedahl; O'Shea; Rydell; Scherber; Schneider; Shockman; Solberg; Sorensen; Starke; Tollefson; Trautman; Ulmer; Vander Vorst; Watne; Wentz; Wilkie; Williams, A.; Williams, C.; Williams, W.

NAYS: Anderson; Berg, G.; Goetz; Gunsch; Hanson, O.; Hausauer, A.; Kingsbury; Knell; Koland; Kuchera; Martinson; Melby; Murphy; Myrdal; Olsen, D.; Olson, A.; Payne; Rice; Schindler; Shaft; Shaw; Shide; Skjerven; Smette; Stofferahn; Strinden; Thompson; Tokach; Tomac; Wald; Winkelman; Speaker Kloubec

ABSENT AND NOT VOTING: Frey; Graba; Hoffner; Lindgren; Martin; Meyer; Nelson, J.; Peterson; Riehl; Whalen

HB 1330 passed and the title was agreed to.

MOTION

REP. STRINDEN MOVED that HB 1616 be placed at the top of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILLS

HB 1616: A BILL for an Act to provide examinations for teacher certification, mandatory continuing teacher education, and for the establishment of a board of teacher examination and continuing education.

Which has been read.

MOTION

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

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 8 YEAS, 92 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Cleveland; Dorso; Knudson; Kuchera; Olson, A.; Shaft; Strinden; Whalen

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

ABSENT AND NOT VOTING: Graba; Hoffner; Lindgren; Martin; Melby; Peterson

HB 1616 was declared lost.

HB 1386: A BILL for an Act to amend and reenact section 5-02-05 of the North Dakota Century Code, relating to the dispensing of alcohol on licensed premises on certain days; 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 51 YEAS, 47 NAYS, 8 ABSENT AND NOT VOTING.

YEAS: Almlie; Berg, R.; Cleveland; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Dotzenrod; Flaagan; Frey; Gates; Gerntholz; Gorman; Halmrast; Hamerlik; Hanson, L.; Hausauer, A.; Hausauer, R.; Hill; Hokana; Kelly; Klundt; Koland; Kolbo; Kretschmar; Kuchera; Larson; Mertens; Meyer; Moore; Murphy; Myrdal; Nelson, C.; Nelson, J.; Nowatzki; Oban; Olson, A.; Olson, V.; Payne; Riehl; Rydell; Schneider; Skjerven; Smette; Sorensen; Stofferahn; Ulmer; Wentz; Williams, C.; Williams, W.; Speaker Kloubec

NAYS: Aas; Anderson; Belter; Berg, G.; Brokaw; Christman; Enget; Goetz; Gunsch; Haugen; Haugland; Kent; Kingsbury; Knell; Knudson; Lang; Laughlin; Lautenschlager; Linderman; Marks; Martinson; Melby; Nicholas; O'Connell; Olsen, D.; Opedahl; Rice; Scherber; Schindler; Shaw; Shide; Shockman; Solberg;

Starke; Strinden; Thompson; Tokach; Tollefson; Tomac;
Trautman; Vander Vorst; Wald; Watne; Whalen; Wilkie;
Williams, A.; Winkelman

ABSENT AND NOT VOTING: Graba; Hanson, O.; Hoffner;
Lindgren; Martin; O'Shea; Peterson; Shaft

HB 1386 was declared lost for want of a Constitutional majority.

HB 1406: A BILL for an Act to create and enact subdivision d of subsection 1 of section 43-11-27 of the North Dakota Century Code, relating to cosmetology training; and to amend and reenact subsection 3 of section 43-11-19 of the North Dakota Century Code, relating to educational qualifications of cosmetology students.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 62 YEAS, 37 NAYS, 7 ABSENT AND NOT VOTING.

YEAS: Almlie; Berg, G.; Christman; Cleveland; Dalrymple;
DeMers, J.; DeMers, P.; Dotzenrod; Enget; Gates;
Gerntholz; Goetz; Gorman; Halmrast; Hamerlik;
Hanson, L.; Haugland; Hausauer, R.; Hill; Kelly;
Klundt; Kolbo; Kretschmar; Lang; Larson;
Lautenschlager; Linderman; Marks; Martinson; Moore;
Nelson, C.; Nelson, J.; Nicholas; Nowatzki; Oban;
Olson, V.; Opedahl; O'Shea; Payne; Riehl; Rydell;
Scherber; Schindler; Schneider; Shaft; Shide; Shockman;
Solberg; Sorensen; Starke; Stofferahn; Thompson;
Tollefson; Trautman; Ulmer; Watne; Wentz; Wilkie;
Williams, A.; Williams, C.; Williams, W.;
Speaker Kloubec

NAYS: Aas; Anderson; Belter; Berg, R.; Brokaw; Dorso;
Flaagan; Frey; Gunsch; Hanson, O.; Haugen;
Hausauer, A.; Hokana; Kent; Kingsbury; Knell; Knudson;
Koland; Laughlin; Melby; Meyer; Murphy; Myrdal;
O'Connell; Olsen, D.; Olson, A.; Rice; Shaw; Skjerven;
Smette; Strinden; Tokach; Tomac; Vander Vorst; Wald;
Whalen; Winkelman

ABSENT AND NOT VOTING: Graba; Hoffner; Kuchera;
Lindgren; Martin; Mertens; Peterson

HB 1406 passed and the title was agreed to.

HB 1612: A BILL for an Act to create and enact a new section to chapter 34-11.1 of the North Dakota Century Code, relating to rights of state employees to employment with their spouses.

Which has been read.

ROLL CALL

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

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

NAYS: Aas; Belter; Dorso; Gunsch; Hanson, O.; Haugen; Kingsbury; Melby; Olsen, D.; Olson, A.; Rice; Shide; Strinden; Thompson; Vander Vorst; Speaker Kloubec

ABSENT AND NOT VOTING: Graba; Hoffner; Kuchera; Lindgren; Martin; Mertens; Peterson; Wald; Williams, C.

HB 1612 passed and the title was agreed to.

HB 1618: A BILL for an Act to provide for allocation of a portion of property taxes assessed on certain property to counties, cities, and school districts; and to provide a continuing appropriation.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 20 YEAS, 80 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Anderson; Gunsch; Hanson, O.; Haugen; Hill; Kingsbury; Knell; Knudson; Koland; Kolbo; Lang; Melby; Murphy; Myrdal; Olson, A.; O'Shea; Rice; Smette; Vander Vorst; Wilkie

NAYS: Aas; Almlie; Belter; Berg, G.; Berg, R.; Brokaw; Christman; Cleveland; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Dotzenrod; Enget; Flaagan; Frey; Gates; Gerntholz; Goetz; Gorman; Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer, A.; Hausauer, R.; Hokana; Kelly; Kent; Klundt; Kretschmar; Kuchera; Larson; Laughlin; Lautenschlager; Linderman; Marks; Martinson; Meyer; Moore; Nelson, C.; Nelson, J.; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, V.; Opedahl; Payne; Riehl; Rydell; Scherber; Schindler; Schneider; Shaft; Shaw; Shide; Shockman; Skjerven; Solberg; Sorensen; Starke; Stofferahn; Strinden; Thompson; Tokach; Tollefson; Tomac; Trautman; Ulmer; Wald; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Kloubec

ABSENT AND NOT VOTING: Graba; Hoffner; Lindgren; Martin; Mertens; Peterson

HB 1618 was declared lost.

HB 1632: A BILL for an Act to create and enact a new section to chapter 15-60 of the North Dakota Century Code, relating to the transfer of the state school construction fund and discontinuance of fund operations; and to amend and reenact section 15-21-20 of the North Dakota Century Code, relating to the state school construction fund.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 22 YEAS, 77 NAYS, 7 ABSENT AND NOT VOTING.

YEAS: Dalrymple; Dorso; Gerntholz; Goetz; Gunsch; Haugen; Haugland; Kingsbury; Knell; Knudson; Kuchera; Murphy; Olson, A.; Rice; Shaft; Shide; Skjerven; Smette; Strinden; Wald; Whalen; Winkelman

NAYS: Aas; Almlie; Anderson; Belter; Berg, G.; Berg, R.; Christman; Cleveland; DeMers, J.; DeMers, P.; Dotzenrod; Enget; Frey; Gates; Gorman; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Hausauer, A.; Hausauer, R.; Hill; Hokana; Kelly; Kent; Klundt; Koland; Kolbo; Kretschmar; Lang; Larson; Laughlin; Lautenschlager; Linderman; Marks; Martinson; Melby; Mertens; Meyer; Moore; Myrdal; Nelson, C.; Nelson, J.; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, V.; Opedahl; O'Shea; Payne; Riehl; Rydell; Scherber; Schindler; Schneider; Shaw; Shockman; Solberg; Sorensen; Starke; Stofferahn; Thompson; Tokach; Tollefson; Tomac; Trautman; Ulmer;

Vander Vorst; Watne; Wentz; Wilkie; Williams, A.;
Williams, C.; Williams, W.; Speaker Kloubec

ABSENT AND NOT VOTING: Brokaw; Flaagan; Graba; Hoffner;
Lindgren; Martin; Peterson

HB 1632 was declared lost.

MOTION

REP. STRINDEN MOVED that the rules be suspended, that HCR 3024 and HCR 3025 be read in title only and placed on the consent calendar, which motion prevailed.

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS ON CONSENT CALENDAR

HCR 3024: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of establishing educational programs relating to career guidance and development for children and adults in the state.

HCR 3025: A concurrent resolution expressing the importance of the knowledge of foreign languages and the potential benefits to be derived from the use of electronic media to assist in teaching foreign languages in North Dakota schools.

Which have been read.

The question being on the final adoption of the resolutions.

So the resolutions were adopted.

FIRST READING OF A SENATE CONCURRENT RESOLUTION

SCR 4044: A concurrent resolution urging Congress to adopt positive, solution-oriented programs of assistance targeted to address agricultural economic difficulties.
Was read the first time.

REQUEST

REP. STRINDEN REQUESTED the unanimous consent of the House to amend SCR 4044 as follows:

PROPOSED FLOOR AMENDMENT TO SCR 4044

On page 2, line 3, after the word "difficulties" insert the words
"and to improve the Food Security Act of 1985 to provide improved returns to farm and ranch families, thereby reaffirming a commitment to a strong agrarian system of family farms and ranches"

On page 2, line 4, delete the words "continue its financial" and insert in lieu thereof the words "implement measures in the farm program to target government spending to full-time family farmers and ranchers and to also target a portion of this spending to deal with the debt crisis facing American agriculture"

On page 2, delete line 5

On page 2, line 6, delete the words "market-oriented agricultural system"

And renumber the lines, sections, and pages accordingly

The Proposed Floor Amendment to SCR 4044 was adopted as requested.

MOTION

REP. STRINDEN MOVED that the rules be suspended, that SCR 4044 not be referred to committee, but be read in title only and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF A SENATE CONCURRENT RESOLUTION

SCR 4044: A concurrent resolution urging Congress to adopt positive, solution-oriented programs of assistance targeted to address agricultural economic difficulties.

Which has been read.

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

SCR 4044, as amended, was declared adopted on a voice vote.

MOTION

REP. STRINDEN MOVED that SCR 4044 be messaged to the Senate immediately, which motion prevailed.

MESSAGE TO THE SENATE HOUSE CHAMBER

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

SCR 4044

ROY GILBREATH, Chief Clerk

SECOND READING OF HOUSE BILLS

HB 1041: A BILL for an Act to create and enact a new section to chapter 6-07 of the North Dakota Century Code, relating to the priority of paying expenses of and claims against an insolvent bank; and to amend and reenact sections 6-03-67

and 41-04-27 of the North Dakota Century Code, relating to liability of a banking association for appropriation of deposits and the right of payor banks to setoff.

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, 0 NAYS, 9 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Flaagan; Graba; Hoffner; Lindgren; Martin; Nicholas; Peterson; Strinden; Williams, C.

HB 1041 passed and the title was agreed to.

HB 1140: A BILL for an Act providing an appropriation for defraying expenses for energy conservation renovations to facilities at the 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 1 YEA, 93 NAYS, 12 ABSENT AND NOT VOTING.

YEAS: Koland

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

Gorman; Gunsch; Halmrast; Hamerlik; Hanson, L.;
 Hanson, O.; Haugen; Haugland; Hausauer, A.; Hill;
 Hokana; Kelly; Kent; Kingsbury; Klundt; Knell; Knudson;
 Kolbo; Kretschmar; Kuchera; Lang; Larson; Laughlin;
 Lautenschlager; Linderman; Marks; 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; Schneider; Shaw;
 Shide; Shockman; Skjerven; Smette; Solberg; Sorensen;
 Starke; Stofferahn; Strinden; Thompson; Tokach;
 Tollefson; Tomac; Trautman; Ulmer; Vander Vorst; Wald;
 Watne; Whalen; Wilkie; Williams, A.; Williams, W.;
 Winkelman; Speaker Kloubec

ABSENT AND NOT VOTING: Cleveland; Flaagan; Graba;
 Hausauer, R.; Hoffner; Lindgren; Martin; Peterson;
 Schindler; Shaft; Wentz; Williams, C.

HB 1140 was declared lost.

HB 1218: A BILL for an Act to amend and reenact subsection 4 of section 6-06-08 of the North Dakota Century Code, relating to assessments of state credit unions.

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, 0 NAYS, 9 ABSENT AND NOT VOTING.

YEAS: Aas; Almlie; Anderson; Belter; Berg, G.; Berg, R.;
 Brokaw; Christman; Dalrymple; DeMers, J.; DeMers, P.;
 Dorso; Dotzenrod; Enget; Frey; Gates; Gerntholz; Goetz;
 Gorman; Gunsch; Halmrast; Hamerlik; Hanson, L.;
 Hanson, O.; Haugen; Haugland; Hausauer, A.;
 Hausauer, R.; Hill; Hokana; Kelly; Kent; Kingsbury;
 Klundt; Knell; Knudson; Koland; Kolbo; Kretschmar;
 Kuchera; Lang; Larson; Laughlin; Lautenschlager;
 Linderman; Marks; 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;
 Shaw; Shide; Shockman; Skjerven; Smette; Solberg;
 Sorensen; Starke; Stofferahn; Strinden; Thompson;
 Tokach; Tollefson; Tomac; Trautman; Ulmer;
 Vander Vorst; Wald; Watne; Whalen; Wilkie;
 Williams, A.; Williams, W.; Winkelman; Speaker Kloubec

NAYS: None

ABSENT AND NOT VOTING: Cleveland; Flaagan; Graba;
Hoffner; Lindgren; Martin; Shaft; Wentz; Williams, C.

HB 1218 passed and the title was agreed to.

MOTION

REP. GOETZ MOVED that the House waive the reading of the title to HB 1248, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1248: A BILL for an Act to amend and reenact sections 15-01-01, 15-01-02.1, 15-01-03, 15-01-04, 15-08.1-04, 15-08.1-06, 15-08.1-08, 15-08.2-09, and 47-06-08 of the North Dakota Century Code, relating to the composition of the board of university and school lands, fees charged by the board of university and school lands for managing certain property, composition and meetings of the board, depositing of income from certain lands in the lands and minerals trust fund.

Which has been read.

ROLL CALL

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

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

NAYS: None

ABSENT AND NOT VOTING: Flaagan; Graba; Hoffner; Lang; Lindgren; Martin; Nicholas; Wilkie; Williams, C.

HB 1248 passed and the title was agreed to.

MOTION

REP. GOETZ MOVED that HB 1328 be laid over one legislative day, which motion prevailed.

SECOND READING OF HOUSE BILLS

HB 1340: A BILL for an Act to amend and reenact sections 58-07-01 and 58-08-01 of the North Dakota Century Code, relating to compensation of township clerks and treasurers.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 92 YEAS, 4 NAYS, 10 ABSENT AND NOT VOTING.

YEAS: Aas; Almlie; Belter; Berg, R.; Christman; Cleveland; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Dotzenrod; Enget; Frey; Gates; Gerntholz; Goetz; Gorman; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hill; Hokana; Kelly; Kent; Kingsbury; Klundt; Knell; Knudson; Koland; Kolbo; Kretschmar; Kuchera; Larson; Laughlin; Lautenschlager; Linderman; Marks; Martinson; Melby; Mertens; Meyer; Moore; Myrdal; Nelson, C.; Nelson, J.; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; 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, W.; Winkelman; Speaker Kloubec

NAYS: Anderson; Brokaw; Murphy; O'Shea

ABSENT AND NOT VOTING: Berg, G.; Flaagan; Graba; Hoffner; Lang; Lindgren; Martin; Nicholas; Strinden; Williams, C.

HB 1340 passed and the title was agreed to.

HB 1348: A BILL for an Act to amend and reenact sections 61-04.1-08, 61-04.1-12, 61-04.1-33, 61-04.1-34, 61-04.1-35, and 61-04.1-38 of the North Dakota Century Code, relating to the powers and duties of the state weather modification board, license and permit exemptions, bid requirements, performance and bid bond requirements, and the receipt and expenditure of funds by the board; to repeal sections 61-04.1-01, 61-04.1-02, 61-04.1-09, 61-04.1-10, 61-04.1-20, 61-04.1-21, 61-04.1-22, and 61-04.1-39 of the North Dakota

Century Code, relating to state sovereignty over moisture, policy and purpose, research and development programs, creation of operating districts and district operations advisory committees, suspension of operations, and county appropriations.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 30 YEAS, 70 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Belter; Brokaw; Cleveland; Dalrymple; DeMers, P.; Hanson, L.; Hill; Kingsbury; Klundt; Linderman; Marks; Mertens; Murphy; Nelson, C.; Nelson, J.; O'Connell; Olson, V.; Payne; Riehl; Scherber; Schneider; Shockman; Skjerven; Starke; Stofferahn; Thompson; Wilkie; Williams, A.; Williams, W.; Speaker Kloubec

NAYS: Aas; Almlie; Anderson; Berg, G.; Berg, R.; Christman; DeMers, J.; Dorso; Dotzenrod; Enget; Frey; Gates; Gerntholz; Goetz; Gorman; Gunsch; Halmrast; Hamerlik; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hokana; Kelly; Kent; Knell; Knudson; Koland; Kolbo; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Martinson; Melby; Meyer; Moore; Myrdal; Nicholas; Nowatzki; Oban; Olsen, D.; Olson, A.; Opedahl; O'Shea; Peterson; Rice; Rydell; Schindler; Shaft; Shaw; Shide; Smette; Solberg; Sorensen; Strinden; Tokach; Tollefson; Tomac; Trautman; Ulmer; Vander Vorst; Wald; Watne; Wentz; Whalen; Winkelman

ABSENT AND NOT VOTING: Flaagan; Graba; Hoffner; Lindgren; Martin; Williams, C.

HB 1348 was declared lost.

REPORT OF PROCEDURAL COMMITTEE

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

HB 1667, HB 1668

REP. STRINDEN, Chairman

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

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 Ninth order of business, and at the conclusion of the Ninth 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., Monday, February 9, 1987, which motion prevailed.

REPORTS OF STANDING COMMITTEES

MR. SPEAKER: Your Committee on Industry, Business and Labor to which was referred HB 1176 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 5, delete the word "sections" and insert in lieu thereof the word "section" and delete the numerals "51-04-03,"

On page 1, line 9, delete the words "transient merchants,"

On page 1, line 16, delete the word "fifty" and insert in lieu thereof the word "thirty-five"

On page 1, line 23, delete the word "fifty" and insert in lieu thereof the word "thirty-five"

On page 2, line 22, delete the words "one hundred" and insert in lieu thereof the word "seventy-five"

On page 2, line 31, delete the word "twenty-five"

On page 2, line 34, delete the word "fifty" and insert in lieu thereof the word "twenty-five"

On page 3, delete lines 7 through 35

On page 4, delete lines 1 through 3

On page 5, line 19, delete the word "twenty" and insert in lieu thereof the word "fifteen"

On page 5, line 30, delete the word "annual"

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

HB 1176 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Industry, Business and Labor to which was referred HB 1185 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 1, after the words "A BILL" delete the remainder of the bill and insert in lieu thereof the following: "for an Act to create and enact section 6-07-04.1 of the North Dakota Century Code, relating to orders to show cause on insolvency, exceptions for emergencies, and recourse for aggrieved banks; and to amend and reenact sections 6-07-15 and 6-07-33 of the North Dakota Century Code, relating to district courts' supervision over administrative receiverships and confidentiality of proceedings.

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

SECTION 1. Section 6-07-04.1 of the North Dakota Century Code is hereby created and enacted to read as follows:

6-07-04.1. Insolvent bank - Order to show cause hearing - Exception. Upon a determination by the commissioner that any bank is insolvent, the commissioner may order the bank to inject capital in an amount determined by the commissioner to be sufficient to permit the bank to operate in a safe and sound condition or show cause why it should not be declared insolvent by the state banking board. The commissioner's order shall include the basis for his determination, with reasonable specificity, and identify and attach the pages or portions of the examination report or other documents supporting his determination. The order to show cause hearing shall be heard by the state banking board. The minimum notice for the hearing shall be three business days. In the commissioner's order to inject capital or show cause why it should not be declared insolvent by the state banking board, the commissioner shall indicate whether a purchase and assumption transaction is contemplated if the banking board declares the bank insolvent. If the state banking board determines that the bank is insolvent, the board shall appoint a receiver. The receiver shall exercise its powers as set forth in this chapter.

The hearing provided for in this section is not required when the bank is in violation of an existing final capital order and the state banking board has determined that an emergency exists which may result in serious losses to the depositors. In such a case, the state banking board may declare the bank insolvent without a hearing and appoint a receiver. The receiver shall exercise all powers as set forth in this chapter.

Recourse may be taken from actions taken under this section only in accordance with the provisions of section 6-07-14.

SECTION 2. AMENDMENT. Section 6-07-15 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

6-07-15. Powers of receiver. Upon taking charge of the assets and business of any bank, the receiver appointed by the state banking board, after having qualified in the manner hereinbefore provided, is authorized to collect all moneys due to such bank, and to do such other acts as are necessary to conserve its business and assets, and he shall proceed to liquidate the affairs thereof. He shall have general and inclusive power and authority, except as otherwise limited by the provisions of this chapter, to do any and all acts and to take any and all steps necessary, or in his discretion desirable, for the protection of the property and assets of such bank and the speedy and economical liquidation of the assets and affairs thereof, and the payment of its creditors, or for the reopening and resumption of business by said bank, where that is practicable or desirable. He may institute in his own name, as receiver, or in the name of the insolvent bank, such suits, actions, and other legal proceedings as he deems expedient for such purposes and for the enforcement of stockholders' liability. He may sell, compromise, or compound any bad or doubtful debt or claim and sell and dispose of any or all of the assets of the bank upon receiving an order so to do from the district court having jurisdiction of such matters as hereinafter provided. Such sale may be made to stockholders, officers, directors, or others interested in the insolvent bank on consent of the court. The bank shall be notified of any application or petition under this section, by the receiver, by the service of a notice upon an officer or director thereof, which shall be served in like manner as a summons in a civil action, and the hearing on the application or petition may be had at any time after said bank has had five days' notice of the petition or application.

SECTION 3. AMENDMENT. Section 6-07-33 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

6-07-33. Designation of district District judge for administrative bank receiverships -- Court in which papers filed. The supreme court, in the exercise of its supervisory jurisdiction, shall designate some district judge to court of the district in which the bank is located shall have jurisdiction in connection with administrative receiverships of insolvent banks, and the judge so designated shall give precedence to such matters. Wherever in this chapter reference is made to the district court having jurisdiction over the matters and proceedings set forth in this chapter, the such district judge so designated by the supreme court shall be the court referred to, and the district court of the county in which such designated district judge has his chambers shall be the proper court in which to file any and all papers required to be filed by the provisions of this chapter. The district court shall maintain the confidentiality of the proceedings until after a purchase and assumption has been completed or until liquidation is commenced."

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

HB 1185 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 1194 has had the same under consideration and recommends by a vote of 10 YEAS, 4 NAYS, 3 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, overstrike line 21

On page 1, line 22, overstrike the words "the state treasury, not otherwise appropriated, the sum of"

On page 1, line 23, delete the word "fifty" and overstrike the words "thousand dollars, or so much thereof as may be necessary, to"

On page 1, overstrike line 24

On page 1, line 25, overstrike the words "capital, and such sum" and insert immediately thereafter the words "The sum of fifty thousand dollars"

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

HB 1194 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on State and Federal Government to which was referred HB 1225 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 12, after the word "government" insert the words ", with the exception of the legislative and judicial branches"

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

HB 1225 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 1237 has had the same under consideration and recommends by a vote of 11 YEAS, 2 NAYS, 4 ABSENT AND NOT VOTING that the same DO PASS.

REP. A. OLSON, Chairman

HB 1237 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Industry, Business and Labor to which was referred HB 1304 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 9, underscore the words "Definitions. In sections 1 and 2 of this Act,"

On page 1, underscore lines 10 through 18

On page 1, line 19, delete the words "medical clinic," and underscore the words "dialysis center," and delete the words "physician's office," and underscore the word "or"

On page 1, underscore line 20

On page 1, line 21, underscore the words "Notification of infectious diseases. A licensed facility" and insert immediately thereafter the words ", medical clinic, or physician's office"

On page 1, underscore lines 22 through 28

On page 2, underscore lines 1 through 6

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

HB 1304 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 1344 has had the same under consideration and recommends by a vote of 14 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. A. OLSON, Chairman

HB 1344 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Industry, Business and Labor to which was referred HB 1355 has had the same under consideration and recommends by a vote of 15 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 1, delete the word "section" and insert in lieu thereof the word and numerals "sections 26.1-18-04," and after the numerals "26.1-30-20" insert a comma

On page 1, line 4, after the word "policies" insert the words "and notices of modification relating to the operation of a health maintenance organization"

On page 1, after line 6, insert the following new section:

"SECTION 1. AMENDMENT. Section 26.1-18-04 of the 1985 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

26.1-18-04. Notice of modification - Filing. A health maintenance organization must, unless otherwise provided in this chapter, file a notice describing any modification of the operation set out in the information required by section 26.1-18-03. The notice must be filed with the commissioner prior to effecting the modification. If the commissioner does not disapprove within fifteen days of the filing within the time period provided for approval in section 26.1-30-20, the modification is deemed approved.

The commissioner may adopt rules exempting those items the commissioner deems unnecessary from the filing requirements of this section."

On page 1, line 14, delete the word "sixty" and insert in lieu thereof the word "forty-five"

On page 1, line 16, delete the words "sixty-day" and insert in lieu thereof the words "forty-five-day"

On page 1, line 18, delete the words "sixty-day" and insert in lieu thereof the words "forty-five-day"

On page 1, line 26, delete the word "sixty" and insert in lieu thereof the words "forty-five"

And renumber the lines, sections, and pages accordingly

REP. WHALEN, Chairman

HB 1355 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Transportation to which was referred HB 1363 has had the same under consideration and recommends by a vote of 15 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING that the same DO PASS.

REP. ANDERSON, Chairman

HB 1363 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 HB 1368 has had the same under consideration and

recommends by a vote of 8 YEAS, 7 NAYS, 2 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. A. OLSON, Chairman

HB 1368 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Political Subdivisions to which was referred HB 1373 has had the same under consideration and recommends by a vote of 10 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO NOT PASS:

On page 1, line 3, delete the word "procedures" and insert in lieu thereof the words "a procedure"

On page 1, line 11, delete the words "at least two procedures" and insert in lieu thereof the words "a procedure"

On page 1, line 13, delete the word "procedures" and insert in lieu thereof the word "procedure"

On page 1, line 16, delete the word "procedures" and insert in lieu thereof the word "procedure"

On page 1, line 18, delete the word "procedures" and insert in lieu thereof the word "procedure"

On page 1, line 19, delete the word "procedures" and insert in lieu thereof the word "procedure" and delete the words "Procedures acceptable"

On page 1, delete lines 20 through 23

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

HB 1373 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 1388 has had the same under consideration and recommends by a vote of 15 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

REP. A. OLSON, Chairman

HB 1388 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 1393 has had the same under consideration and recommends by a vote of 16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

REP. ANDERSON, Chairman

HB 1393 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 1400 has had the same under consideration and recommends by a vote of 11 YEAS, 0 NAYS, 5 ABSENT AND NOT VOTING that the same DO PASS.

REP. ANDERSON, Chairman

HB 1400 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 1425 has had the same under consideration and recommends by a vote of 16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

REP. NICHOLAS, Chairman

HB 1425 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 HB 1437 has had the same under consideration and recommends by a vote of 13 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

REP. A. OLSON, Chairman

HB 1437 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Political Subdivisions to which was referred HB 1443 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 NOT PASS.

REP. MOORE, Chairman

HB 1443 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Political Subdivisions to which was referred HB 1482 has had the same under consideration and recommends by a vote of 15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

REP. MOORE, Chairman

HB 1482 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 HB 1485 has had the same under consideration and recommends by a vote of 8 YEAS, 7 NAYS, 2 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. A. OLSON, Chairman

HB 1485 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 HB 1515 has had the same under consideration and recommends by a vote of 9 YEAS, 5 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 16, delete the first underscored comma and insert in lieu thereof the word "and" and delete the words ", and approval"

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

HB 1515 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Appropriations to which was referred HB 1516 has had the same under consideration and recommends by a vote of 19 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 7, delete the numerals "20,000" and insert in lieu thereof the numerals "5,000"

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Department of Agriculture

The amount for the Pride of Dakota logo promotion program is reduced by \$15,000 from the general fund to \$5,000.

REP. PETERSON, Chairman

HB 1516 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Political Subdivisions to which was referred HB 1536 has had the same under consideration and recommends by a vote of 12 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same DO PASS.

REP. MOORE, Chairman

HB 1536 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 1564 has had the same under consideration and recommends by a vote of 8 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 2, line 5, after the second word "agency" insert the words "that participates, on a voluntary basis, in the energy conservation program provided in this Act and which is"

And renumber the lines, sections, and pages accordingly

REP. MARTINSON, Chairman

HB 1564 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 1573 has had the same under consideration and recommends by a vote of 14 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. NICHOLAS, Chairman

HB 1573 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Political Subdivisions to which was referred HB 1594 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. MOORE, Chairman

HB 1594 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Political Subdivisions to which was referred HB 1653 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. MOORE, Chairman

HB 1653 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

FIRST READING OF HOUSE BILLS

Rep. Strinden introduced:

(Approved by the Committee on Delayed Bills)

HB 1667: A BILL for an Act to create and enact two new subsections to section 57-51.1-01 of the North Dakota Century Code, relating to definition of the terms "extension well" and "wildcat well"; and to amend and reenact section 57-51.1-03 of the North Dakota Century Code, relating to exemptions from the oil extraction tax for oil from extension wells and wildcat wells.

Was read the first time and referred to the Committee on Finance and Taxation.

Reps. Strinden, Mertens and Sens. Heigaard, Holmberg introduced:
HB 1668: A BILL for an Act to create and enact section 7 to Senate Bill No. 2901, as approved by the fiftieth

legislative assembly, which relates to the rate of the sales tax, use tax, and motor vehicle excise tax, and declaring that Act to be an emergency measure; and to declare an emergency.

Was read the first time and referred to the Committee on Finance and Taxation.

FIRST READING OF HOUSE CONCURRENT RESOLUTIONS

Rep. Larson introduced:

HCR 3049: A concurrent resolution directing the Legislative Council to study methods of reducing losses incurred by the Comprehensive Health Association.

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

Rep. Whalen introduced:

HCR 3050: A concurrent resolution directing the Legislative Council to study the functions and duties of Job Service North Dakota and the Workmen's Compensation Bureau with a view toward reorganizing those agencies.

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

Rep. Smette and Sen. Adams introduced:

(Approved by Committee on Delayed Bills)

HCR 3051: A concurrent resolution urging state agencies, especially the Economic Development Commission and the State Highway Department, to give recognition and publicity to the International Peace Garden in their publications.

Was read the first time and referred to the Committee on Delayed Bills.

Rep. Halmrast introduced:

(Approved by the Committee on Delayed Bills)

HCR 3052: A concurrent resolution to create and enact a new section to article IV of the Constitution of the State of North Dakota, relating to the time of taking effect of laws changing compensation of members of the Legislative Assembly.

Was read the first time and referred to the Committee on Delayed Bills.

FIRST READING OF SENATE BILLS

SB 2039: A BILL for an Act to establish a children's coordinating cabinet to develop and implement a plan for a coordinated delivery of services to children and adolescents at risk; and to provide a continuing appropriation.

Was read the first time and referred to the Committee on Human Services and Veterans Affairs.

SB 2093: A BILL for an Act to amend and reenact subsections 1 and 9 of section 39-06-03.1, subsection 1 of section 39-06-14, and section 39-06-19 of the North Dakota Century

Code, relating to nondriver photo identification cards and motor vehicle operator's licenses.

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

SB 2202: A BILL for an Act to create and enact a new subsection to section 39-06.1-06, a new paragraph to subdivision a of subsection 3 of section 39-06.1-10, and a new subdivision to subsection 1 of section 39-09-02 of the North Dakota Century Code, relating to highway speed limits and sanctions for violation of highway speed limits; to amend and reenact subsection 3 of section 39-06.1-06 and paragraph 33 of subdivision a of subsection 3 of section 39-06.1-10 of the North Dakota Century Code, relating to sanctions for violation of speed limits; to provide a penalty; and to provide a contingent effective date.

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

SB 2280: A BILL for an Act to create and enact a new chapter to title 39 of the North Dakota Century Code, relating to the registration and titling of motorboats; to amend and reenact section 20.1-13-04 and subsection 78 of section 39-01-01 of the North Dakota Century Code, relating to the definition of vehicle and the licensing of watercraft for hire; to repeal subsection 22 and 23 of section 20.1-03-12 and sections 20.1-13-02, 20.1-13-03, and 20.1-13-06 of the North Dakota Century Code, relating to the operation of unlicensed motorcraft, licensing of motorcraft, and license fees for motorcrafts and motorcrafts for hire; to provide a penalty; and to provide an effective date.

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

SB 2362: A BILL for an Act to amend and reenact section 25-03.1-21 of the North Dakota Century Code, relating to alternatives to hospitalization for persons requiring treatment.

Was read the first time and referred to the Committee on Human Services and Veterans Affairs.

SB 2369: A BILL for an Act to create and enact a new section to chapter 39-04 of the North Dakota Century Code, relating to issuance of distinctive motor vehicle number plates to national guard members.

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

SB 2398: A BILL for an Act to amend and reenact section 4-22-22 of the North Dakota Century Code, relating to compensation of soil conservation district supervisors.

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

SB 2462: A BILL for an Act to amend and reenact subsection 9 of section 52-09-20 of the North Dakota Century Code, relating to primary insurance benefits under the North Dakota old-age and survivor insurance system.

Was read the first time and referred to the Committee on Human Services and Veterans Affairs.

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

ROY GILBREATH, Chief Clerk