

JOURNAL OF THE HOUSE

Fiftieth Legislative Assembly

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TWENTY-EIGHTH DAY

Bismarck, February 12, 1987

The House convened at 1:00 p.m., with Speaker Kloubec presiding.

The prayer was offered by Lay Pastor Bob Larson, Hope Lutheran Parish, Velva, North Dakota.

ROLL CALL

The roll was called and all Representatives were present, except Representatives Graba, R. Hausauer, Kretschmar, and Peterson.

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 Twenty-seventh Day and finds the same to be correct.

REP. THOMPSON, Chairman

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

CORRECTION AND REVISION OF THE JOURNAL

MR. SPEAKER: Your Committee on Correction and Revision of the Journal has carefully reexamined the Journal of the Twenty-sixth Day and recommends that the same be corrected as follows and, when so corrected, recommends that the same be approved:

On page 818, line 38, delete the word "prevailed" and insert in lieu thereof the word "failed"

On page 833, after line 29, insert the following:

On page 2, line 19, after the word "subsection" insert the words ", including limitations on the time during which an exemption is allowed"

On page 2, line 25, after the word "DATE" insert the words "- EXPIRATION DATE" and delete the word "taxable" and insert in lieu thereof the words "exemptions approved by city or county governing bodies"

On page 2, line 26, delete the words "years beginning" and after the numerals "1986" insert the words ", and before January 1, 1990, and is thereafter ineffective"

REP. THOMPSON, Chairman

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

SIXTH ORDER OF BUSINESS

REP. PETERSON MOVED that the amendments to HB 1025 as recommended by the Committee on Appropriations as printed on pages 864-865 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

HB 1025 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 1070 as recommended by the Committee on Finance and Taxation as printed on page 866 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

HB 1070 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. WHALEN MOVED that the amendments to HB 1231 as recommended by the Committee on Industry, Business and Labor as printed on page 866 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

HB 1231 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. WHALEN MOVED that the amendments to HB 1234 as recommended by the Committee on Industry, Business and Labor as printed on pages 866-867 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

HB 1234 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 1259 as recommended by the Committee on Finance and Taxation as printed on pages 867-868 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

HB 1259 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. PETERSON MOVED that the amendments to HB 1301 as recommended by the Committee on Appropriations as printed on page 868 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

HB 1301 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. PETERSON MOVED that the amendments to HB 1321 as recommended by the Committee on Appropriations as printed on

page 868 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion failed.

MOTION

REP. STRINDEN MOVED that the House reconsider its action whereby the amendments to HB 1321 lost, which motion prevailed.

SIXTH ORDER OF BUSINESS

REP. PETERSON MOVED that the amendments to HB 1321 as recommended by the Committee on Appropriations as printed on page 868 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

HB 1321 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. KRETSCHMAR MOVED that the amendments to HB 1356 as recommended by the Committee on Judiciary as printed on page 869 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

HB 1356 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. WHALEN MOVED that the amendments to HB 1362 as recommended by the Committee on Industry, Business and Labor as printed on page 869 of the House Journal be adopted, and when so adopted, recommends the same DO NOT PASS, which motion prevailed.

HB 1362 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. WHALEN MOVED that the amendments to HB 1364 as recommended by the Committee on Industry, Business and Labor as printed on page 869 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

HB 1364 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 1453 as recommended by the Committee on Finance and Taxation as printed on page 870 of the House Journal be adopted, and when so adopted, recommends the same DO NOT PASS, which motion prevailed.

HB 1453 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. GATES MOVED that the amendments to HB 1532 as recommended by the Committee on Education as printed on pages 870-871 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

HB 1532 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. GATES MOVED that the amendments to HB 1539 as recommended by the Committee on Education as printed on page 871 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

HB 1539 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. WHALEN MOVED that the amendments to HB 1595 as recommended by the Committee on Industry, Business and Labor as printed on page 872 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

HB 1595 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. KRETSCHMAR MOVED that the amendments to HB 1658 as recommended by the Committee on Judiciary as printed on pages 873-874 of the House Journal be adopted, and when so adopted, recommends the same DO NOT PASS, which motion prevailed.

HB 1658 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

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 2056, SB 2083, SB 2134, SB 2231, SB 2325, SB 2332,
SB 2333, SB 2359, SB 2372, SB 2435, SB 2452, SB 2458,
SB 2481, SB 2487, SB 2492, SB 2518, SB 2540, SCR 4010,
SCR 4015, SCR 4021

PERRY GROTEBERG, Secretary

SIGNING OF BILLS AND RESOLUTIONS

THE CHIEF CLERK ANNOUNCED that the Speaker signed the following:

HB 1057

ROY GILBREATH, Chief Clerk

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 1176, HB 1185, HB 1194, HB 1225, HB 1274, HB 1355,
HB 1373, HB 1432, HB 1469, HB 1516, HB 1536, HB 1594,
HB 1653

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to transmit herewith the following which the Speaker has signed and your signature is respectfully requested:

HB 1057

ROY GILBREATH, Chief Clerk

MOTIONS

REP. WHALEN MOVED that HCR 3005 be removed from the consent calendar and placed on the Eleventh order of business for second reading and final passage, which motion prevailed.

REP. STRINDEN MOVED that HCR 3005 be placed at the bottom of the calendar, which motion prevailed.

REP. A. HAUSAUER MOVED that HB 1239 be returned to the House floor from the Committee on Finance and Taxation for the purpose of withdrawal, which motion prevailed.

REQUEST

REP. A. HAUSAUER REQUESTED the unanimous consent of the House to withdraw HB 1239. There being an objection, HB 1239 was not withdrawn.

MOTION

REP. STRINDEN MOVED that HB 1239 be rereferred to the Committee on Finance and Taxation.

REQUEST

REP. MERTENS REQUESTED a recorded roll call vote on the motion to rerefer HB 1239 to the Committee on Finance and Taxation, which request was granted.

ROLL CALL

The question being on the motion to rerefer HB 1239 to the Committee on Finance and Taxation, the roll was called and there were 58 YEAS, 43 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Almlie; Anderson; Belter; Berg, R.; Christman; Cleveland; Dalrymple; Dorso; Gates; Gerntholz; Goetz; Gorman; Gunsch; Hamerlik; Hanson, O.; Haugen; Haugland; Hausauer, A.; Kent; Kingsbury; Knell; Knudson; Koland; Kuchera; Lang; Larson; Lindgren; Martin; Martinson; Melby; Moore; Murphy; Myrdal; Nicholas; Olsen, D.; Olson, A.; Olson, V.; Payne; Peterson; Rice; Rydell; Schindler; Shaft; Shaw; Shide; Smette; Sorensen; Strinden; Thompson; Tokach; Tollefson; Trautman;

Vander Vorst; Wald; Wentz; Whalen; Winkelman;
Speaker Kloubec

NAYS: Berg, G.; Brokaw; DeMers, J.; DeMers, P.;
Dotzenrod; Enget; Flaagan; Frey; Halmrast; Hanson, L.;
Hill; Hoffner; Hokana; Kelly; Klundt; Kolbo; Laughlin;
Lautenschlager; Linderman; Marks; Mertens; Meyer;
Nelson, C.; Nelson, J.; Nowatzki; Oban; O'Connell;
Opedahl; O'Shea; Riehl; Scherber; Schneider; Shockman;
Skjerven; Solberg; Starke; Stofferahn; Tomac; Watne;
Wilkie; Williams, A.; Williams, C.; Williams, W.

ABSENT AND NOT VOTING: Aas; Graba; Hausauer, R.;
Kretschmar; Ulmer

So the motion to rerefer HB 1239 to the Committee on Finance and Taxation prevailed.

THE SPEAKER ANNOUNCED that HB 1239 was referred to the Committee on Finance and Taxation.

SECOND READING OF HOUSE BILLS

HB 1613: A BILL for an Act to create and enact a new paragraph to subdivision b of subsection 3 of section 39-06.1-10 of the North Dakota Century Code, relating to driver's license penalty point assessments for driving without liability insurance after involvement in an accident; and to amend and reenact paragraph 10 of subdivision b of subsection 3 of section 39-06.1-10 of the North Dakota Century Code, relating to driver's license penalty point assessments for driving without liability insurance.

Which has been read.

ROLL CALL

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

YEAS: Almlie; Anderson; 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.; Haugen; Haugland; Hausauer, A.; Hill;
Hoffner; Hokana; Kelly; Kent; Klundt; Knell; Knudson;
Koland; Kolbo; Kuchera; Lang; Larson; Laughlin;
Lautenschlager; Linderman; 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; Watne; Wentz; Whalen; Wilkie;
Williams, A.; Williams, C.; Williams, W.; Winkelman;
Speaker Kloubec

NAYS: Gunsch; Hanson, O.; Kingsbury; Murphy; Shockman

ABSENT AND NOT VOTING: Aas; Graba; Hausauer, R.;
Kretschmar; Wald

HB 1613 passed and the title was agreed to.

HB 1201: A BILL for an Act to provide for informational labels
on certain new trucks; 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 32 YEAS, 68 NAYS, 6 ABSENT AND
NOT VOTING.

YEAS: Brokaw; DeMers, J.; DeMers, P.; Flaagan; Frey;
Halmrast; Hanson, L.; Hill; Hoffner; Hokana; Kelly;
Klundt; Kolbo; Laughlin; Lautenschlager; Linderman;
Mertens; Nelson, C.; Nelson, J.; Oban; O'Connell;
Opedahl; Riehl; Scherber; Schneider; Shockman; Starke;
Stofferahn; Ulmer; Watne; Wilkie; Williams, A.

NAYS: Almlie; Anderson; Belter; Berg, G.; Berg, R.;
Christman; Cleveland; Dalrymple; Dorso; Dotzenrod;
Enget; Gates; Gerntholz; Goetz; Gorman; Gunsch;
Hamerlik; Hanson, O.; Haugen; Haugland; Hausauer, A.;
Kent; Kingsbury; Knell; Knudson; Koland; Kuchera; Lang;
Larson; Lindgren; Marks; Martin; Martinson; Melby;
Meyer; Moore; Murphy; Myrdal; Nicholas; Nowatzki;
Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne;
Peterson; Rice; Rydell; Schindler; Shaw; Shide;
Skjerven; Smette; Solberg; Sorensen; Thompson; Tokach;
Tollefson; Tomac; Trautman; Vander Vorst; Wald; Wentz;
Whalen; Williams, C.; Williams, W.; Winkelman;
Speaker Kloubec

ABSENT AND NOT VOTING: Aas; Graba; Hausauer, R.;
Kretschmar; Shaft; Strinden

HB 1201 was declared lost.

MOTIONS

REP. A. HAUSAUER MOVED that the House reconsider its action
whereby the amendments to HB 1453 were adopted and the committee

report was accepted and HB 1453 was placed on the Sixth order of business on the calendar, which motion prevailed.

REP. A. HAUSAUER MOVED that HB 1453 be rereferred to the Committee on Finance and Taxation, which motion prevailed.

THE SPEAKER ANNOUNCED that HB 1453 was referred to the Committee on Finance and Taxation.

SECOND READING OF HOUSE BILL

HB 1268: A BILL for an Act to amend and reenact section 11-33-20 of the North Dakota Century Code, relating to revocation, by a township, of county zoning authority previously ceded by the township.

Which has been read.

ROLL CALL

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

YEAS: 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.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hill; Hoffner; Hokana; Kelly; Kent; Kingsbury; Klundt; Knell; Knudson; Koland; Kolbo; 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; 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: Aas; Anderson; Graba; Gunsch; Hausauer, R.; Kretschmar; Peterson; Shaft

HB 1268 passed and the title was agreed to.

MOTION

REP. MOORE MOVED that HB 1624 be returned to the House floor from the Committee on Political Subdivisions for the purpose of withdrawal, which motion prevailed.

REQUEST

REP. ULMER REQUESTED the unanimous consent of the House to withdraw HB 1624. There being no objection, it was so ordered by the Speaker.

MOTION

REP. A. OLSON MOVED that HB 1287 be returned to the House floor from the Committee on Natural Resources for the purpose of withdrawal, which motion prevailed.

REQUEST

REP. MURPHY REQUESTED the unanimous consent of the House to withdraw HB 1287. There being no objection, it was so ordered by the Speaker.

MOTION

REP. A. OLSON MOVED that HB 1500 be returned to the House floor from the Committee on Natural Resources for the purpose of withdrawal, which motion prevailed.

REQUEST

REP. L. HANSON REQUESTED the unanimous consent of the House to withdraw HB 1500. There being no objection, it was so ordered by the Speaker.

MESSAGE FROM THE SENATE
SENATE CHAMBER

MR. SPEAKER: I have the honor to return herewith the following which the President has signed:

HB 1057

PERRY GROTEBERG, Secretary

SECOND READING OF HOUSE BILLS

HB 1293: A BILL for an Act to amend and reenact section 15-12-12 of the North Dakota Century Code, relating to the publication by the county auditor of publications available through North Dakota state university.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 96 YEAS, 4 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Almlie; Anderson; Belter; Berg, G.; Berg, R.; Brokaw; Christman; Cleveland; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Enget; Flaagan; Frey; Gates; Gerntholz; Goetz; Gorman; Gunsch; Halmrast; Hamerlik; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hill; Hoffner; Hokana; Kelly; Kent; Kingsbury; Klundt; Knell; Knudson; Koland; Kolbo; Kuchera; Lang; Larson; Lautenschlager; Linderman; Lindgren; Marks; Martin;

Martinson; Melby; 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; 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: Dotzenrod; Hanson, L.; Laughlin; O'Connell

ABSENT AND NOT VOTING: Aas; Graba; Hausauer, R.; Kretschmar; Mertens; Olsen, D.

HB 1293 passed and the title was agreed to.

HB 1302: A BILL for an Act to allow the Bank of North Dakota to make loans to nonprofit corporations for construction, reconstruction, repair, or renovation of facilities under the control of the parks and recreation department.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 92 YEAS, 9 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Aas; Almlie; Anderson; Berg, R.; Brokaw; Christman; Cleveland; Dalrymple; DeMers, J.; DeMers, P.; Dotzenrod; Enget; Flaagan; Frey; Gates; Gerntholz; Goetz; Gorman; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hill; Hoffner; Hokana; Kelly; Kent; Kingsbury; Klundt; Knell; Knudson; Kolbo; 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; Starke; Stofferahn; Strinden; Tokach; Tollefson; Tomac; Trautman; Ulmer; Vander Vorst; Wald; Watne; Wentz; Wilkie; Williams, A.; Williams, C.; Williams, W.; Speaker Kloubec

NAYS: Belter; Dorso; Gunsch; Koland; Kuchera; Murphy; Thompson; Whalen; Winkelman

ABSENT AND NOT VOTING: Berg, G.; Graba; Hausauer, R.;
Kretschmar; Meyer

HB 1302 passed and the title was agreed to.

HB 1323: A BILL for an Act to create and enact a new subsection to section 39-06-03 of the North Dakota Century Code, relating to persons who may not be issued licenses to operate motor vehicles; and to amend and reenact section 39-07-11 of the North Dakota Century Code, relating to records of conviction to be forwarded to the licensing authority.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 92 YEAS, 9 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Aas; Almlie; Anderson; Belter; Berg, R.; Brokaw; Christman; Dalrymple; Dorso; Dotzenrod; Enget; Flaagan; Gates; Gerntholz; Goetz; Gorman; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hill; Hoffner; Hokana; Kelly; Kent; Kingsbury; Klundt; Knell; Knudson; Koland; Kolbo; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Marks; Martin; Martinson; Melby; Mertens; Meyer; Moore; Myrdal; Nelson, C.; Nelson, J.; Nicholas; Nowatzki; Oban; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Peterson; Rice; Riehl; Rydell; Scherber; Schindler; 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, C.; Williams, W.; Winkelman; Speaker Kloubec

NAYS: Cleveland; DeMers, J.; DeMers, P.; Frey; Gunsch; Murphy; O'Connell; Schneider; Wilkie

ABSENT AND NOT VOTING: Berg, G.; Graba; Hausauer, R.; Kretschmar; Olsen, D.

HB 1323 passed and the title was agreed to.

HB 1357: A BILL for an Act to amend and reenact section 57-20-01 and subsection 2 of section 57-26-03 of the North Dakota Century Code, relating to the penalties and interest assessed for delinquent property taxes and redemption from real estate tax sales; and to provide an effective date.

Which has been read.

MOTION

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

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 53 YEAS, 50 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Almlie; Anderson; Belter; Berg, G.; Berg, R.; DeMers, J.; DeMers, P.; Dorso; Enget; Frey; Gates; Gorman; Halmrast; Hanson, L.; Haugen; Haugland; Hill; Kelly; Kent; Klundt; Knudson; Kolbo; Lang; Larson; Lautenschlager; Linderman; Lindgren; Martinson; Mertens; Moore; Murphy; Nelson, C.; O'Shea; Payne; Rice; Riehl; Rydell; Scherber; Schneider; Shaft; Shaw; Solberg; Sorensen; Starke; Tokach; Tomac; Trautman; Ulmer; Wilkie; Williams, A.; Williams, C.; Winkelman; Speaker Kloubec

NAYS: Aas; Brokaw; Christman; Cleveland; Dalrymple; Dotzenrod; Flaagan; Gerntholz; Goetz; Gunsch; Hamerlik; Hanson, O.; Hausauer, A.; Hoffner; Hokana; Kingsbury; Knell; Koland; Kuchera; Laughlin; Marks; Martin; Melby; Meyer; Myrdal; Nelson, J.; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; Peterson; Schindler; Shide; Shockman; Skjerven; Smette; Stofferahn; Strinden; Thompson; Tollefson; Vander Vorst; Wald; Watne; Wentz; Whalen; Williams, W.

ABSENT AND NOT VOTING: Graba; Hausauer, R.; Kretschmar

HB 1357 was declared lost, for want of a Constitutional majority.

HB 1369: A BILL for an Act to create and enact two new subsections to section 57-02-08 of the North Dakota Century Code, providing exemptions from property taxes for new single family residential property and condominiums and townhouses which meet certain qualifications; to provide an effective date; and to provide an expiration date.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 97 YEAS, 5 NAYS, 4 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.; Haugen; Haugland; Hausauer, A.; Hill; Hokana; Kelly; Klundt; Knell; Knudson; Koland; Kolbo; 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; 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: Hanson, O.; Hoffner; Kingsbury; Linderman; Murphy

ABSENT AND NOT VOTING: Graba; Hausauer, R.; Kent; Kretschmar

HB 1369 passed and the title was agreed to.

HB 1381: A BILL for an Act to create and enact three new subsections to section 57-38-01 of the North Dakota Century Code and a new section to chapter 57-38 of the North Dakota Century Code, relating to a tax credit for employers who hire developmentally disabled or chronically mentally ill employees; and to provide an effective date.

Which has been read.

ROLL CALL

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

YEAS: 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; Hoffner; Hokana; Kelly; Kent; Kingsbury; Klundt; Knell; Knudson; Koland; Kolbo; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; 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; Watne; Wentz; Whalen; Wilkie;
Williams, A.; Williams, C.; Williams, W.; Winkelman;
Speaker Kloubec

NAYS: None

ABSENT AND NOT VOTING: Graba; Hausauer, R.; Kretschmar;
Lindgren; Peterson; Wald

HB 1381 passed and the title was agreed to.

HB 1390: A BILL for an Act to amend and reenact section 32-12.1-05 of the North Dakota Century Code, relating to the purchase of liability insurance by political subdivisions; and to repeal section 32-12.1-06 of the North Dakota Century Code, relating to the certification of political subdivision insurance to the commissioner of insurance.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 101 YEAS, 0 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: 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; Hoffner; Hokana; Kelly; Kent;
Kingsbury; Klundt; Knell; Knudson; Koland; Kolbo;
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;
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.; Kretschmar;
Peterson; Strinden

HB 1390 passed and the title was agreed to.

HB 1547: A BILL for an Act to provide for local funding of victim and witness programs.

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, 12 NAYS, 5 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; Gates; Gerntholz; Goetz; Gorman; Halmrast; Hamerlik; Hanson, L.; Haugen; Haugland; Hausauer, A.; Hill; Hoffner; Hokana; Kelly; Kent; Klundt; Knudson; Koland; Kolbo; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Marks; Martin; Martinson; Melby; Mertens; Meyer; Moore; Myrdal; Nelson, C.; Nelson, J.; Nicholas; Nowatzki; Oban; Olson, A.; Olson, V.; Opedahl; Payne; Rice; Riehl; Rydell; Scherber; Schindler; Schneider; Shaft; Shaw; Shockman; Skjerven; Smette; Solberg; Sorensen; Starke; Stofferahn; Tokach; Tollefson; Tomac; Trautman; Ulmer; Vander Vorst; Wald; Watne; Wentz; Wilkie; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Kloubec

NAYS: Frey; Gunsch; Hanson, O.; Kingsbury; Knell; Murphy; O'Connell; Olsen, D.; O'Shea; Shide; Thompson; Whalen

ABSENT AND NOT VOTING: Graba; Hausauer, R.; Kretschmar; Peterson; Strinden

HB 1547 passed and the title was agreed to.

HB 1551: A BILL for an Act to amend and reenact section 5-01-07 of the North Dakota Century Code, relating to township beer or liquor licenses.

Which has been read.

ROLL CALL

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

YEAS: 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; Hoffner; Kelly; Kent; Kingsbury;
 Klundt; Knell; Knudson; Koland; 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;
 Skjerven; Smette; Solberg; Sorensen; Starke;
 Stofferahn; Thompson; Tokach; Tollefson; Tomac;
 Trautman; Ulmer; Vander Vorst; Wald; Watne; Wentz;
 Whalen; Williams, A.; Williams, C.; Williams, W.;
 Winkelman; Speaker Kloubec

NAYS: Hokana; Kolbo; Shockman; Wilkie

ABSENT AND NOT VOTING: Graba; Hausauer, R.; Kretschmar;
 Peterson; Strinden

HB 1551 passed and the title was agreed to.

HB 1142: A BILL for an Act to provide an appropriation to defray expenses for handicapped accessibility projects at the 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 2 YEAS, 99 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Kolbo; Ulmer

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; Gunsch; Halmrast;
 Hamerlik; Hanson, L.; Hanson, O.; Haugen; Haugland;
 Hausauer, A.; Hill; Hoffner; Hokana; Kelly; Kent;
 Kingsbury; Klundt; Knell; Knudson; Koland; Kuchera;
 Lang; Larson; Laughlin; Lautenschlager; Linderman;
 Lindgren; Marks; Martin; Martinson; Melby; Mertens;
 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; Vander Vorst; Wald;

Watne; Wentz; Whalen; Wilkie; Williams, A.;
Williams, C.; Williams, W.; Winkelman; Speaker Kloubec

ABSENT AND NOT VOTING: Graba; Hausauer, R.; Kretschmar;
Meyer; Peterson

HB 1142 was declared lost.

HB 1327: A BILL for an Act to create and enact a new section to chapter 34-03 of the North Dakota Century Code, relating to limitations on civil actions brought by a public employee against the state or political subdivision.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 34 YEAS, 66 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Almlie; Anderson; Belter; Dotzenrod; Goetz; Gunsch;
Hanson, O.; Haugen; Kent; Kingsbury; Knell; Lang;
Melby; Murphy; Myrdal; Nelson, J.; Nicholas; Olson, A.;
Olson, V.; Opedahl; Rice; Shide; Shockman; Skjerven;
Smette; Sorensen; Strinden; Thompson; Tokach;
Tollefson; Tomac; Vander Vorst; Wald; Whalen

NAYS: Aas; Berg, G.; Berg, R.; Christman; Cleveland;
Dalrymple; DeMers, J.; DeMers, P.; Dorso; Enget;
Flaagan; Frey; Gates; Gerntholz; Gorman; Halmrast;
Hamerlik; Hanson, L.; Haugland; Hausauer, A.; Hill;
Hoffner; Hokana; Kelly; Klundt; Knudson; Koland; Kolbo;
Kuchera; Larson; Laughlin; Lautenschlager; Linderman;
Lindgren; Marks; Martinson; Mertens; Meyer; Moore;
Nelson, C.; Nowatzki; Oban; O'Connell; Olsen, D.;
O'Shea; Payne; Riehl; Rydell; Scherber; Schindler;
Schneider; Shaft; Shaw; Solberg; Starke; Stofferahn;
Trautman; Ulmer; Watne; Wentz; Wilkie; Williams, A.;
Williams, C.; Williams, W.; Winkelman; Speaker Kloubec

ABSENT AND NOT VOTING: Brokaw; Graba; Hausauer, R.;
Kretschmar; Martin; Peterson

HB 1327 was declared lost.

HB 1475: A BILL for an Act to provide an appropriation to the educational broadcasting council for televising the legislative assembly.

Which has been read.

MOTION

REP. STRINDEN 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 11 YEAS, 92 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Brokaw; Cleveland; Frey; Hamerlik; Hokana; Kuchera; Mertens; Oban; O'Connell; Shaft; Thompson

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

HB 1475 was declared lost.

HB 1489: A BILL for an Act to amend and reenact section 25-03.1-29 of the North Dakota Century Code, relating to anonymity of respondents in mental health commitment hearings.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 103 YEAS, 0 NAYS, 3 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; Hoffner; Hokana; Kelly; Kent; Kingsbury; Klundt; Knell; Knudson; Koland; Kolbo; 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; 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.; Kretschmar

HB 1489 passed and the title was agreed to.

HB 1535: A BILL for an Act to create and enact a new subsection to section 50-01-09 of the North Dakota Century Code, relating to the duties of a county social service board; and to amend and reenact section 14-09-06.3 of the North Dakota Century Code, relating to investigative reports and the assessment of costs in contested child custody proceedings.

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, 1 NAY, 5 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; Gunsch; Halmrast;
 Hamerlik; Hanson, L.; Hanson, O.; Haugen; Haugland;
 Hausauer, A.; Hill; Hoffner; Hokana; Kelly; Kent;
 Klundt; Knell; Knudson; Koland; Kolbo; 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; Strinden; Tokach;
 Tollefson; Tomac; Trautman; Ulmer; Vander Vorst; Wald;
 Watne; Wentz; Whalen; Wilkie; Williams, A.;
 Williams, C.; Williams, W.; Winkelman; Speaker Kloubec

NAYS: Kingsbury

ABSENT AND NOT VOTING: Berg, G.; Graba; Hausauer, R.; Kretschmar; Thompson

HB 1535 passed and the title was agreed to.

MOTIONS

REP. GOETZ MOVED that HB 1580, which is on the Eleventh order, be laid over one legislative day, which motion prevailed.

REP. GOETZ MOVED that HCR 3057 be returned to the House floor from the Committee on Human Services and Veterans Affairs and be rereferred to the Committee on Education, which motion prevailed.

SECOND READING OF HOUSE BILLS

HB 1537: A BILL for an Act to amend and reenact section 15-10-02 of the North Dakota Century Code, relating to the status of the student representative to the state board 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 7 YEAS, 91 NAYS, 8 ABSENT AND NOT VOTING.

YEAS: Almlie; Berg, R.; Cleveland; Hamerlik; Kuchera; Shaft; Wentz

NAYS: Aas; Anderson; Belter; Brokaw; 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.; Hill; Hoffner; Hokana; Kelly; Kingsbury; Klundt; Knell; Knudson; Kolbo; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Marks; Martin; Martinson; Melby; Meyer; Moore; Murphy; Myrdal; Nelson, C.; Nelson, J.; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; 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, C.; Williams, W.; Winkelman; Speaker Kloubec

ABSENT AND NOT VOTING: Berg, G.; Graba; Hausauer, R.; Kent; Koland; Kretschmar; Mertens; Olson, A.

HB 1537 was declared lost.

HB 1570: A BILL for an Act to amend and reenact subsection 4 of section 16.1-05-02, sections 16.1-05-03 and 16.1-05-04 of the North Dakota Century Code, relating to election boards and poll clerks.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 36 YEAS, 65 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Berg, G.; Brokaw; Cleveland; DeMers, J.; DeMers, P.; Flaagan; Frey; Gerntholz; Halmrast; Hamerlik; Hanson, L.; Haugen; Hoffner; Hokana; Kelly; Klundt; Laughlin; Lautenschlager; Marks; Moore; Nelson, C.; Nelson, J.; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, V.; Riehl; Scherber; Schneider; Starke; Stofferahn; Tokach; Tomac; Watne; Williams, W.

NAYS: Aas; Almlie; Anderson; Belter; Berg, R.; Christman; Dalrymple; Dorso; Dotzenrod; Enget; Gates; Goetz; Gorman; Gunsch; Hanson, O.; Haugland; Hausauer, A.; Hill; Kent; Kingsbury; Knell; Knudson; Koland; Kolbo; Kuchera; Lang; Larson; Linderman; Lindgren; Martin; Martinson; Melby; Murphy; Myrdal; Nicholas; Olson, A.; Opedahl; O'Shea; Payne; Peterson; Rice; Rydell; Schindler; Shaft; Shaw; Shide; Shockman; Skjerven; Smette; Solberg; Sorensen; Strinden; Thompson; Tollefson; Trautman; Ulmer; Vander Vorst; Wald; Wentz; Whalen; Wilkie; Williams, A.; Williams, C.; Winkelman; Speaker Kloubec

ABSENT AND NOT VOTING: Graba; Hausauer, R.; Kretschmar; Mertens; Meyer

HB 1570 was declared lost.

MOTION

REP. STRINDEN MOVED that the House waive the reading of the title to HB 1656, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1656: A BILL for an Act to amend and reenact sections 16.1-14-18, 16.1-14-19, 16.1-14-20, 16.1-14-23, 16.1-14-24, 16.1-14-25, and 16.1-14-26 of the North Dakota Century Code, relating to voting for presidential electors; and to repeal section 16.1-14-27 of the North Dakota Century Code, relating to presidential elector ballots.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 28 YEAS, 74 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Berg, G.; Brokaw; DeMers, J.; DeMers, P.; Enget; Frey; Hoffner; Hokana; Kelly; Klundt; Kolbo; Laughlin; Marks; Mertens; Nelson, C.; Oban; O'Connell; Olson, A.; Opedahl; Scherber; Schneider; Solberg; Starke; Stofferahn; Ulmer; Watne; Wilkie; Williams, W.

NAYS: Aas; Almlie; Anderson; Belter; Berg, R.; Christman; Cleveland; Dalrymple; Dorso; Dotzenrod; Flaagan; Gates; Gerntholz; Goetz; Gorman; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hill; Kent; Kingsbury; Knell; Knudson; Koland; Kuchera; Lang; Larson; Lautenschlager; Linderman; Lindgren; Martin; Martinson; Melby; Meyer; Moore; Murphy; Myrdal; Nelson, J.; Nicholas; Nowatzki; Olsen, D.; Olson, V.; O'Shea; Payne; Peterson; Rice; Riehl; Rydell; Schindler; Shaft; Shaw; Shide; Shockman; Skjerven; Smette; Sorensen; Strinden; Thompson; Tokach; Tollefson; Tomac; Trautman; Vander Vorst; Wentz; Whalen; Williams, A.; Williams, C.; Winkelman; Speaker Kloubec

ABSENT AND NOT VOTING: Graba; Hausauer, R.; Kretschmar; Wald

HB 1656 was declared lost.

MOTION

REP. GOETZ MOVED that the House waive the reading of the title to HB 1662, which motion prevailed.

SECOND READING OF HOUSE BILLS

HB 1662: A BILL for an Act to create and enact a new section to chapter 43-10 of the North Dakota Century Code, relating to licensing of crematories; and to amend and reenact sections 43-10-01, 43-10-02, 43-10-03, 43-10-04, 43-10-05, 43-10-06, 43-10-08, 43-10-10, 43-10-11, 43-10-11.1, 43-10-12, 43-10-13, 43-10-14, 43-10-15, 43-10-16, 43-10-17, 43-10-18, 43-10-19, 43-10-20, 43-10-22, and 43-10-23 of the North Dakota Century Code, relating to governing the licensing of embalmers and funeral directors, the practice of embalming, and the licensing of funeral establishments.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 14 YEAS, 87 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Almlie; Belter; Brokaw; Cleveland; Gates; Gerntholz; Hoffner; Hokana; Larson; Lindgren; Oban; Olsen, D.; Olson, V.; Shaw

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

ABSENT AND NOT VOTING: Graba; Hausauer, R.; Kretschmar; Murphy; Wald

HB 1662 was declared lost.

HB 1665: A BILL for an Act to establish a health care data committee as a standing committee of the state health council; and to provide a civil penalty.

Which has been read.

MOTION

REP. HAMERLIK 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 61 YEAS, 39 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Almlie; Anderson; Belter; Berg, G.; Brokaw; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Enget; Flaagan; Frey; Gates; Gorman; Halmrast; Hanson, L.; Haugen; Hill; Hoffner; Hokana; Kelly; Kingsbury; Klundt; Kolbo; Laughlin; Lautenschlager; Marks; Mertens; Meyer; Moore; Murphy; Myrdal; Nelson, C.; Nelson, J.; Nowatzki; Oban; O'Connell; Opedahl; O'Shea; Payne; Riehl; Scherber; Schneider; Shaft; Shaw; Shockman; Skjerven; Solberg; Starke; Stofferahn; Tokach; Tomac; Ulmer; Watne; Wentz; Wilkie; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Kloubec

NAYS: Aas; Berg, R.; Christman; Cleveland; Gerntholz; Goetz; Gunsch; Hamerlik; Hanson, O.; Haugland; Kent; Knell; Knudson; Koland; Kuchera; Lang; Larson; Linderman; Lindgren; Martin; Martinson; Melby; Nicholas; Olsen, D.; Olson, A.; Olson, V.; Peterson; Rice; Rydell; Schindler; Shide; Smette; Sorensen; Strinden; Thompson; Tollefson; Trautman; Vander Vorst; Whalen

ABSENT AND NOT VOTING: Dotzenrod; Graba; Hausauer, A.; Hausauer, R.; Kretschmar; Wald

HB 1665 passed and the title was agreed to.

MOTION

REP. GOETZ MOVED that HCR 3031 be placed on the consent calendar, which motion prevailed.

ANNOUNCEMENTS

SPEAKER KLOUBEC ANNOUNCED that HB 1671 and HB 1672 were rereferred to the Committee on Political Subdivisions.

SPEAKER KLOUBEC ANNOUNCED that HCR 3062 was rereferred to the Committee on Agriculture.

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., Friday, February 13, 1987, which motion prevailed.

REPORTS OF STANDING COMMITTEES

MR. SPEAKER: Your Committee on Finance and Taxation to which was referred HB 1193 has had the same under consideration and recommends by a vote of 9 YEAS, 8 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS and be rereferred to the Committee on Appropriations:

On page 1, line 3, after the semicolon insert the words "to provide an appropriation;"

On page 1, line 4, delete the words "and an expiration date"

On page 2, line 12, after the word "fund" insert the words "to be used for oil and gas development impact grants and general state purposes"

On page 2, line 13, delete the words "Second an amount equal to one-third of one percent of the"

On page 2, delete lines 14 through 23

On page 2, line 24, delete the numeral "3."

On page 2, line 25, remove the overstrike over the word "~~subsection~~"

On page 2, line 26, delete the word "subsections" and delete the word and numeral "and 2"

On page 2, line 30, remove the overstrike over the word "~~subsection~~", delete the word "subsections", and delete the word "and"

On page 2, line 31, delete the numeral "2"

On page 2, line 34, remove the overstrike over the word "~~subsection~~"

On page 2, line 35, delete the word "subsections" and delete the word and numeral "and 2"

On page 3, line 22, remove the overstrike over the numeral and period "3-" and delete the numeral and period "4."

On page 5, after line 22, insert the following new section:

"SECTION 2. APPROPRIATION. There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$1,500,000, or so much thereof as may be necessary, to the energy development impact office for the purpose of providing grants to oil and gas development impacted political subdivisions for the biennium beginning July 1, 1987, and ending June 30, 1989."

On page 5, line 23, delete the words "- EXPIRATION DATE"

On page 5, line 24, delete the word ", and"

On page 5, line 25, delete the words "ending before July 1, 1989, and is thereafter ineffective"

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

HB 1193 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 1360 has had the same under consideration and

recommends by a vote of 11 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS; be placed on the Sixth order of business and then be held at the Desk to be considered on the calendar with the other public retirement bills.

On page 1, line 1, delete the words "to create and enact a new section to chapter 54-52"

On page 1, line 2, delete the words "of the North Dakota Century Code,"

On page 1, line 7, delete everything after the period

On page 1, delete line 8

On page 1, line 10, after the word "plan" insert the words "to the public employees retirement system"

On page 1, line 17, after the period insert the words "The cost of the repurchase of the credit is the amount of refund the member received, plus interest, compounded at the rate of seven and one-half percent per year, for the period since June 30, 1977. To claim the grant of prior service credit, the member shall notify the executive director of the public employees retirement system of that election and pay to the public employees retirement system the entire cost, with interest, of that repurchase, computed in accordance with this section, by December 31, 1987."

And renumber the lines, sections, and pages accordingly

REP. MARTINSON, Chairman

MR. SPEAKER: Your Committee on Political Subdivisions to which was referred HB 1429 has had the same under consideration and recommends by a vote of 10 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. MOORE, Chairman

HB 1429 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 1431 has had the same under consideration and recommends by a vote of 13 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. MOORE, Chairman

HB 1431 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 1476 has had the same under consideration and recommends by a

vote of 9 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. KRETSCHMAR, Chairman

HB 1476 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 1481 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 PASS.

REP. ANDERSON, Chairman

HB 1481 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 1483 has had the same under consideration and recommends by a vote of 11 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING that the same BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION.

REP. A. OLSON, Chairman

HB 1483 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 1507 has had the same under consideration and recommends by a vote of 12 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. A. OLSON, Chairman

HB 1507 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 1558 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. ANDERSON, Chairman

HB 1558 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 1568 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 11, after the word "obtained" insert the words "by the owner"

And renumber the lines, sections, and pages accordingly

REP. ANDERSON, Chairman

HB 1568 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 1575 has had the same under consideration and recommends by a vote of 10 YEAS, 4 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 2, delete the word "lodging"

On page 1, line 21, overstrike the word "per" and insert immediately thereafter the words "taken during any"

On page 1, line 24, after the word "employees" insert the words "for travel by motor vehicle"

On page 1, line 27, after the word "employees" insert the words "for travel by motor vehicle"

On page 1, line 28, after the word "trip" insert the word "taken"

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

HB 1575 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 1579 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 2 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 words "to create and enact a new section to chapter"

On page 1, delete line 2

On page 1, line 3, delete the words "insurance; and"

On page 1, line 11, remove the overstrike over the word "A" and delete the words "Except as provided in"

On page 1, line 12, delete the words "section 2 of this Act, a"

On page 1, line 14, remove the overstrike over the word "An" and delete the words "Except as provided in section 2 of this Act, an"

On page 1, line 17, after the period insert the following new sentence: "This section does not apply to automobile insurance policies, but such policies are subject to cancellation as provided in section 26.1-40-02."

On page 1, delete lines 18 through 27

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

HB 1579 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Finance and Taxation to which was referred HB 1596 has had the same under consideration and recommends by a vote of 17 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 1, after the words "A BILL" delete the remainder of the bill and insert in lieu thereof the following: "for an Act to provide for the creation of the budget stabilization fund as a special fund in the state treasury, to provide for the deposit of revenues in the budget stabilization fund, and to provide for transfers from the budget stabilization fund to the state general fund.

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

SECTION 1. Budget stabilization fund. The budget stabilization fund is a special fund in the state treasury. The state investment board shall supervise investment of the budget stabilization fund in accordance with chapter 21-10. Any interest or other budget stabilization fund earnings must be deposited in the fund. Any amounts provided by law for deposit in the fund and any interest or earnings of the fund which would bring the balance in the fund to an amount greater than fifteen percent of the current biennial state general fund budget, as finally approved by the most recently adjourned special or regular session of the legislative assembly, may not be deposited or retained in the fund but must be deposited instead in the state general fund.

SECTION 2. Certain general fund revenues to be deposited in the budget stabilization fund. Notwithstanding any other provision of law except section 1 of this Act, any amount in the state general fund in excess of twenty million dollars at the end of any biennium shall be transferred by the state treasurer to the budget stabilization fund. For purposes of this section, "at the end of any biennium" means after cancellation of unexpended appropriations under section 54-44.1-11.

SECTION 3. Transfers and expenditures from budget stabilization fund. If the director of the office of management and budget projects that general fund revenues for the biennium will be at least five percent less than

estimated by the most recently adjourned special or regular session of the legislative assembly, and if the governor orders a transfer, the state treasurer shall transfer the appropriate funds from the budget stabilization fund to the state general fund to offset the decrease in general fund revenues. The amount transferred from the budget stabilization fund upon order of the governor may not exceed the difference between an amount five percent below the general fund revenue projections for the biennium of the most recently adjourned special or regular session of the legislative assembly and the general fund revenue projections for the biennium by the director of the office of management and budget. The amount transferred from the budget stabilization fund upon order of the governor to the state general fund may be expended within the limits of legislative guidelines and general fund appropriations of the most recently adjourned special or regular session of the legislative assembly. Moneys in the budget stabilization fund may not be appropriated or expended except as provided in this section, but the legislative assembly may provide for transfer of all or a portion of the moneys in the budget stabilization fund to the common schools trust fund established under section 1 of article IX of the Constitution of North Dakota."

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

HB 1596 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 1601 has had the same under consideration and recommends by a vote of 11 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING that the same DO PASS.

REP. MOORE, Chairman

HB 1601 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 1608 has had the same under consideration and recommends by a vote of 14 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING that the same DO PASS.

REP. MOORE, Chairman

HB 1608 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 1609 has had the same under consideration and recommends by a vote of 10 YEAS, 6 NAYS, 1 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. A. OLSON, Chairman

HB 1609 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 1642 has had the same under consideration and recommends by a vote of 9 YEAS, 7 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 12, after the word "incapacity" insert an underscored comma and after the word "eighty" insert the word "calendar"

On page 1, line 13, after the word "days" insert the words "beyond accumulated paid leave,"

On page 1, line 15, after the word "year" insert an underscored comma

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

HB 1642 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Education to which was referred HCR 3027 has had the same under consideration and recommends by a vote of 11 YEAS, 5 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

REP. GATES, Chairman

HCR 3027 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 HCR 3035 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

HCR 3035 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 3045 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 and BE PLACED ON THE CONSENT CALENDAR.

REP. A. OLSON, Chairman

HCR 3045 was placed on the Tenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Education to which was referred HCR 3046 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

HCR 3046 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

FIRST READING OF SENATE BILLS

SB 2307: A BILL for an Act to amend and reenact section 16.1-13-27 of the North Dakota Century Code, relating to the disability of an elector.

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

SB 2420: A BILL for an Act to amend and reenact section 16.1-12-03 of the North Dakota Century Code, relating to the nomination and election of a person to more than one office.

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

SB 2459: A BILL for an Act to amend and reenact subsection 1 of section 43-43-01, and sections 43-43-03, 43-43-04, 43-43-05, 43-43-06, and 43-43-07 of the North Dakota Century Code, relating to the advisory board of environmental health practitioners and the duties of the state health officer.

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

FIRST READING OF A SENATE CONCURRENT RESOLUTION

SCR 4016: A concurrent resolution directing the Legislative Council to study the use of comparable worth to determine the existence of wage-based sex discrimination.

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

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

ROY GILBREATH, Chief Clerk