

JOURNAL OF THE HOUSE

Fiftieth Legislative Assembly

* * * * *

THIRTY-FIFTH DAY

Bismarck, February 25, 1987

The House convened at 12:00 p.m., with Speaker Kloubec presiding.

The prayer was offered by Steven Sathre, Trinity Lutheran Church, Bismarck, North Dakota.

ROLL CALL

The roll was called and all Representatives were present, except Representatives Aas, Hoffner, Shaft, and Stofferahn.

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 Thirty-fourth Day and finds the same to be correct.

REP. THOMPSON, Chairman

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

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Number	Name	Represents	Authorization
1	John McGauvran P.O. Box 2793 Bismarck, ND 58502	ND Farm Bureau NoDak Mutual	X X
2	David A. Rustebakke 904 East Divide P.O. Box 2793 Bismarck, ND 58502	ND Farm Bureau NoDak Mutual	X X
3	Lynn R. Larson Rural Route 6, Box 113 Fargo, ND 58103	ND Agricultural Aviation Association	X

4	Jack K. Daniels P.O. Box 638 Williston, ND 58802	ND Aviation Council	
5	Steven Hett P.O. Box 426 Mohall, ND 58761	ND Agricultural Aviation Association	
6	Virginia T. Corwin 418 East Broadway Bismarck, ND 58501	ND Optometric Association	X
7	David J. Peske P.O. Box 1198 Bismarck, ND 58502	ND Medical Association	X
8	Vernon E. Wagner P.O. Box 1198 Bismarck, ND 58502	ND Medical Association	X
9	Jack T. McDonald P.O. Box 2056 Bismarck, ND 58502	ND Newspaper Association ND Broadcasters Association Mini Mart, Inc. ND Examining Committee of Physical Therapists ND Physical Therapy Association American Subcontractors Association	X X X
10	David A. Funston 217 South Mandan Street Bismarck, ND 58501	ND Building and Construction Trades Council	
11	Joel D. Melarvie P.O. Box 1977 Bismarck, ND 58502	ANG Coal Gasification Company	X
12	Murray G. Sagsveen P.O. Box 1695 Bismarck, ND 58502	Garrison Diversion Conservancy District ND Army National Guard Adjutant General ND Medical Association ND Water Users Association	X X X X
13	Gregory L. Larson 417 1/2 East Broadway Suite #9 Bismarck, ND 58501	Association for Retarded Citizens of North Dakota	
14	Robert L. Lamp P.O. Box 2524 Fargo, ND 58108	Automobile Dealers Association of North Dakota ND Implement Dealers Association	X X

- | | | | |
|----|---|---|------------|
| 15 | Keith W. Howard
P.O. Box 2524
Fargo, ND 58108 | Automobile Dealers Association
of North Dakota
ND Implement Dealers Association | X

X |
| 16 | Jill D. Denning
P.O. Box 8137
University Station
Grand Forks, ND 58202 | ND Newspaper Association | |
| 17 | Michael B. Unhjem
4510 13th Avenue SW
Fargo, ND 58103 | Blue Cross/Blue Shield
of North Dakota | |
| 18 | Gerridee Wheeler
1230 East Highland
Acres Road
Bismarck, ND 58501 | Blue Cross/Blue Shield
of North Dakota | X |
| 19 | James D. Schlosser
P.O. Box 2578
Bismarck, ND 58502 | ND League of Savings
Institutions | X |
| 20 | David L. Kemnitz
1323 East Front Avenue
Bismarck, ND 58501 | ND AFL-CIO | |
| 21 | Richard D. Ott
P.O. Box 2276
Bismarck, ND 58502 | ND School Boards Association | X |
| 22 | Barbara H. Norby
P.O. Box 2276
Bismarck, ND 58502 | ND School Boards Association | X |
| 23 | James A. Austin
4510 13th Avenue SW
Fargo, ND 58103 | Blue Cross/Blue Shield
of North Dakota | |
| 24 | Wally M. Stigen
P.O. Box 2701
Wahpeton, ND 58075 | Otter Tail Power Company | |
| 25 | Arthur W. Wheeler
P.O. Box 1956
Bismarck, ND 58502 | ND Retail Association | |
| 26 | Rande J. Zander
1323 East Front Avenue
Bismarck, ND 58501 | ND AFL-CIO | |
| 27 | Frank J. Mattern
P.O. Box 5014
Bismarck, ND 58502 | Cooperative Power | X |

28	Sherry L. King P.O. Box 2136 Bismarck, ND 58502	State Bar Association of North Dakota	X
29	Les Torgerson P.O. Box 2136 Bismarck, ND 58502	State Bar Association of North Dakota	X
30	Wayne J. Tanous 400 North Fourth Street Bismarck, ND 58501	MDU Resources Group, Inc.	X
31	Forrest Johnson P.O. Box 2747 Fargo, ND 58108	Northern States Power Company	X
32	Donald R. Eckmann P.O. Box 2747 Fargo, ND 58108	Northern States Power Company	X
33	Dennis W. E. Boyd 400 North Fourth Street Bismarck, ND 58501	MDU Resources Group, Inc.	X
34	Leo M. Frieze 1800 Commerce Street Bismarck, ND 58501	I.B.E.W., Local Union #714	X
35	Richard O. Bergstad 1925 North Broadway P.O. Box 1906 Minot, ND 58702	I.B.E.W., Local Union #714 ND State Building & Construction Trades	X X
36	Arlene Melarvie P.O. Box 6128 Bismarck, ND 58502	Independent Community Banks of North Dakota	X
37	Albert A. Wolf 220 North Fourth Street P.O. Box 2056 Bismarck, ND 58502-2056	Independent Community Banks of North Dakota	X
38	Gerald J. Schlosser P.O. Box 778 Bismarck, ND 58502	ND Association of Realtors	X
39	Claus H. Lembke 1910 North 11th Street Bismarck, ND 58501	ND Association of Realtors	X

40	Robert F. Willer 904 East Divide Bismarck, ND 58501	ND Association of Realtors	X
41	James S. DuBois 220 North Fifth Street P.O. Box 5508 Bismarck, ND 58502	Northwestern Bell US West	X X
42	Melvin A. Kambeitz 220 North Fifth Street Bismarck, ND 58501	Northwestern Bell	X
43	Edwin S. Knuth 400 East Broadway P.O. Box 1977 Bismarck, ND 58502	ANG Coal Gasification Company	X
44	Emeroy A. Swanson 105 East Broadway Suite 2 Bismarck, ND 58501	ND Council of School Administrators	X
45	David W. Meade 105 East Broadway Suite 2 Bismarck, ND 58501	ND Council of School Administrators	X
46	Kent A. Olson 1211 Memorial Highway Bismarck, ND 58501	Professional Insurance Agents of North Dakota	X
47	Jac L. Bye 102 1/2 Avenue South Suite 100 Jamestown, ND 58401	Industrial Development Association of North Dakota	X
48	Lloyd E. Marchand 203 East Bowen Bismarck, ND 58501	ND Association of the Blind Bis-Mayors Committee Employment of Handicap Dakota Radio Information	
49	Loren L. Stadig 1025 North Third Bismarck, ND 58501	United Power Association	X
50	James M. Moench P.O. Box 2136 Jamestown, ND 58402	ND Farmers Union	X
51	Floyd V. Semenko P.O. Box 1108 Williston, ND 58802	The American Legion Department of North Dakota	X

52	Vernon A. Useldinger P.O. Box 2666 Fargo, ND 58108	The American Legion Department of North Dakota	X
53	Harry W. Moore P.O. Box 2666 Fargo, ND 58108	The American Legion Department of North Dakota	X
54	David M. Schmidt P.O. Box 2666 Fargo, ND 58108	The American Legion Department of North Dakota	X
55	LeRoy H. Ernst P.O. Box 874 Bismarck, ND 58502	ND Motor Carriers Association	X
56	Therese Olson 710 Ohmer Street Bottineau, ND 58318	ND Association of Realtors	X
57	Jim Gerl 411 Seventh Avenue NW Mandan, ND 58554	Local-6-10 (O.C.A.W.) ND Council of Clubs	X
58	Kitty Engelstad 227 West Broadway Suite #2 Bismarck, ND 58501	ND Catholic Conference	X
59	David (Dave) A. Johnson P.O. Box 688 Fargo, ND 58107	F-M Home Builders Association Fargo-Moorhead Board of Realtors	X X
60	Harry J. Argue P.O. Box 1438 Bismarck, ND 58502	ND Bankers Association	X
61	Harvey Huber P.O. Box 468 Hazen, ND 58545	ND Bankers Association	X
62	Thomas F. Kelsch P.O. Box 2335 Bismarck, ND 58502	ND Bankers Association	X
63	Keith C. Magnusson P.O. Box 1438 Bismarck, ND 58502	ND Bankers Association	X
64	John W. Allen P.O. Box 297 Flasher, ND 58535	Mor-Gran-Sou Electric Coop, Inc.	X

65	Vernon Glaesemann P.O. Box 297 Flasher, ND 58535	Mor-Gran-Sou Electric Coop, Inc.	X
66	Archie Giese P.O. Box 297 Flasher, ND 58535	Mor-Gran-Sou Electric Coop, Inc.	X
67	Lawrence R. Klemin Suite 414-400 East Broadway Bismarck, ND 58501	National Federation of Independent Business Alliance of American Insurers	X
68	Wade Moser 407 South Second Street Bismarck, ND 58501	ND Stockmen's Association	X
69	Earl L. Stoltenow 407 South Second Street Bismarck, ND 58501	ND Stockmen's Association	X
70	Lyle Dawson 407 South Second Street Bismarck, ND 58501	ND Stockmen's Association	X
71	Robert L. Rood P.O. Box 5755 Fargo, ND 58105	ND Association of Builders	
72	Marsha M. Lembke 1910 North 11th Street, #10 Bismarck, ND 58501	ND Association of Builders	
73	Richard D. Tohm P.O. Box 2200 Williston, ND 58802	ND Association of Builders	
74	Dan C. Mikkelson P.O. Box 1671 Grand Forks, ND 58206	ND Association of Builders	
75	Jack A. Hilleboe P.O. Box 688 Fargo, ND 58107	Fargo-Moorhead Board of Realtors F-M Home Builders Association	X X
76	Mark A. Johnson P.O. Box 417 Bismarck, ND 58502	ND Association of Counties	X
77	Harold L. Anderson P.O. Box 2574 Bismarck, ND 58502	ND Hospital Association	X

[illegible]

	Allstate	X
	Western States Life Insurance Company	X
	Pioneer Mutual Life Insurance Company	X
	ND Grain Dealers Association	X
	Midwest International, Inc.	X
	American Life & Casualty Company	X
	Manhattan National Life Insurance Company	X
	Soo Line Railroad Company	X
	Nodak Mutual Insurance Company	X
	American West Insurance Company	X
86 Charles T. Edin Zuger & Bucklin 316 North Fifth P.O. Box 1695 Bismarck, ND 58502	Lincoln Mutual Life & Casualty Insurance Company	X
	Surety Mutual Life & Casualty Insurance Company	X
	ND Society of Certified Public Accountants	X
	National Association of Independent Insurers	X
	Northern Bottling Company	X
	Motion Picture Association of America	X
	Dakota Fire Insurance Company	X
	Provident Life Insurance Company	X
	Center Mutual Insurance Company	X
	American Family Life Assurance Company	X
	Health Insurance Association of America	X
	Allstate	X
	Western States Life Insurance Company	X
	Pioneer Mutual Life Insurance Company	X
	ND Grain Dealers Association	X
	Midwest International, Inc.	X
	American Life & Casualty Company	X
	Manhattan National Life Insurance Company	X
	Soo Line Railroad Company	X
	Nodak Mutual Insurance Company	X
	American West Insurance Company	X
87 Daniel S. Kuntz Zuger & Bucklin 316 North Fifth P.O. Box 1695 Bismarck, ND 58502	Lincoln Mutual Life & Casualty Insurance Company	X
	Surety Mutual Life & Casualty Insurance Company	X
	ND Society of Certified Public Accountants	X
	National Association of Independent Insurers	X

	Northern Bottling Company	X
	Motion Picture Association of America	X
	Dakota Fire Insurance Company	X
	Provident Life Insurance Company	X
	Center Mutual Insurance Company	X
	American Family Life Assurance Company	X
	Health Insurance Association of America	X
	Allstate	X
	Western States Life Insurance Company	X
	Pioneer Mutual Life Insurance Company	X
	ND Grain Dealers Association	X
	Midwest International, Inc.	X
	American Life & Casualty Company	X
	Manhattan National Life Insurance Company	X
	Soo Line Railroad Company	X
	Nodak Mutual Insurance Company	X
	American West Insurance Company	X
88	Dalles Krause 212 West Main P.O. Box 758 Bismarck, ND 58502	ND Grocers Association X
89	Tom Woodmansee 212 West Main P.O. Box 758 Bismarck, ND 58502	ND Grocers Association X
90	Wally Joersz 212 West Main P.O. Box 758 Bismarck, ND 58502	ND Grocers Association X
91	Arnold C. Paulson P.O. Box 7250 Bismarck, ND 58502	ND Credit Union League X
92	Harold E. Helferich 204 West Thayer Bismarck, ND 58501	Capital Credit Union ND Credit Union League X Mandan Rural Fire District X
93	Greg W. Tschider P.O. Box 668 Bismarck, ND 58502	ND Credit Union League X

94	Donald I. Larson P.O. Box 2046 Minot, ND 58702	ND Credit Union League	X
95	Philip D. Stafne 417 1/2 East Broadway Avenue, #9 Bismarck, ND 58501	Association for Retarded Citizens of North Dakota	X
96	Joy L. Wezelman 417 1/2 East Broadway Avenue, #9 Bismarck, ND 58501	Association for Retarded Citizens of North Dakota	X
97	Sue K. Boyd P.O. Box 2423 Bismarck, ND 58502	AFSCME International Union and Its Affiliate - AFSCME Council 95 of North Dakota	X
98	Orlo Sund Rural Route 2, Box 22 Edgeley, ND 58433	James Valley Electric Cooperative, Inc.	X
99	Scott F. Braeger Rural Route 2, Box 22 Edgeley, ND 58433	James Valley Electric Cooperative, Inc.	X
100	Ken C. Ziegler 1717 East Interstate Avenue Bismarck, ND 58501	Basin Electric Power Cooperative	X
101	Fletcher H. Poling 1717 East Interstate Avenue Bismarck, ND 58501	Basin Electric Power Cooperative	X
102	Gary A. Jacobson 1717 East Interstate Avenue Bismarck, ND 58501	Basin Electric Power Cooperative	X
103	James L. Selby 1717 East Interstate Avenue Bismarck, ND 58501	Basin Electric Power Cooperative	X
104	Vicky L. Steiner Rural Route 3, Box 33 Dickinson, ND 58601	ND Association of Oil and Gas Producing Counties	X

105	Mike Miller 1129 Fifth Avenue S-P.O. Box 1897 Fargo, ND 58107-1897	ND State Wheat Commission Transportation Division Fargo Chamber of Commerce	X X
106	Gordon E. Smith Rural Route 2, Box 125 Maddock, ND 58348	Baker Electric Cooperative, Inc.	X
107	Robert L. Moe 600 17th Avenue SE P.O. Box 1489 Minot, ND 58702-1489	ND Medical Group Management Association	X
108	Terry Traynor P.O. Box 417 Bismarck, ND 58502	ND Association of Counties	X
109	Duane Fossum P.O. Box 1478 Grand Forks, ND 58206-1478	Nodak Rural Electric Cooperative	X
110	Robert A. Spencer P.O. Box 268 Cando, ND 58324	Baker Electric Cooperative, Inc.	X
111	Curtis L. Peterson P.O. Box 1624 422 North Second Street Bismarck, ND 58502	AGC of North Dakota	X
112	Harlan D. Helgeson Rural Route 1, Box 85 Minnewaukan, ND 58351	Baker Electric Cooperative, Inc.	X
113	Kathleen M. Kelly P.O. Box 765 Mandan, ND 58554	Common Cause North Dakota	X
114	Lowell J. Ridgeway P.O. Box 1395 Bismarck, ND 58502	Rocky Mountain Oil and Gas Association American Petroleum Institute	X
115	Robert J. Graveline 418 East Rosser P.O. Box 1395 Bismarck, ND 58502	American Petroleum Institute Rocky Mountain Oil and Gas Association	X
116	Rita L. Ruona 200 West Bowen P.O. Box 1912 Bismarck, ND 58502	ND Committee Preventing Child Abuse	X

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| 117 | Wade F. Williamson
Rural Route 1, Box 239
Parshall, ND 58770 | ND Wildlife Federation | |
| 118 | William J. Grosz
P.O. Box 1354
Bismarck, ND 58502 | ND State Board of Pharmacy | |
| 119 | William Lucas
P.O. Box 1354
Bismarck, ND 58502 | ND State Board of Pharmacy | |
| 120 | Anthony M. Walter
P.O. Box 1354
Bismarck, ND 58502 | ND State Board of Pharmacy | |
| 121 | August Keller
2000 Schafer Street
P.O. Box 5500
Bismarck, ND 58502 | North American Coal Corporation | |
| 122 | Richard A. Elkin
P.O. Box 938
Bismarck, ND 58502 | Burlington Northern, Inc. | X |
| 123 | Connie M. Hildebrand
421 East Brandon Drive
Bismarck, ND 58501 | American Association of
University Women - ND Branch | X |
| 124 | Charles McCay
4023 North State
Bismarck, ND 58501 | Farm Credit Services of
Bismarck-Mandan
Farm Credit Services of Minot
Farm Credit Services of Grand Forks
Farm Credit Services of Fargo | |
| 125 | David R. Bossart
305 Norwest Central
Station
Fargo, ND 58126 | ND Trial Lawyers Association | X |
| 126 | Kathleen (Kitty)
Maureen Steidler
215 Airport Road
P.O. Box 2358
Bismarck, ND 58502 | ND Trial Lawyers Association
United Sportsmen of North Dakota | X
X |
| 127 | Orell D. Schmitz
P.O. Box 2056
Bismarck, ND 58502 | ND Trail Lawyers Association
ND County Judges
Contractors Joint Legislative
Council | X
X
X |

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|-----|--|---|--------|
| 128 | Gene M. Gehrke
Rural Route 1, Box 63
Aneta, ND 58212 | ND Township Officers Association | |
| 129 | Royal R. Berstler
P.O. Box 2220
Jamestown, ND 58402 | Otter Tail Power Company | X |
| 130 | Thelma H. Klingensmith
P.O. Box 663
206 Collins Avenue
Mandan, ND 58554 | Representing self | |
| 131 | Don J. Klingensmith
P.O. Box 663
206 Collins Avenue
Mandan, ND 58554 | Representing self | |
| 132 | Douglas M. Erhart
1203 27th Street NW
Mandan, ND 58554 | Brotherhood of Maintenance of
Way Employees | X |
| 133 | David B. Sogard
P.O. Box 1318
Grand Forks, ND 58206 | Minnkota Power Cooperative, Inc.
Square Butte Electric Cooperative | X
X |
| 134 | John B. Oxton
Rural Route 1, Box 51
Hope, ND 58046 | ND Township Officers Association | |
| 135 | Doug D. Busselman
1101 First Avenue North
Fargo, ND 58107 | ND Farm Bureau | X |
| 136 | Thomas C. Tupa
810 East Divide Avenue
Bismarck, ND 58501 | ND Public Employees Association | |
| 137 | Tom B. Tudor
700 East Main
P.O. Box 5509
Bismarck, ND 58502-5509 | The Bank of North Dakota | |
| 138 | Deborah Arnold
810 East Divide Avenue
Bismarck, ND 58501 | ND Public Employees Association | |
| 139 | Daniel E. Harman
810 East Divide Avenue
Bismarck, ND 58501 | ND Public Employees Association | |

140	Vickie J. Melchior 810 East Divide Avenue Bismarck, ND 58501	ND Public Employees Association	
141	Joan E. Wigen 810 E. Divide Avenue Bismarck, ND 58501	ND Public Employees Association	
142	Beverly Ostenson 810 East Divide Avenue Bismarck, ND 58501	ND Public Employees Association	
143	Alan Austad P.O. Box 1144 Mandan, ND 58554	ND Association of Telephone Cooperatives	
144	Donald E. Gilman 176 First Street NE Beach, ND 58621	ND Firemen's Association	
145	Joe A. Boespflug P.O. Box 806 Dickinson, ND 58601	ND Firemen's Association	
146	Jerome P. Tishmack P.O. Box 230 Steele, ND 58482-0230	BEK Telephone Mutual Aid Corporation	X
147	Joe Materi P.O. Box 230 Steele, ND 58482-0230	BEK Telephone Mutual Aid Corporation	X
148	Ellen M. Glood 200 West Bowen Bismarck, ND 58501	Mental Health Association of North Dakota	X
149	Sharon Gallagher P.O. Box 160 Bismarck, ND 58502	Mental Health Association of North Dakota	X
150	Myrt Armstrong P.O. Box 160 Bismarck, ND 58502	Mental Health Association	X
151	Ernest R. Fleck 600 Norwest Bank Building P.O. Box 2798 Bismarck, ND 58502	ANG Coal Gasification Company	

152	Calvin N. Rolfson P.O. Box 2712 Bismarck, ND 58502	ND Association of Counties ND League of Cities ND Driver and Traffic Safety Education Association EMS Funding Task Force	X X X X X
153	Donald K. Litchfield P.O. Box 5000 Mandan, ND 58554	Greater North Dakota Association	X
154	Darold Benz P.O. Box 26 115 East Main Beulah, ND 58523	Coal Conversion Counties	
155	Gregory I. Shepherd Rural Route 1, HCR 56 Baldwin, ND 58521	Knoetler Honey Farms	
156	William P. Pearce 314 East Thayer Avenue P.O. Box 400 Bismarck, ND 58502	MDU Resources Group, Inc.	X
157	Harry R. Vadnie P.O. Box 2235 Bismarck, ND 58502	ND League of Cities ND Association of Counties	
158	Gerald Oberg P.O. Box 727 Mandan, ND 58554	ND Association of Rural Electric Cooperatives	X
159	Vernon Glaesemann P.O. Box 727 Mandan, ND 58554	ND Association of Rural Electric Cooperatives	X
160	Ray Trosen P.O. Box 727 Mandan, ND 58554	ND Association of Rural Electric Cooperatives	X
161	Jim Klesalek P.O. Box 727 Mandan, ND 58554	ND Association of Rural Electric Cooperatives	X
162	Marlan Olson P.O. Box 727 Mandan, ND 58554	ND Association of Rural Electric Cooperatives	X
163	Lloyd Perkins P.O. Box 727 Mandan, ND 58554	ND Association of Rural Electric Cooperatives	X

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| 164 | William L. Retterath
801 Highway Drive
Hazen, ND 58545 | Oliver-Mercer Electric
Cooperative, Inc. | X |
| 165 | Clayton O. Hoffman
801 Highway Drive
Hazen, ND 58545 | Oliver-Mercer Electric
Cooperative, Inc. | X |
| 166 | Wayne Boeshans
801 Highway Drive
Hazen, ND 58545 | Oliver-Mercer Electric
Cooperative, Inc. | X |
| 167 | Walter Schwalbe
801 Highway Drive
Hazen, ND 58545 | Oliver-Mercer Electric
Cooperative, Inc. | X |
| 168 | Leavard H. Sailer
801 Highway Drive
Hazen, ND 58545 | Oliver-Mercer Electric
Cooperative, Inc. | X |
| 169 | Samuel D. Swisher
200 E. Randolph Drive
MC 2403
Chicago, IL 60601 | AMOCO Corporation | |
| 170 | Fred E. Ferguson
122 C Street NW
S-200
Washington, D.C. 20001 | Council of State Chambers
of Commerce
Committee on State Taxation | |
| 171 | Douglas L. Johnson
5001 West 80th Street
Suite 890
Minneapolis, MN 55437 | AMOCO Corporation | |
| 172 | Bonnie Larson Staiger
112 North Second Street
Bismarck, ND 58501 | Commercial Printing | |
| 173 | David E. Meiers
412 Birchwood Drive
Bismarck, ND 58501 | ND Hospitality Association
ND Beverage Dealers Association | |
| 174 | Dave MacIver
P.O. Box 546
Mandan, ND 58554 | Mandan Area Chamber of Commerce | |
| 175 | Kenneth M. Jakes
1735 North Seventh
Street
Bismarck, ND 58501 | Association of Former Public
Employees | X |

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|-----|--|--|---|
| 176 | Gary L. Puppe
P.O. Box 1601
Bismarck, ND 58502 | ND Association of Soil Conservation
Districts | |
| 177 | John W. Dwyer
P.O. Box 2277
Bismarck, ND 58502 | ND Lignite Council | |
| 178 | Alan P. Scanson
Rural Route 1, Box 31
Glenfield, ND 58443 | ND Association of Soil
Conservation Districts | |
| 179 | Charles J. Klosterman
P.O. Box 5, Route 1
Mooreton, ND 58061 | ND Association of Soil
Conservation Districts | |
| 180 | Arlon R. Voge
Rural Route 3, Box 58
Bismarck, ND 58502 | ND Livestock Marketing Association | |
| 181 | Arly Richau
P.O. Box 668
Bismarck, ND 58502 | ABATE of North Dakota | X |
| 182 | Leland G. Ulmer
P.O. Box 727
Mandan, ND 58554 | ND Association of Rural Electric
Cooperatives | X |
| 183 | Marlan R. Helgeson
103 North Fifth Street
P.O. Box 1238
Grand Forks, ND 58201 | Northwestern Bell | |
| 184 | Howard J. Snortland
Fourth and Thayer
Bismarck, ND 58501 | ND Educational Association | X |
| 185 | Lee W. Hinds
P.O. Box 1601
Bismarck, ND 58502 | ND Association of Soil Conservation
Districts | |
| 186 | Allan B. Engen
2718 Gateway Avenue
Suite 203
Bismarck, ND 58501 | ND Health Care Association | |
| 187 | Dave F. Giessinger
2718 Gateway Avenue
Suite 301
Bismarck, ND 58501 | ND Health Care Association | |

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| 188 | Connie M. Sprynczynatyk
2506 Stevens Street
Bismarck, ND 58501 | ND Recreation and Parks
Association
ND Dietetic Association | X

X |
| 189 | Warren L. Hight
P.O. Box 299
Carrington, ND 58421 | Dakota Central Rural Telephone
Cooperative Association | X |
| 190 | John E. Jacobson
1930 Burnt Boat Drive
P.O. Box 2385
Bismarck, ND 58502-2385 | National Association of
Fundraising Ticket Manufacturers | X |
| 191 | Myron J. Yantzer
1323 East Front Avenue
Bismarck, ND 58501 | ND AFL-CIO | X |
| 192 | Betty Maher
212 North Fourth Street
Bismarck, ND 58501 | ND Nurses Association | |
| 193 | Robert L. Carlson
Rural Route 1, Box 64
Glenburn, ND 58740 | ND Farmers Union | X |
| 194 | Charles C. Anderson
Rural Route 1, Box 113
Voltaire, ND 58792 | McHenry County Farm Bureau | |
| 195 | Arthur A. Link
2001 Grimsrud Drive
Bismarck, ND 58501 | ND Council on Gambling
Problems | |
| 196 | Gerald E. Steinkopf
222 North Fourth
Fargo, ND 58102 | Northwestern Bell | |
| 197 | Patrick W. Durick
314 East Thayer
P.O. Box 400
Bismarck, ND 58502 | ND Cable Television Association | |
| 198 | Wallace J. Dockter
432 East Brandon Drive
Bismarck, ND 58501 | ND AFL-CIO | |
| 199 | Anthony L. Goetzfried
201 Missouri Drive
Mandan, ND 58554 | Teamsters Joint Council 82 | |
| 200 | Marian Lefor
P.O. Box 51
Gladstone, ND 58630 | Dakota Resource Council | X |

201	Jerry W. Kram P.O. Box 2488 Bismarck, ND 58502	Dakota Resource Council	X
202	Randolph A. Nodland Dunn Center, ND 58626	Dakota Resource Council	X
203	R. Dennis Olson 118 1/2 First Avenue South, #4 Jamestown, ND 58402	Dakota Resource Council	X
204	Becky Claytor 29 Seventh Avenue West Dickinson, ND 58601	Dakota Resource Council	X
205	Julie A. Ruplinger 29 Seventh Avenue West Dickinson, ND 58601	Dakota Resource Council	X
206	Jerry Torstenson Rural Route 1, Box 19A Arnegard, ND 58835	Dakota Resource Council	X
207	Theresa M. Keaveny 29 Seventh Avenue West Dickinson, ND 58601	Dakota Resource Council	X
208	Michael A. Dwyer P.O. Box 2254 Bismarck, ND 58502	ND Water Users ND Water Resource Districts West River Joint Board	
209	Donald L. Rollie P.O. Box 5005 Bismarck, ND 58502	ND Education Association	X
210	Peg L. Portscheller P.O. Box 5005 Bismarck, ND 58502	ND Education Association	X
211	Willis E. Heinrich P.O. Box 5005 Bismarck, ND 58502	ND Education Association	X
212	John C. Warren 14615 Lone Oak Road Eden Prairie, MN 55344-2287	Cooperative Power	
213	John F. Schuld P.O. Box 148 Dickinson, ND 58602	ND Parmaceutical Association	X

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|-----|--|--|--------|
| 214 | Constance A. Wetzler
611 Second Street NE
Minot, ND 58701 | ND Congress of Parents
and Teachers | |
| 215 | Gale O. Teske
429 Cedon Drive
Minot, ND 58701 | ND Congress of Parents
and Teachers | |
| 216 | Ron W. Moll
621 Riverside Park Road
Bismarck, ND 58501 | ND Congress of Parents
and Teachers | |
| 217 | Adele M. Moll
621 Riverside Park Road
Bismarck, ND 58501 | ND Congress of Parents
and Teachers | |
| 218 | P. J. Curtis
1306 Mohawk
Bismarck, ND 58501 | ND Beer Wholesalers Association | X |
| 219 | Reverend Clinton E.
Birst
P.O. Box 539
Turtle Lake, ND 58575 | ND Home School Association
ND Alliance | X |
| 220 | Howard C. Anderson
Turtle Lake, ND 58575 | ND State Board of Pharmacy | |
| 221 | Christine M. Nolan
418 East Rosser
#210
Bismarck, ND 58501 | ND Council on Abused Women's
Services | X |
| 222 | James C. Beckstrom
P.O. Box 2907
Fargo, ND 58108 | Western States Life | |
| 223 | R. W. Wheeler
P.O. Box 2056
Bismarck, ND 58502 | Northern States Power Company
Otter Tail Power Company
The Tobacco Institute | X
X |
| 224 | Bonnie Palecek
418 East Rosser
#210
Bismarck, ND 58501 | ND Council on Abused Women's
Services
Children's Caucus | |
| 225 | Lilian H. Wacker
200 West Bowen
P.O. Box 160
Bismarck, ND 58502 | Mental Health Association
of North Dakota | |

226	Ernest M. Sands 1943 Catherine Drive Bismarck, ND 58501	Anheiser Busch Traffic Safety Now Dawn Enterprises Alchem Ltd.	X X X
227	Ray Stelmachuk P.O. Box 2186 Fargo, ND 58108	VFW Department of North Dakota	X
228	Jerome Berg 45 East Main Mayville, ND 58257	VFW Department of North Dakota	X
229	Kent Anderson Rural Route 1 Box 133 Sutton, ND 58484	VFW Department of North Dakota	X
230	Neil Fricke P.O. Box 533 Bismarck, ND 58502	VFW Department of North Dakota	X
231	Gary R. Thune 314 East Thayer P.O. Box 400 Bismarck, ND 58502	ND School Boards Association American Insurance Association	X X
232	Joel W. Gilbertson P.O. Box 400 Bismarck, ND 58502	American Insurance Association ND State Bar Association	X [*] X
233	Norman R. Sherbert 1560 Broadway, Suite 295 Denver, CO 80202	General Motors Corporation	
234	Robert L. Carlson Rural Route 1, Box 64 Glenburn, ND 58740	ND Farmers Union	X
235	James M. McDonald 108 Seminole Avenue Bismarck, ND 58501	State Legislative Committee Brotherhood of Railway and Airline Clerks	X
236	David L. Evans P.O. Box 1815 Bismarck, ND 58502	ND Chiropractic Association	
237	Rodney A. Gilmore P.O. Box 272 Bismarck, ND 58502	United Sportsmen of North Dakota	X

238	Rod Crowlie 406 1/2 First Street North Jamestown, ND 58402	Newman Signs, Inc.	
239	John E. Gudvangen 29 Seventh Avenue West Dickinson, ND 58601	Dakota Resource Council	
240	Harry E. Iszler P.O. Box 49 Steele, ND 58482	ND Hearing Aid Society	X
241	Daniel J. Besaw Labor Centre Building 411 Main Street Suite 215 St. Paul, MN 55102	Motor Vehicle Manufacturing Association	
242	Marilyn K. Foss 314 East Thayer Avenue P.O. Box 2216 Bismarck, ND 58502	Independent Community Banks of North Dakota	
243	Robert L. Evans P.O. Box 1246 Williston, ND 58802	ND Veterans Coordinating Council	X
244	Ted Will 520 Avenue A West Bismarck, ND 58501	ND Veterans Coordinating Council	X
245	Gayle Syverson 1815 Thompson Bismarck, ND 58501	ND Veterans Coordinating Council	X
246	Elwyn (Al) A. Rhodes 1209 Prairie Drive Bismarck, ND 58501	ND Veterans Coordinating Council	X
247	Leo A. Swenson P.O. Box 1632 Bismarck, ND 58502	ND Veterans Coordinating Council	X
248	Daryl G. Kuhnhenh Rural Route 2, Box 47 Rugby, ND 58368	ND Veterans Coordinating Council	X
249	Daniel E. Twichell P.O. Box 458 West Fargo, ND 58078	Southeast Cass Water Resource District	

250	Richard K. Graves 916 Fifth Avenue SE Minot, ND 58701	ND Association of Christian Church Schools	X
251	Morris A. Tschider 418 East Rosser Avenue Bismarck, ND 58501	Independent Insurance Agents of North Dakota	
252	Ernest R. Fleck Suite 600 Norwest Bank Building P.O. Box 2798 Bismarck, ND 58502	Lutheran Brotherhood	
253	Bev Raschke Nielson 1421 South Ninth Street Fargo, ND 58103	Fargo Board of Education F/M Association of Junior League	
254	Sandra L. Tabor 1915 North Kavaney Drive Bismarck, ND 58501	Knife River Coal Mining Company ND Lignite Council	X X
255	A. J. Wittmaier 1915 North Kavaney Drive Bismarck, ND 58501	Knife River Coal Mining Company ND Lignite Council	X X
256	Wanda Rose 212 North Fourth Street Bismarck, ND 58501	ND Nurses Association	X
257	Lorraine Bourgois 212 North Fourth Street Bismarck, ND 58501	ND Nurses Association	X
258	Gary Ritter 212 North Fourth Street Bismarck, ND 58501	ND Nurses Association	X
259	Rosa Myers 212 North Fourth Street Bismarck, ND 58501	ND Nurses Association	X
260	Gene D. Wirtz Rural Route 1, Box 53H Underwood, ND 58576	Dakota Resource Council	
261	Joseph K. Doss 1150 Connecticut Avenue NW Washington, D.C. 20036	The Proprietary Association	

262	Loretta M. Knight 1117 North 18th, #3 Bismarck, ND 58501	ND State Legislative Committee American Association of Retired Persons	
263	Donald E. Frye P.O. Box G 10 Main Williston, ND 58802	Williston Area Chamber of Commerce	
264	Severin Larson Rural Route 1, Box 43 McVille, ND 58254	Sheyenne Valley Cooperative, Inc.	X
265	David Hetland Rural Route 1, Box 30A Hannaaford, ND 58448	Sheyenne Valley Cooperative, Inc.	X
266	Richard Thompson Rural Route 1, Box 44 Sharon, ND 58277	Sheyenne Valley Cooperative, Inc.	X
267	Donald J. Alexander P.O. Box 38 Martin, ND 58758	Dakota Resource Center	X
268	David B. Aas P.O. Box 1090 Minot, ND 58702	ND Society of CPAs	
269	Dean F. Bard 1101 East Interstate Avenue, #2 Bismarck, ND 58501	ND Funeral Directors Association	
270	Patrick H. Sweeney P.O. Box 2762 Bismarck, ND 58502	ND Weather Modification Association	X
271	Walton S. Russell Attorney at Law P.O. Box 664 Mandan, ND 58554	Greater North Dakota Association	X
272	Oscar M. Olson Olson's, Incorporated Bottineau, ND 58318	Greater North Dakota Association	X
273	Richard L. Brown Hedahl's, Incorporated P.O. Box 1038 Bismarck, ND 58502	Greater North Dakota Association	X

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|-----|--|---|---|
| 274 | Keith D. Bjerke
Spruce Row Farm
Northwood, ND 58267 | Greater North Dakota Association | X |
| 275 | Eddie V. Dunn
808 Third Avenue South
P.O. Box 2467
Fargo, ND 58108 | Greater North Dakota Association | X |
| 276 | Allan Metzger
First East Main Street
Carrington, ND 58421 | ND Health Care Association | |
| 277 | Marlyn E. Tande
219 Ninth Street
Oakes, ND 58474 | ND Health Care Association | |
| 278 | Michael D. Gustafson
P.O. Box 8
Kindred, ND 58051 | Cass County Electric Cooperative
ND REC Association | |
| 279 | Anne C. Russell
425 South Seventh Street
P.O. Box 1675
Bismarck, ND 58502 | Bismarck Area Chamber of Commerce | |
| 280 | Kenneth Karls
P.O. Box 1633
Bismarck, ND 58502 | The Nokota Company | X |
| 281 | William C. Parker
105 Third Street SW
Rugby, ND 58368 | Bremer Financial Corporation | |
| 282 | Joanne H. Pahlmeyer
Rural Route 1, Box 29
Regent, ND 58650 | Women Involved in Farm Economics | |
| 283 | Paul M. Hubbard
305 Norwest Center
Fargo, ND 58126 | State Bar Association of
North Dakota | |
| 284 | Bonnie Askew
15 Broadway, #602
Fargo, ND 58102 | League of Women Voters of
North Dakota | |
| 285 | Scott E. Kildahl
P.O. Box 2747
Fargo, ND 58108 | NSP Company | X |
| 286 | Elise M. Donnelley
P.O. Box 1893
Bismarck, ND 58502-1893 | Legal Assistance of North Dakota
Aging Network of North Dakota | |

- 287 Jeffrey S. Hanson National Association of
Rural Route 1, Box J-16 Social Workers
New Salem, ND 58563
- 288 Steven D. Strege ND Grain Dealers Association X
212 Black Building
Fargo, ND 58102
- 289 James E. Swanson ND Grain Dealers Association X
Rural Route 1, Box 29
Maddock, ND 58348
- 290 Joseph D. Amundson General Drivers Union Local 116
P.O. Box 2785 International Brotherhood of X
Fargo, ND 58108 Teamsters Joint Council #82
- 291 Kermit E. Bye Greater North Dakota Association X
P.O. Box 1389 ND Judges Association
Fargo, ND 58107 ND Financial Services Association
- 292 Al G. Golden Greater North Dakota Association X
P.O. Box 1853
Bismarck, ND 58502
- 293 Dennis L. Falk Prairie Public Broadcasting
P.O. Box 3240
Fargo, ND 58108
- 294 Joe C. Peltier Arthur Farmers Elevator
P.O. Box 205
Arthur, ND 58006
- 295 Dale O. Anderson Greater North Dakota Association X
P.O. Box 2639
Bismarck, ND 58502
- 296 Pamela J. Schultz Nutrition for North Dakota Day X
214 E. Kavaney Drive Care Children - SW Central
Bismarck, ND 58501
- 297 Susan (Stangeland) Plains Art Museum
Haaland
I-94 & US 81
Oak Manor Motel
Fargo, ND 58103
- 298 Shirley A. Sinclair Multiple Sclerosis-Northland
1737 14th Street Chapter
Fargo, ND 58103
- 299 Warren W. DeKrey Norwest Bank Bismarck, NA X
P.O. Box 1538
Bismarck, ND 58502

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|-----|--|--|---|
| 300 | Jerome L. Knudson
Rural Route 2, Box 129
Crosby, ND 58730 | ND Township Officers Association | |
| 301 | Maureen E. Pechacek
3M Tax Division Building
220-6E-02
St. Paul, MN 55110 | 3M Company | |
| 302 | LaVerne (Vern) L. Zink
P.O. Box 1357
Bismarck, ND 58502 | Association of Counties
Association of General Contractors
ND League of Cities
ND Consulting Engineer Council
ND Society of Professional Engineers | |
| 303 | Lyle R. Williamson
707 17th Street
Suite 4200
Denver, CO 80202 | MCI Telecommunications
Corporation | X |
| 304 | Donald C. Eberle
707 17th Street
Suite 4200
Denver, CO 80202 | MCI Telecommunications
Corporation | X |
| 305 | Jay B. Reed
707 17th Street
Suite 4200
Denver, CO 80202 | MCI Telecommunications
Corporation | X |
| 306 | Gary D. Rath
P.O. Box 852
Bismarck, ND 58502 | ND Educators' Insurance Trust | X |
| 307 | Alve L. Jemtrud
P.O. Box 852
Bismarck, ND 58502 | ND Educators' Insurance Fund | X |
| 308 | Paul J. Wahnoutka
P.O. Box 1914
Bismarck, ND 58502 | Eide Helmeke and Company
ND Society of CPAs | |
| 309 | David G. Danielson
600 17th Avenue SE
P.O. Box 1489
Minot, ND 58702 | ND Society of CPAs | |
| 310 | Lonna J. Shafer
P.O. Box 727
Mandan, ND 58554 | ND Association of Rural Electric
Cooperatives | X |

311	Joseph Tyrrell 2634 Aspen Court White Bear, MN 55110	3M Company/Assistant Secretary and Associate Counsel	
312	Daniel P. Loughry 4912 Xanadu Street Denver, CO 80239	Texaco, Inc.	X
313	Frederick B. Palmer P.O. Box 2100 Denver, CO 80201	Texaco, Inc.	X
314	James K. Ferguson Rural Route 3, Box 7 Williston, ND 58801	Self	
315	Bradley C. Fay P.O. Box 993 Williston, ND 58801	Self	
316	Gerald W. McCoy P.O. Box 1833 Bismarck, ND 58502	ND Weather Modification Association	X
317	Henry J. Gayton 2002 South Grandview Lane Bismarck, ND 58501	ND Peace Officers Association	
318	Donald J. Kilander 1338 South Seventh Street Fargo, ND 58103	Bernie Ness	
319	Richard H. Enewold % AT&T 10825 South Old Mill Road Omaha, NE 68154	AT&T	
320	Jerald A. Hjelmstad P.O. Box 2235 Bismarck, ND 58502	ND League of Cities	X
321	Robert E. Johnson P.O. Box 2235 Bismarck, ND 58502	ND League of Cities	X
322	Lois M. Halsey 1119 East Thayer, #2 Bismarck, ND 58501	Self	

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| 323 | Merlin H. Rogers
316 North Seventh Street
New Salem, ND 58563 | ND Grain Dealers Association | X |
| 324 | Bruce Q. Gjovig
P.O. Box 8103
University Station
Grand Forks, ND 58202 | Center for Renovation and Business
Development | |
| 325 | John C. Walter
10701 Melody Drive
Suite 609
Denver, CO 80234 | Western Gas Processors, Ltd. | X |
| 326 | Walter L. Stonehocker
10701 Melody Drive
Northglenn, CO 80234 | Western Gas Processors, Ltd. | X |
| 327 | Tammy M. Meyer
4023 North State Street
Bismarck, ND 58501 | ND Association of Cooperatives
(NDAC) | |
| 328 | Carol A. Long
311 East Thayer
Avenue, #119
Bismarck, ND 58501 | ND Right to Life Association | |
| 329 | Cynthia K. Kelly
1150 Connecticut
Avenue NW
Washington, D.C. 20036 | The Proprietary Association | |
| 330 | Carter E. Pendergast
222 North Seventh
Street
Bismarck, ND 58501 | ND Medical Group Management
Association | X |
| 331 | James D. Marti
#1 Kennel Road
Baldwin, ND 58521 | Special Olympics, Inc. | X |
| 332 | Terry M. Cummings
55 East Fifth Street
Suite 700
St. Paul, MN 55101 | Otto Bremer Foundation | |
| 333 | Robert J. Reardon
55 East Fifth Street
#700
St. Paul, MN 55101 | Otto Bremer Foundation | |

334	Marlowe E. Johnson P.O. Box 2220 Jamestown, ND 58402	Otter Tail Power Company	X
335	Karen K. Krebsbach 1610 South Broadway P.O. Box 1767 Minot, ND 58702	GNDA	
336	Peter F. Haug The Grainery West Acres Fargo, ND 58103	GNDA	
337	Joe E. Farrell 2007 North Eighth Street Bismarck, ND 58501	Bismarck-Mandan Apartment Association	X
338	Pamela S. Gerdeman 1214 Denver Club Building Denver, CO 80202	Independent Petroleum Association of Mountain States	
339	Mike G. Hazel P.O. Box 2511 Houston, TX 77001	Tenneco, Inc.	
340	Ordean "Lars" H. Nygren P.O. Box 727 Mandan, ND 58554	ND Association of Rural Electric Cooperatives Capital Electric Cooperative	X
341	John M. Riley 1st Bank System 505 Second Avenue North Fargo, ND 58102	First Bank System, Inc.	X
342	Monty C. Burke P.O. Box 168 McKenzie, ND 58553	ND Farm Bureau Self	X
343	J. Leon Potter 35 Division Street Grafton, ND 58237	Alchem Ltd	
344	Allyn Fagerholt P.O. Box 125 Hoople, ND 58243	Alchem Ltd	
345	Brad W. Pavak P.O. Box 5542 Fargo, ND 58105	Fargo Motor Vehicle Department	

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| 346 | Herbert A. Hedden
1350 New York Avenue
NW Suite 900
Washington, DC 20005 | International Franchise Association | |
| 347 | Robert R. Thornberg
P.O. Box 726
Walhalla, ND 58282 | Dawn Enterprises | X |
| 348 | Peter L. Keeley
P.O. Box 511
Grafton, ND 58237 | Alchem Ltd | |
| 349 | Vernard W. Frederick
HC-3, Box 18
Flasher, ND 58535 | Farm Credit Services
of Bismarck-Mandan | |
| 350 | Marlo D. Hill
Rural Route 1, Box 100
Overly, ND 58360 | Farm Credit Services | |
| 351 | David Lunde
Rural Route 2, Box 84
Cooperstown, ND 58425 | Farm Credit Services | |
| 352 | Carol A. Bartel
1450 Energy Park Drive
#117C
St. Paul, MN 55108 | Highway Users Federation | X |
| 353 | Edward A. Ericson
1832C South Washington
Grand Forks, ND 58201 | Grand Forks Motor Vehicle
Branch Office | |
| 354 | Jeff H. Herman
P.O. Box 935
Bismarck, ND 58502 | Landman's Association of
North Dakota | |
| 355 | Wayne D. Johnson
P.O. Box 38
Ray, ND 58849-0038 | Northwest Communications
Cooperative | X |
| 356 | Matt W. Froelich
101 12th Avenue NW
Mandan, ND 58554 | American Association of
Retired Persons | X |
| 357 | Rose B. Christensen
Rural Route 2, Box 35
Cooperstown, ND 58425 | Eagle Forum | |
| 358 | David J. Larson
625 Fourth Avenue South
Minneapolis, MN 55415 | Lutheran Brotherhood | |

359	Lee M. Stenehjelm, Jr. P.O. Box 2216 Bismarck, ND 58502-2216	Independent Community Banks of North Dakota	X
360	Allan M. Severson 406 Main Avenue Fargo, ND 58126	Norwest Corporation	X
361	Tim V. Stern 406 Main Avenue Fargo, ND 58126	Norwest Bank Fargo, N.A.	X
362	Henning C. Andersen Rural Route 1, Box 41 Hope, ND 58046	Self	
363	Jeffery A. Voltz Galesburg, ND 58035	Self	
364	Larry H. Lovas Rural Route 2, Box 20 Blanchard, ND 58009	Self	
365	Thomas M. Hansen 1179 North Drive Dickinson, ND 58601	ND Home School Association	X
366	Louis D. Arnold P.O. Box 47 Esmond, ND 58332	National Barley Growers	
367	Leon F. Dubourt P.O. Box 468 Walhalla, ND 58282	Self Dawn Enterprises	X
368	James H. Marsden 1101 First Avenue North P.O. Box 2064 Fargo, ND 58107	ND Farm Bureau NoDak Mutual Insurance Company	X X
369	John J. Kostishack 55 East Fifth Street Suite 700 St. Paul, MN 55101	Otto Bremer Foundation	
370	Jerome B. Woods, Jr. 505 Second Avenue North Fargo, ND 58107	Norwest Bank Bismarck, N.A.	X
371	Robert N. Spolum 112 North University Drive Bismarck, ND 58501	Norwest Bank Bismarck, N.A.	X

372	Thomas R. Stockert 1821 Twelfth Street SW Minot, ND 58701	Norwest Bank Bismarck, N.A.	X
373	Ronald A. Arndt 230 19th Avenue NE Jamestown, ND 58401	Norwest Bank Bismarck, N.A.	X
374	Charles F. Lochow P.O. Box 90 Courtenay, ND 58426	Norwest Bank Bismarck, N.A.	X
375	Neil M. Barkus 124 First Avenue South Jamestown, ND 58401	Norwest Bank Bismarck, N.A.	X
376	Lyle M. Johnson 1236 McHugh Avenue Grafton, ND 58237	Norwest Bank Bismarck, N.A.	X
377	Orville M. Thoreson 311 Southeast Third Street Hillsboro, ND 58045	Norwest Bank Bismarck, N.A.	X
378	Harry Eisenbeis 212 Caledonia Hillsboro, ND 58045	Norwest Bank Bismarck, N.A.	X
379	Curtiss O. Goehner 621 First Avenue South Jamestown, ND 58401	Norwest Bank Bismarck, N.A.	X
380	Thomas Schwertfeger 1560 Broadway, Suite 890 Denver, CO 80202	Ford Motor Company	X
381	Sherry Mills Moore P.O. Box 2216 314 East Thayer Avenue Bismarck, ND 58502	Independent Community Bankers of North Dakota	X
382	Kenneth V. Lund, Jr. P.O. Box 38 Ray, ND 58849-0038	Northwest Communications Cooperative ND Association of Telephone Cooperatives	X
383	Walter K. Yuly 417 25th Street NW Minot, ND 58701	Norwest Bank Bismarck, N.A.	X

384	Kenneth A. Anderson Main Street & Second Avenue Minot, ND 58701	Norwest Bank Bismarck, N.A.	X
385	Thomas E. Hansen 406 Main Avenue Fargo, ND 58126	Norwest Bank Bismarck, N.A.	X
386	Donald R. Holen 119 North Sixth Wahpeton, ND 58075	Norwest Bank Bismarck, N.A.	X
387	Stephen B. Mays P.O. Box 1488 Minot, ND 58701	Norwest Bank Bismarck, N.A.	X
388	Bradley P. Charnholm 105 Third Avenue NW Mandan, ND 58554	Norwest Bank Bismarck, N.A.	X
389	Kenneth R. Porsborg Rural Route #1 Mandan, ND 58554	Norwest Bank Bismarck, N.A.	X
390	Gary A. Flaa 111 Second Avenue NW Mandan, ND 58554	Norwest Bank Bismarck, N.A.	X

REPORT OF STANDING COMMITTEE

MR. SPEAKER: Your Committee on Appropriations to which was rereferred HB 1032 has had the same under consideration and recommends by a vote of 14 YEAS, 6 NAYS, 3 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. PETERSON, Chairman

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

MOTION

REP. STRINDEN MOVED that the rules be suspended and that HB 1032 be placed at the bottom of the calendar on the Eleventh order for second reading and final passage, which motion prevailed.

REQUEST

REP. KRETSCHMAR REQUESTED the unanimous consent of the House to amend HB 1557 as follows:

FLOOR AMENDMENT TO HB 1557

On page 2, line 35, after the word "death", insert the words "or injury"

MOTION

There being no objection, Rep. Kretschmar moved that the Floor Amendment to HB 1557 be adopted, which motion prevailed.

SIXTH ORDER OF BUSINESS

REP. KRETSCHMAR MOVED that the amendments to HB 1557 as recommended by the Committee on Judiciary as printed on page 1212 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

REQUEST

REP. MELBY REQUESTED a recorded roll call vote on the motion to adopt the proposed amendments to HB 1557, which request was granted.

ROLL CALL

The question being on the motion to adopt the amendments to HB 1557, the roll was called and there were 38 YEAS, 64 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Almlie; Berg, R.; Cleveland; DeMers, J.; DeMers, P.; Enget; Flaagan; Frey; Gates; Goetz; Graba; Hamerlik; Hanson, L.; Hausauer, R.; Hill; Hokana; Kelly; Klundt; Koland; Kolbo; Kretschmar; Kuchera; Linderman; Moore; Myrdal; Nelson, C.; Olson, V.; Payne; Schneider; Solberg; Starke; Strinden; Tollefson; Trautman; Wentz; Wilkie; Williams, W.; Speaker Kloubec

NAYS: Anderson; Belter; Berg, G.; Brokaw; Christman; Dalrymple; Dorso; Dotzenrod; Gertholz; Gorman; Gunsch; Halmrast; Hanson, O.; Haugen; Haugland; Hausauer, A.; Kent; Kingsbury; Knell; Knudson; Lang; Larson; Laughlin; Lautenschlager; Lindgren; Marks; Martin; Martinson; Melby; Mertens; Meyer; Murphy; Nelson, J.; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Opedahl; O'Shea; Peterson; Rice; Riehl; Rydell; Scherber; Schindler; Shaw; Shide; Shockman; Skjerven; Smette; Sorensen; Thompson; Tokach; Tomac; Ulmer; Vander Vorst; Wald; Watne; Whalen; Williams, A.; Williams, C.; Winkelman

ABSENT AND NOT VOTING: Aas; Hoffner; Shaft; Stofferahn

The motion to adopt the amendments to HB 1557 failed to pass.

MOTION

REP. STRINDEN MOVED that the rules be suspended and that HB 1557 be deemed properly engrossed and be placed on the Eleventh order, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1557: A BILL for an Act to create and enact a new chapter to title 12.1 of the North Dakota Century Code, relating to

criminal offenses committed against unborn children; 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 95 YEAS, 7 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Almlie; Anderson; Belter; Berg, G.; Berg, R.; Brokaw; Christman; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Dotzenrod; Flaagan; 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; Lindgren; Marks; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Myrdal; Nelson, J.; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Peterson; Rice; Riehl; Rydell; Scherber; Schindler; Schneider; Shaw; Shide; Shockman; Skjerven; Smette; Solberg; Sorensen; Starke; Strinden; Thompson; Tokach; Tollefson; Tomac; Trautman; Ulmer; Vander Vorst; Wald; Watne; Whalen; Wilkie; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Kloubec

NAYS: Cleveland; Enget; Frey; Gates; Graba; Nelson, C.; Wentz

ABSENT AND NOT VOTING: Aas; Hoffner; Shaft; Stofferahn

HB 1557 passed and the title was agreed to.

RECOGNITION

THE SPEAKER ANNOUNCED that former Representatives were in the chambers, and requested that the House recognize former Representatives Raymond Schmidt, John M. "Jack" Riley, Clark Jenkins, and Vincent Rieger, and Representatives Schmidt, Riley, Jenkins, and Rieger were thereupon introduced to the House.

SIXTH ORDER OF BUSINESS

REP. WHALEN MOVED that the amendments to HB 1625 as recommended by the Committee on Industry, Business and Labor as printed on page 1230 of the House Journal be adopted, and when so adopted, recommends the same BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION, which motion prevailed.

MOTION

REP. STRINDEN MOVED that the rules be suspended and that HB 1625 be deemed properly engrossed and be placed on the Eleventh order, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1625: A BILL for an Act to amend and reenact section 50-24.1-02.3 of the North Dakota Century Code, relating to pre-need funeral plans.

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 81 YEAS, 21 NAYS, 4 ABSENT AND NOT VOTING.

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

NAYS: Berg, R.; Goetz; Gunsch; Hamerlik; Hanson, O.; Haugen; Hausauer, R.; Kingsbury; Knell; Knudson; Kuchera; Larson; Lindgren; Martin; Moore; Myrdal; Scherber; Strinden; Tokach; Winkelman; Speaker Kloubec

ABSENT AND NOT VOTING: Aas; Hoffner; Shaft; Stofferahn

HB 1625 passed and the title was agreed to.

SIXTH ORDER OF BUSINESS

REP. MARTINSON MOVED that the amendments to SB 2253 as recommended by the Committee on State and Federal Government as printed on page 1217 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SB 2253 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MOTION

REP. STRINDEN MOVED that the House waive the reading of the title to all bills and resolutions on the calendar, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1064: A BILL for an Act to provide that corporate income taxpayers shall use the water's edge unitary combination approach to apportion income for corporate income tax purposes; to amend and reenact subdivision c of subsection 1 of section 57-38-01.3 of the North Dakota Century Code, relating to a limitation on income tax deductions for corporations for federal income taxes paid; 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 59 YEAS, 43 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Almlie; Anderson; Belter; Berg, R.; Christman; Cleveland; Dalrymple; Dorso; Dotzenrod; Gates; Gertholz; Goetz; Gorman; Gunsch; Hamerlik; Hanson, O.; Haugen; Hausauer, A.; Hausauer, R.; Kent; Kingsbury; Knell; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Lindgren; Martin; Martinson; Melby; Moore; Myrdal; Nicholas; Olsen, D.; Olson, A.; Olson, V.; Payne; Peterson; Rice; Rydell; Schindler; Shaw; Shide; Smette; Sorensen; Strinden; Thompson; Tokach; Tollefson; Trautman; Vander Vorst; Wald; Wentz; Whalen; Williams, C.; Winkelman; Speaker Kloubec

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

ABSENT AND NOT VOTING: Aas; Hoffner; Shaft; Stofferahn

HB 1064 passed and the title was agreed to.

MESSAGE FROM THE SENATE
SENATE CHAMBER

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

SB 2027, SB 2033, SB 2057, SB 2064, SB 2068, SB 2076,
 SB 2103, SB 2174, SB 2188, SB 2198, SB 2229, SB 2232,
 SB 2303, SB 2308, SB 2315, SB 2316, SB 2319, SB 2337,
 SB 2365, SB 2378, SB 2391, SB 2396, SB 2409, SB 2413,
 SB 2423, SB 2432, SB 2463, SB 2469, SB 2476

PERRY GROTEBERG, Secretary

MESSAGE TO THE SENATE HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to transmit herewith the following which the House has passed and your favorable consideration is requested on:

HB 1065, HB 1123, HB 1544, HB 1621

ROY GILBREATH, Chief Clerk

SECOND READING OF HOUSE BILLS

HB 1188: A BILL for an Act to amend and reenact subsection 1 of section 57-43.1-02, subsection 1 of section 57-43.2-02, and section 57-43.2-03 of the North Dakota Century Code, relating to the tax imposed on motor vehicle fuels and special fuels.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 53 YEAS, 49 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Almlie; Anderson; Belter; Berg, G.; Berg, R.; Christman; Cleveland; Dalrymple; Dorso; Dotzenrod; Flaagan; Gates; Gerntholz; Goetz; Gorman; Gunsch; Hanson, O.; Haugen; Hausauer, R.; Kent; Kingsbury; Knell; Koland; Kretschmar; Kuchera; Lang; Larson; Lindgren; Martinson; Moore; Myrdal; Olsen, D.; Olson, A.; Olson, V.; Payne; Peterson; Rice; Rydell; Shaw; Shide; Smette; Sorensen; Strinden; Thompson; Tokach; Tollefson; Trautman; Vander Vorst; Wald; Wentz; Whalen; Williams, C.; Speaker Kloubec

NAYS: Brokaw; DeMers, J.; DeMers, P.; Enget; Frey; Graba; Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer, A.; Hill; Hokana; Kelly; Klundt; Knudson; Kolbo; Laughlin; Lautenschlager; Linderman; Marks; Martin; Melby; Mertens; Meyer; Murphy; Nelson, C.; Nelson, J.; Nicholas; Nowatzki; Oban; O'Connell; Opedahl; O'Shea; Riehl; Scherber; Schindler; Schneider; Shockman; Skjerven; Solberg; Starke; Tomac; Ulmer; Watne; Wilkie; Williams, A.; Williams, W.; Winkelman

ABSENT AND NOT VOTING: Aas; Hoffner; Shaft; Stofferahn

HB 1188 was declared lost for want of a Constitutional majority.

HB 1296: A BILL for an Act to adopt the Uniform Rights of the Terminally Ill Act, relating to the rights of the terminally ill to control decisions regarding administration of life-sustaining treatment; and to provide penalties.

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 41 YEAS, 60 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Anderson; Cleveland; DeMers, J.; DeMers, P.; Enget; Flaagan; Frey; Gates; Goetz; Graba; Hanson, L.; Hausauer, R.; Hokana; Kelly; Klundt; Koland; Kolbo; Lang; Larson; Laughlin; Linderman; Lindgren; Mertens; Moore; Nelson, C.; Nelson, J.; Oban; O'Connell; Olson, A.; Olson, V.; Opedahl; Payne; Rydell; Schneider; Solberg; Strinden; Wentz; Wilkie; Williams, W.; Winkelman; Speaker Kloubec

NAYS: Almlie; Belter; Berg, G.; Berg, R.; Brokaw; Christman; Dalrymple; Dorso; Dotzenrod; Gerntholz; Gorman; Gunsch; Halmrast; Hamerlik; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hill; Kent; Kingsbury; Knell; Knudson; Kretschmar; Kuchera; Lautenschlager; Marks; Martin; Martinson; Melby; Meyer; Murphy; Myrdal; Nicholas; Nowatzki; Olsen, D.; O'Shea; Rice; Riehl; Scherber; Schindler; Shaw; Shide; Shockman; Skjerven; Smette; Sorensen; Starke; Thompson; Tokach; Tollefson; Tomac; Trautman; Ulmer; Vander Vorst; Wald; Watne; Whalen; Williams, A.; Williams, C.

ABSENT AND NOT VOTING: Aas; Hoffner; Peterson; Shaft; Stofferahn

HB 1296 was declared lost.

HB 1550: A BILL for an Act to create and enact a new section to chapter 23-16 and a new section to chapter 43-17 of the North Dakota Century Code, relating to required disclosure of certain charges and fees by hospitals and certain physicians.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 49 YEAS, 51 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Almlie; Anderson; Belter; Berg, R.; Brokaw; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Dotzenrod; Enget; Frey; Gates; Graba; Halmrast; Hokana; Kelly; Kent; Kingsbury; Klundt; Kolbo; Kuchera; Lautenschlager; Lindgren; Martinson; Meyer; Myrdal; Nelson, C.; Oban; Payne; Riehl; Rydell; Scherber; Schneider; Shaw; Shockman; Skjerven; Solberg; Starke; Strinden; Thompson; Ulmer; Vander Vorst; Watne; Wentz; Wilkie; Williams, A.; Winkelman; Speaker Kloubec

NAYS: Christman; Cleveland; Flaagan; Gerntholz; Goetz; Gorman; Gunsch; Hamerlik; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hill; Knell; Knudson; Koland; Kretschmar; Lang; Larson; Laughlin; Linderman; Marks; Martin; Melby; Moore; Murphy; Nelson, J.; Nicholas; Nowatzki; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Peterson; Rice; Schindler; Shide; Smette; Sorensen; Tokach; Tollefson; Tomac; Trautman; Wald; Whalen; Williams, C.; Williams, W.

ABSENT AND NOT VOTING: Aas; Berg, G.; Hoffner; Mertens; Shaft; Stofferahn

HB 1550 was declared lost.

POINT OF PERSONAL PRIVILEGE

REP. GRABA: Mr. Speaker: I rise on a point of personal privilege:

I want to take this opportunity to thank each and every one of the members of this Assembly for the outpouring of get well notices of about two weeks ago and then sympathy due to the death of Helen, my wife.

You have to experience some of that outpouring to know what friends like you people really mean to us. Your prayers, your thoughts, during her illness and then her death, really helped. I also want to thank you, Mr. Speaker, for allowing members of this Assembly to attend the funeral. It was impressive and it was very uplifting for my family and me. I want to thank each of you individually for sending your cards, your memorials, and the flowers. I want to thank you on behalf of my family from the bottom of my heart. Thank you all and we will never forget you.

MOTION

REP. STRINDEN MOVED that the remarks of Rep. Graba be printed in the Journal, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1567: A BILL for an Act to amend and reenact section 22-01-15 of the North Dakota Century Code, relating to alterations of an original obligation under a continuing guaranty.

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: Almlie; Anderson; Belter; Berg, G.; Brokaw; Christman; Dalrymple; DeMers, P.; Dorso; Dotzenrodt; Enget; Flaagan; Gates; Gerntholz; Goetz; Gorman; Graba; Gunsch; Halmrast; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hill; Hokana; Kelly; Kent; Kingsbury; Knell; Knudson; Koland; Kolbo; Kretschmar; 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.; Opedahl; O'Shea; Payne; Peterson; Rice; Riehl; Rydell; Scherber; Schindler; Schneider; Shaw; Shide; Shockman; Skjerven; Smette; Solberg; Starke; Strinden; Thompson; Tokach; Tollefson; Tomac; Trautman; Ulmer; Vander Vorst; Wald; Watne; Whalen; Wilkie; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Kloubec

NAYS: Berg, R.; Cleveland; DeMers, J.; Frey; Hamerlik; Klundt; Olson, V.; Sorensen; Wentz

ABSENT AND NOT VOTING: Aas; Hoffner; Meyer; Shaft; Stofferahn

HB 1567 passed and the title was agreed to.

MOTION

REP. STRINDEN MOVED that HB 1630 and HB 1504 be placed at the bottom of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILLS

HB 1640: A BILL for an Act to create and enact a new section to chapter 57-38 of the North Dakota Century Code, relating to disclosure by the state tax commissioner of whether or not candidates for elective office have filed income tax returns; 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 80 YEAS, 21 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Almlie; Anderson; Belter; Berg, G.; Brokaw; Christman; Cleveland; Dalrymple; DeMers, J.; DeMers, P.; Dotzenrod; Enget; Flaagan; Frey; Gates; Gerntholz; Gorman; Graba; Halmrast; Hamerlik; Hanson, L.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hill; Hokana; Kelly; Kent; Klundt; Knudson; Koland; Kolbo; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Marks; Martin; Martinson; Mertens; Meyer; Moore; Myrdal; Nelson, C.; Nelson, J.; Nicholas; Nowatzki; Oban; O'Connell; Olson, A.; Opedahl; O'Shea; Payne; Peterson; Rice; Riehl; Rydell; Scherber; Schindler; Schneider; Shockman; Skjerven; Smette; Solberg; Sorensen; Starke; Strinden; Thompson; Tomac; Trautman; Ulmer; Watne; Wentz; Wilkie; Williams, A.; Williams, W.; Speaker Kloubec

NAYS: Berg, R.; Dorso; Goetz; Gunsch; Hanson, O.; Kingsbury; Knell; Kretschmar; Kuchera; Melby; Murphy; Olsen, D.; Olson, V.; Shaw; Shide; Tokach; Tollefson; Vander Vorst; Wald; Whalen; Winkelman

ABSENT AND NOT VOTING: Aas; Hoffner; Shaft; Stofferahn; Williams, C.

HB 1640 passed and the title was agreed to.

HB 1649: A BILL for an Act to amend and reenact subsection 1 of section 41-09-43 of the North Dakota Century Code, relating to filing termination statements after complete disposition of collateral by a secured party.

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, 49 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Berg, G.; Brokaw; DeMers, J.; DeMers, P.; Dotzenrod; Enget; Flaagan; Frey; Graba; Gunsch; Halmrast; Hanson, L.; Hanson, O.; Hill; Hokana; Kelly; Klundt; Knell; Kolbo; Lang; Laughlin; Lautenschlager; Linderman; Marks; Melby; Mertens; Meyer; Murphy; Myrdal; Nelson, C.; Nelson, J.; Nicholas; Nowatzki;

Oban; O'Connell; Olson, V.; Opedahl; O'Shea; Riehl; Schindler; Schneider; Shockman; Solberg; Starke; Trautman; Ulmer; Watne; Wilkie; Williams, A.; Williams, C.; Williams, W.

NAYS: Almlie; Anderson; Belter; Berg, R.; Christman; Cleveland; Dalrymple; Dorso; Gates; Gerntholz; Gorman; Hamerlik; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Kent; Kingsbury; Knudson; Koland; Kretschmar; Kuchera; Larson; Lindgren; Martin; Martinson; Moore; Olsen, D.; Olson, A.; Payne; Peterson; Rice; Rydell; Scherber; Shide; Skjerven; Smette; Sorensen; Strinden; Thompson; Tokach; Tollefson; Tomac; Vander Vorst; Wald; Wentz; Whalen; Winkelman; Speaker Kloubec

ABSENT AND NOT VOTING: Aas; Goetz; Hoffner; Shaft; Shaw; Stofferahn

HB 1649 was declared lost for want of a Constitutional majority.

HB 1474: A BILL for an Act to create and enact a new section to chapter 5-01 of the North Dakota Century Code, relating to a cause of action for fault or negligence resulting from intoxication; to amend and reenact section 5-01-09 of the North Dakota Century Code, relating to the unlawful delivery of alcoholic beverages; to repeal section 5-01-06 of the North Dakota Century Code, relating to recovery of damages resulting from intoxication; 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 48 YEAS, 52 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Belter; Brokaw; Christman; Cleveland; DeMers, J.; DeMers, P.; Dorso; Enget; Frey; Gerntholz; Graba; Halmrast; Hamerlik; Haugland; Hokana; Kelly; Klundt; Knudson; Kolbo; Kretschmar; Kuchera; Larson; Lautenschlager; Linderman; Lindgren; Mertens; Meyer; Moore; Myrdal; Nelson, C.; Nicholas; Nowatzki; Oban; Opedahl; Riehl; Rydell; Scherber; Schindler; Schneider; Sorensen; Starke; Strinden; Tollefson; Trautman; Watne; Wentz; Wilkie; Williams, A.

NAYS: Almlie; Anderson; Berg, G.; Berg, R.; Dalrymple; Dotzenrod; Flaagan; Gates; Goetz; Gorman; Gunsch; Hanson, L.; Hanson, O.; Haugen; Hausauer, A.; Hausauer, R.; Hill; Kent; Kingsbury; Knell; Koland; Lang; Laughlin; Marks; Martin; Martinson; Melby;

Murphy; Nelson, J.; O'Connell; Olsen, D.; Olson, V.;
O'Shea; Payne; Rice; Shaw; Shide; Shockman; Skjerven;
Smette; Solberg; Thompson; Tokach; Tomac; Ulmer;
Vander Vorst; Wald; Whalen; Williams, C.; Williams, W.;
Winkelman; Speaker Kloubec

ABSENT AND NOT VOTING: Aas; Hoffner; Olson, A.;
Peterson; Shaft; Stofferahn

HB 1474 was declared lost.

HB 1492: A BILL for an Act to create and enact a new section to chapter 52-04 of the North Dakota Century Code, relating to unemployment contributions by employees; and to amend and reenact subsection 2 of section 52-04-06 of the North Dakota Century Code, relating to computation of unemployment contributions.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 53 YEAS, 48 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Almlie; Anderson; Belter; Berg, G.; Berg, R.;
Christman; Dalrymple; Dorso; Dotzenrod; Gates;
Gerntholz; Goetz; Gorman; Gunsch; Hamerlik; Hanson, O.;
Haugen; Hausauer, A.; Kent; Kingsbury; Knudson; Koland;
Kretschmar; Kuchera; Lang; Larson; Lindgren; Martin;
Martinson; Melby; Moore; Murphy; Myrdal; Nicholas;
Olsen, D.; Olson, A.; Olson, V.; Payne; Rice; Rydell;
Schindler; Shide; Smette; Sorensen; Strinden; Thompson;
Tokach; Tollefson; Trautman; Vander Vorst; Wald;
Whalen; Speaker Kloubec

NAYS: Brokaw; Cleveland; DeMers, J.; DeMers, P.; Enget;
Flaagan; Frey; Graba; Halmrast; Hanson, L.; Haugland;
Hausauer, R.; Hill; Hokana; Kelly; Klundt; Knell;
Kolbo; Laughlin; Lautenschlager; Linderman; Marks;
Mertens; Meyer; Nelson, C.; Nelson, J.; Nowatzki; Oban;
O'Connell; Opedahl; O'Shea; Riehl; Scherber; Schneider;
Shaw; Shockman; Skjerven; Solberg; Starke; Tomac;
Ulmer; Watne; Wentz; Wilkie; Williams, A.;
Williams, C.; Williams, W.; Winkelman

ABSENT AND NOT VOTING: Aas; Hoffner; Peterson; Shaft;
Stofferahn

HB 1492 was declared lost for want of a Constitutional majority.

MOTIONS

REP. STRINDEN MOVED that HB 1633, HB 1634, HB 1645, HB 1667, and HB 1359 be placed at the top of the calendar, which motion prevailed.

REP. KELLY MOVED that the House reconsider its action whereby HB 1617 failed to pass, which motion prevailed on a verification vote.

REP. STRINDEN MOVED that HB 1617 be placed at the bottom of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1633: A BILL for an Act relating to North Dakota Venture Capital, Incorporated; to create and enact a new subsection to section 7-02-10, a new subsection to section 10-04-05, a new subsection to section 10-04-06, a new subdivision to subsection 1 of section 57-38-01.2, and a new subdivision to subsection 1 of section 57-38-01.3 of the North Dakota Century Code, relating to legal investments of savings and loan associations, exempt securities and transactions, and adjustments to taxable income for income tax purposes; and to amend and reenact sections 6-03-38, 10-30.1-05, subsection 14 of section 21-10-07, and subsection 30 of section 26.1-05-19 of the North Dakota Century Code, relating to venture capital corporations and legal investments of banks, the state investment board, and insurance companies.

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 66 YEAS, 34 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Almlie; Anderson; Belter; Berg, G.; Berg, R.; Christman; Cleveland; Dalrymple; Dorso; Dotzenrod; Gates; Gerntholz; Goetz; Gorman; Graba; Gunsch; Halmrast; Hamerlik; Hanson, O.; Haugen; Hausauer, A.; Hausauer, R.; Hokana; Kent; Kingsbury; Knell; Koland; Kolbo; Kretschmar; Lang; Larson; Lindgren; Martin; Martinson; Melby; Moore; Myrdal; Nelson, J.; Nowatzki; Olsen, D.; Olson, A.; Olson, V.; Opedahl; Payne; Rice; Rydell; Schindler; Shaw; Shide; Shockman; Skjerven; Smette; Sorensen; Strinden; Thompson; Tokach; Tollefson; Trautman; Vander Vorst; Wald; Watne; Whalen; Williams, C.; Williams, W.; Winkelman; Speaker Kloubec

NAYS: Brokaw; DeMers, J.; DeMers, P.; Enget; Flaagan; Frey; Hanson, L.; Haugland; Hill; Kelly; Klundt; Knudson; Kuchera; Laughlin; Lautenschlager; Linderman; Marks; Mertens; Meyer; Murphy; Nelson, C.; Oban;

O'Connell; O'Shea; Riehl; Scherber; Schneider; Solberg;
Starke; Tomac; Ulmer; Wentz; Wilkie; Williams, A.

ABSENT AND NOT VOTING: Aas; Hoffner; Nicholas; Peterson;
Shaft; Stofferahn

HB 1633 passed and the title was agreed to.

**MESSAGE FROM THE SENATE
SENATE CHAMBER**

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

SB 2002, SB 2021, SB 2022, SB 2024, SB 2029, SB 2099,
SB 2244, SB 2246, SB 2302, SB 2449, SB 2468, SB 2472,
SB 2483, SB 2514, SB 2521, SB 2526, SB 2542, SCR 4043

PERRY GROTEBERG, Secretary

SECOND READING OF HOUSE BILLS

HB 1634: A BILL for an Act to amend subsection 1 of section 54-07-01.2, sections 54-34-02, 54-34-03, 54-34-03.1, 54-34-04, 54-34-05.1, and 54-34-06 of the North Dakota Century Code, relating to the membership and duties of the economic development commission; and to declare an emergency.

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 58 YEAS, 43 NAYS, 5 ABSENT AND NOT VOTING.

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

NAYS: Berg, G.; Brokaw; DeMers, J.; DeMers, P.; Flaagan; Frey; Graba; Halmrast; Hanson, L.; Hill; Hokana; Kelly; Klundt; Kolbo; Laughlin; Lautenschlager; Linderman; Marks; Mertens; Meyer; Murphy; Nelson, C.; Nelson, J.; Nowatzki; Oban; O'Connell; Opedahl; O'Shea; Riehl; Scherber; Schneider; Shockman; Skjerven; Solberg;

Starke; Tomac; Ulmer; Watne; Wentz; Wilkie;
Williams, A.; Williams, C.; Williams, W.

ABSENT AND NOT VOTING: Aas; Enget; Hoffner; Shaft;
Stofferahn

HB 1634 passed, the title was agreed to, and the emergency clause lost.

HB 1645: A BILL for an Act to create and enact a new section to chapter 57-38 of the North Dakota Century Code, relating to a corporate income tax credit for research and experimental expenditures; 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 98 YEAS, 3 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; Graba; 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; Lindgren; Marks; Martin; Martinson; Melby; Mertens; Meyer; Moore; Myrdal; Nelson, C.; Nelson, J.; Nicholas; Oban; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Peterson; Rice; Rydell; Scherber; Schindler; Schneider; Shaw; Shide; Shockman; Skjerven; Smette; Solberg; Sorensen; Starke; Strinden; Thompson; Tokach; Tollefson; Tomac; Trautman; Ulmer; Vander Vorst; Wald; Watne; Wentz; Whalen; Wilkie; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Kloubec

NAYS: Murphy; O'Connell; Riehl

ABSENT AND NOT VOTING: Aas; Hoffner; Nowatzki; Shaft;
Stofferahn

HB 1645 passed and the title was agreed to.

HB 1667: A BILL for an Act to create and enact three new subsections to section 57-51.1-01 of the North Dakota Century Code, relating to definition of the terms

"development well", "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 development wells, extension wells, and wildcat wells.

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, 37 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Almlie; Anderson; Belter; Berg, R.; Christman; Cleveland; Dalrymple; Dotzenrod; Gates; Gerntholz; Goetz; Gorman; Gunsch; Hamerlik; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hill; Kent; Kingsbury; Knell; Knudson; Koland; Kolbo; Kretschmar; Lang; Larson; Lindgren; Martin; Martinson; Melby; Moore; Murphy; Myrdal; Nicholas; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Peterson; Rice; Rydell; Schindler; Shaw; Shide; Smette; Sorensen; Strinden; Thompson; Tokach; Tollefson; Trautman; Vander Vorst; Wald; Wentz; Whalen; Williams, C.; Winkelman; Speaker Kloubec

NAYS: Berg, G.; Brokaw; DeMers, J.; DeMers, P.; Enget; Flaagan; Frey; Graba; Halmrast; Hanson, L.; Hokana; Kelly; Klundt; Kuchera; Laughlin; Lautenschlager; Linderman; Marks; Mertens; Meyer; Nelson, C.; Nelson, J.; Nowatzki; Oban; Riehl; Scherber; Schneider; Shockman; Skjerven; Solberg; Starke; Tomac; Ulmer; Watne; Wilkie; Williams, A.; Williams, W.

ABSENT AND NOT VOTING: Aas; Dorso; Hoffner; Shaft; Stofferahn

HB 1667 lost for lack of two-thirds majority.

HB 1359: A BILL for an Act to amend and reenact subdivision b of subsection 1 of section 52-06-04 and section 52-06-05 of the North Dakota Century Code, relating to unemployment compensation weekly benefit amount and benefit duration.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, 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; Dotzenrod; Enget; Gates; Gerntholz; Goetz; Gorman; Gunsch; Hamerlik; Hanson, O.; Haugen; Hausauer, A.; Hausauer, R.; Kent; Kingsbury; Klundt; Knell; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Lindgren; Martin; Martinson; Melby; Moore; Murphy; Myrdal; Nicholas; Olsen, D.; Olson, A.; Olson, V.; Payne; Rice; Rydell; Schindler; Shide; Smette; Solberg; Sorensen; Strinden; Thompson; Tollefson; Trautman; Vander Vorst; Wald; Whalen; Williams, C.; Winkelman

NAYS: Berg, G.; Brokaw; DeMers, J.; DeMers, P.; Flaagan; Frey; Graba; Halmrast; Hanson, L.; Haugland; Hill; Hokana; Kelly; Kolbo; Laughlin; Lautenschlager; Linderman; Marks; Mertens; Meyer; Nelson, C.; Nelson, J.; Nowatzki; Oban; O'Connell; Opedahl; O'Shea; Peterson; Riehl; Scherber; Schneider; Shaw; Shockman; Skjerven; Starke; Tokach; Tomac; Ulmer; Watne; Wentz; Wilkie; Williams, A.; Williams, W.

ABSENT AND NOT VOTING: Aas; Hoffner; Shaft; Stofferahn; Speaker Kloubec

HB 1359 passed and the title was agreed to.

MOTIONS

REP. STRINDEN MOVED that HB 1346, along with the Attorney General's opinion on HB 1346, be messaged to the Senate, which motion prevailed.

REP. STRINDEN MOVED that the House stand in recess until 3:40 p.m., which motion prevailed.

THE HOUSE RECONVENED pursuant to recess taken, with Acting Speaker R. Hausauer presiding.

MESSAGE TO THE SENATE HOUSE CHAMBER

MR. PRESIDENT: I have the honor to transmit herewith the following which the House has passed and the Attorney General's opinion as to the legality of its passage is attached:

HB 1346

ATTORNEY GENERAL
STATE OF NORTH DAKOTA
State Capitol
Bismarck, North Dakota 58505

February 25, 1987

Honorable Richard W. Kloubec
Speaker of the House
House of Representatives
House Chambers
State Capitol
Bismarck, ND 58505

Dear Speaker Kloubec:

Enclosed is the Attorney General's opinion which you requested from this office.

Sincerely,

Nicholas J. Spaeth

STATE OF NORTH DAKOTA
ATTORNEY GENERAL'S OPINION 87-5

Date issued: February 25, 1987

Requested by: Honorable Richard W. Kloubec
Speaker, House of Representatives

- QUESTION PRESENTED -

Whether an initiated measure approved by the electors may be amended or repealed by less than a two-thirds vote of the Legislative Assembly where the Legislature's amendment or repeal is enacted less than seven years after the initiated measure's effective date but becomes effective after that seven-year period has passed.

- ATTORNEY GENERAL'S OPINION -

It is my opinion that an initiated measure approved by the electors may be amended or repealed by less than a two-thirds vote of the Legislative Assembly where the Legislature's amendment or repeal is enacted less than seven years after the initiated measure's effective date but becomes effective after that seven-year period has passed.

- ANALYSIS -

N.D. Const. Art. III, §8, provides:

If a majority of votes cast upon an initiated or a referred measure are affirmative, it shall be deemed enacted. An initiated or referred measure which is approved shall become law thirty days after the election, and a referred measure which is rejected shall be void immediately. If conflicting measures are approved, the one receiving the highest number of affirmative votes shall be law. A measure approved by the electors may not be repealed or amended by the legislative assembly for seven years from its effective date, except by a two-thirds vote of the members elected to each house.

(Emphasis supplied.) The issue presented is whether the seven-year restriction of the last sentence of N.D. Const. Art. III, §8, applies only to a statute that repeals or amends an initiated measure when that repealing or amendatory statute becomes effective within seven years of the initiated measure's effective date, or whether that restriction applies to all amendatory or repealing statutes that are enacted within the seven-year period.

There are no North Dakota Supreme Court cases deciding this issue. Moreover, the history of the N.D. Const. Art. III, §8, does not provide a clear answer to this question.

The language of N.D. Const. Art. III, §8, was drafted by delegates at the 1972 Constitutional Convention as part of the Convention's revision of the constitution's initiative and referendum provisions. See Haugland v. Meier, 339 N.W.2d 100, 107 (N.D. 1983); Debates of the North Dakota Constitutional Convention of 1972, at 1811, 1813. Although the 1972 proposed constitution was not adopted by the voters in 1972, the 1972 initiative and referendum constitutional provisions were proposed again by the Legislature in 1977 and became part of the constitution when the Legislature's proposal was approved by the voters in 1978. See Haugland v. Meier, 339 N.W.2d at 107.

Some discussion at the 1972 Constitutional Convention at least implies that the amendment and repeal restriction of N.D. Const. Art. III, §8, should be construed to restrict only the Legislature's ability to make an initiated measure's provisions ineffective within the seven-year period. See Debates of the North Dakota Constitutional Convention of 1972, at 917, 919 (statements of Delegate Haugen). This discussion tends to support an interpretation that N.D. Const. Art. III, §8, does not restrict the enactment of amendatory or repealing legislation within the seven-year period as long as that legislation does not become effective until after the seven-year period has passed.

Other statements at the 1972 Convention, however, indicate that at least some of the Convention delegates believed that the seven-year period was used in the provision because it would protect initiated measures from amendment or repeal for a certain number of legislative sessions. See id. at 917 (statement of

Delegate Cart). This interest in the number of legislative sessions involved could signify that the drafters of section 8 were concerned with the enactment of amendatory or repealing legislation during the seven-year period and not with the effective date of such legislation.

These contradictory statements at the 1972 Constitutional Convention demonstrate that the history of N.D. Const. Art. III, §8, does not conclusively resolve this issue.

Therefore, this question must be answered based solely upon the specific language of N.D. Const. Art. III, §8. The constitution states only that an initiated measure may not be "repealed or amended" for seven years, except by a two-thirds vote of both legislative houses. If a statute that repeals or amends an initiated measure has an effective date of more than seven years after the initiated measure's effective date, there would be no "repeal" or "amendment" of the initiated measure within the seven-year period. Under those circumstances, the two-thirds vote requirement of N.D. Const. Art. III, §8, would not apply.

- EFFECT -

This opinion is issued pursuant to N.D.C.C. §54-12-01. It governs the actions of public officials until such time as the question is decided by the courts.

Nicholas J. Spaeth
Attorney General

Assisted by: Laurie J. Loveland
Assistant Attorney General

ROY GILBREATH, Chief Clerk

MOTION

REP. MARTINSON MOVED that SB 2175 and SB 2176 be returned to the House floor from the Committee on State and Federal Government and be rereferred to the Committee on Judiciary, which motion prevailed.

ACTING SPEAKER R. HAUSAUER ANNOUNCED that SB 2175 and SB 2176 was rereferred to the Committee on Judiciary.

SECOND READING OF HOUSE BILLS

HB 1543: A BILL for an Act to direct the economic development commission to establish a venture capital network as a clearinghouse for information on capital investment opportunities in the state.

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, 2 NAYS, 12 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; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hill; Hokana; Kelly; Kent; Kingsbury; Klundt; Knell; Knudson; Kolbo; Kretschmar; Kuchera; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Marks; Martin; Martinson; Melby; Meyer; Moore; Myrdal; Nelson, C.; Nelson, J.; Nicholas; Nowatzki; O'Connell; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Peterson; Rice; Riehl; Rydell; Scherber; Schindler; Schneider; Shaw; Shide; Shockman; Skjerven; Smette; Solberg; Sorensen; Starke; Thompson; Tollefson; Tomac; Trautman; Ulmer; Wald; Watne; Wentz; Whalen; Wilkie; Williams, A.; Williams, C.; Williams, W.; Winkelman

NAYS: Koland; Murphy

ABSENT AND NOT VOTING: Aas; Hoffner; Lang; Mertens; Oban; Opedahl; Shaft; Stofferahn; Strinden; Tokach; Vander Vorst; Speaker Kloubec

HB 1543 passed and the title was agreed to.

HB 1560: A BILL for an Act to create and enact a new section to chapter 34-01 of the North Dakota Century Code, relating to assessment by a labor union or labor organization of actual representation expenses from nonunion employees.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 49 YEAS, 48 NAYS, 9 ABSENT AND NOT VOTING.

YEAS: Berg, G.; Brokaw; Cleveland; DeMers, J.; DeMers, P.; Flaagan; Frey; Gates; Graba; Halmrast; Hamerlik; Hanson, L.; Haugland; Hill; Hokana; Kelly; Klundt; Kolbo; Lautenschlager; Linderman; Marks; Martin; Mertens; Meyer; Murphy; Myrdal; Nelson, C.; Nelson, J.; Nowatzki; O'Connell; Opedahl; O'Shea; Riehl; Rydell; Scherber; Schneider; Shaw; Shockman; Skjerven; Starke; Tokach; Trautman; Ulmer; Watne; Wentz; Wilkie; Williams, A.; Williams, C.; Williams, W.

NAYS: Almlie; Anderson; Belter; Berg, R.; Christman; Dalrymple; Dorso; Dotzenrod; Enget; Gerntholz; Goetz; Gorman; Gunsch; Hanson, O.; Haugen; Hausauer, A.; Hausauer, R.; Kent; Kingsbury; Knell; Knudson; Koland; Kretschmar; Kuchera; Larson; Laughlin; Lindgren; Martinson; Melby; Moore; Nicholas; Olsen, D.; Olson, A.; Olson, V.; Payne; Peterson; Rice; Schindler; Shide; Smette; Solberg; Sorensen; Thompson; Tollefson; Vander Vorst; Wald; Whalen; Winkelman

ABSENT AND NOT VOTING: Aas; Hoffner; Lang; Oban; Shaft; Stofferahn; Strinden; Tomac; Speaker Kloubec

HB 1560 was declared lost for want of a Constitutional majority.

HB 1590: A BILL for an Act to provide for allocation of a portion of sales and use tax collections to personal property tax replacement and state revenue sharing; to create and enact two new sections to chapter 57-58 of the North Dakota Century Code, relating to personal property tax replacement; to repeal sections 54-27-20.1 and 57-58-01 of the North Dakota Century Code, relating to determination of state revenue sharing and personal property tax replacement; to provide a continuing appropriation; 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 93 YEAS, 4 NAYS, 9 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; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hill; Hokana; Kelly; Kent; Kingsbury; Klundt; Knell; Knudson; Koland; Kolbo; Kretschmar; Kuchera; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Marks; Martin; Martinson; Meyer; Moore; Murphy; Myrdal; Nelson, C.; Nelson, J.; Nicholas; Nowatzki; Olsen, D.; Olson, A.; Olson, V.; Opedahl; Payne; Peterson; Rice; Riehl; Rydell; Scherber; Schindler; Schneider; Shaw; Shide; Shockman; Skjerven; Smette; Solberg; Sorensen; Starke; Strinden; Thompson; Tokach; Tollefson; Tomac; Trautman; Ulmer; Vander Vorst; Watne; Wentz; Whalen; Wilkie; Williams, A.; Williams, C.; Williams, W.; Winkelman

NAYS: Melby; Mertens; O'Connell; O'Shea

ABSENT AND NOT VOTING: Aas; Hausauer, R.; Hoffner; Lang;
Oban; Shaft; Stofferahn; Wald; Speaker Kloubec

HB 1590 passed and the title was agreed to.

HB 1049: A BILL for an Act to adopt the Uniform Marital Property Act, relating to the legal ownership of property by and between spouses; to amend section 14-07-05 of the North Dakota Century Code, relating to rights and liabilities of married persons; to repeal sections 14-07-03, 14-07-04, 14-07-06, 14-07-07, and 14-07-08 of the North Dakota Century Code, relating to legal ownership of property by and between spouses; and to provide an effective date.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 25 YEAS, 75 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Brokaw; Cleveland; DeMers, J.; DeMers, P.; Frey; Graba; Haugland; Kelly; Kolbo; Kretschmar; Martin; Mertens; Meyer; Nelson, C.; Nelson, J.; Oban; Opedahl; Rydell; Scherber; Schneider; Shockman; Tollefson; Wentz; Williams, A.; Williams, W.

NAYS: Almlie; Anderson; Belter; Berg, G.; Berg, R.; Christman; Dalrymple; Dorso; Dotzenrod; Enget; Flaagan; Gates; Gerntholz; Goetz; Gorman; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugen; Hausauer, A.; Hausauer, R.; Hill; Hokana; Kent; Kingsbury; Klundt; Knell; Knudson; Koland; Kuchera; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Marks; Martinson; Melby; Moore; Murphy; Myrdal; Nicholas; Nowatzki; O'Connell; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Peterson; Rice; Riehl; Schindler; Shaw; Shide; Skjerven; Smette; Solberg; Sorensen; Starke; Strinden; Thompson; Tokach; Tomac; Trautman; Ulmer; Vander Vorst; Wald; Watne; Whalen; Wilkie; Williams, C.; Winkelman

ABSENT AND NOT VOTING: Aas; Hoffner; Lang; Shaft;
Stofferahn; Speaker Kloubec

HB 1049 was declared lost.

ANNOUNCEMENT

THE CHIEF CLERK ANNOUNCED that the Senate Bill Clerk refused to accept HB 1346 along with the Attorney General's opinion.

MESSAGE TO THE SENATE
HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to transmit herewith the following which the House has passed and your favorable consideration is requested on:

HB 1543, HB 1557, HB 1567, HB 1590, HB 1625, HB 1633,
HB 1640, HB 1645

ROY GILBREATH, Chief Clerk

SECOND READING OF HOUSE BILLS

HB 1204: A BILL for an Act to create and enact two sections to chapter 15-10 of the North Dakota Century Code, relating to free tuition in North Dakota institutions of higher education for survivors of firefighters or peace officers.

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 91 YEAS, 8 NAYS, 7 ABSENT AND NOT VOTING.

YEAS: Almlie; Anderson; Belter; Berg, G.; Brokaw;
Christman; Cleveland; Dalrymple; DeMers, J.;
DeMers, P.; Dorso; Dotzenrod; Enget; Flaagan; Frey;
Gerntholz; Goetz; Gorman; Graba; Gunsch; Halmrast;
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; Lindgren; Marks; Martin; Melby; Mertens;
Meyer; Moore; 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; Strinden; Thompson;
Tokach; Tollefson; Tomac; Trautman; Ulmer;
Vander Vorst; Watne; Wentz; Wilkie; Williams, A.;
Williams, C.; Williams, W.

NAYS: Berg, R.; Gates; Hamerlik; Murphy; Myrdal;
Nelson, C.; Whalen; Winkelman

ABSENT AND NOT VOTING: Aas; Hoffner; Martinson; Shaft;
Stofferahn; Wald; Speaker Kloubec

HB 1204 passed and the title was agreed to.

HB 1213: A BILL for an Act to provide for the reorganization of the job service North Dakota bureau and the North Dakota

workmen's compensation bureau by the governor; and to provide an effective date and an expiration date.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 39 YEAS, 62 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Berg, G.; Brokaw; DeMers, J.; DeMers, P.; Enget; Flaagan; Frey; Graba; Hanson, L.; Hill; Hokana; Kelly; Klundt; Kolbo; Laughlin; Lautenschlager; Linderman; Marks; Mertens; Meyer; Murphy; Nelson, C.; Nelson, J.; Nowatzki; Oban; O'Connell; Opedahl; O'Shea; Riehl; Scherber; Shockman; Skjerven; Solberg; Starke; Ulmer; Wilkie; Williams, A.; Williams, C.; Williams, W.

NAYS: Almlie; Anderson; Belter; Berg, R.; Christman; Cleveland; Dalrymple; Dorso; Dotzenrod; Gates; Gerntholz; Goetz; Gorman; Gunsch; Halmrast; Hamerlik; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Kent; Kingsbury; Knell; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Lindgren; Martin; Martinson; Melby; Moore; Myrdal; Nicholas; Olsen, D.; Olson, A.; Olson, V.; Payne; Peterson; Rice; Rydell; Schindler; Schneider; Shaw; Shide; Smette; Sorensen; Strinden; Thompson; Tokach; Tollefson; Tomac; Trautman; Vander Vorst; Wald; Watne; Wentz; Whalen; Winkelman

ABSENT AND NOT VOTING: Aas; Hoffner; Shaft; Stofferahn; Speaker Kloubec

HB 1213 was declared lost.

HB 1335: A BILL for an Act to amend and reenact subsection 4 of section 32-12.1-02, subsections 1 and 3 of section 32-12.1-03, and sections 32-12.1-05 and 32-12.1-07 of the North Dakota Century Code, relating to governmental immunity of political subdivisions and their employees.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 41 YEAS, 57 NAYS, 8 ABSENT AND NOT VOTING.

YEAS: Almlie; Anderson; Belter; Berg, G.; Dotzenrod; Flaagan; Gerntholz; Graba; Gunsch; Hanson, O.; Haugen; Hausauer, R.; Kent; Kingsbury; Klundt; Koland; Laughlin; Lautenschlager; Melby; Murphy; Nelson, J.; Nicholas; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; Peterson; Rice; Schindler; Shide; Shockman;

Skjervén; Sorensen; Starke; Thompson; Tokach;
Tollefson; Trautman; Vander Vorst; Williams, C.

NAYS: Berg, R.; Christman; Cleveland; Dalrymple;
DeMers, J.; DeMers, P.; Dorso; Enget; Frey; Gates;
Goetz; Gorman; Halmrast; Hamerlik; Hanson, L.;
Haugland; Hausauer, A.; Hill; Hokana; Kelly; Knell;
Knudson; Kolbo; Kretschmar; Kuchera; Lang; Larson;
Linderman; Lindgren; Marks; Martin; Martinson; Mertens;
Meyer; Moore; Myrdal; Nelson, C.; Nowatzki; Oban;
O'Shea; Payne; Riehl; Rydell; Scherber; Schneider;
Shaw; Smette; Solberg; Tomac; Ulmer; Wald; Watne;
Wentz; Wilkie; Williams, A.; Williams, W.; Winkelman

ABSENT AND NOT VOTING: Aas; Brokaw; Hoffner; Shaft;
Stofferahn; Strinden; Whalen; Speaker Kloubec

HB 1335 was declared lost.

HB 1462: A BILL for an Act relating to exemption from past
expense limitations applicable to charitable gambling
organizations.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was
called and there were 37 YEAS, 63 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Almlie; Berg, R.; Christman; Dalrymple; DeMers, J.;
Dorso; Flaagan; Gertholz; Graba; Halmrast; Hamerlik;
Hausauer, A.; Hausauer, R.; Hokana; Kelly; Kent; Knell;
Kolbo; Kretschmar; Kuchera; Larson; Laughlin; Lindgren;
Martinson; Murphy; Oban; Olson, V.; O'Shea; Peterson;
Scherber; Schindler; Schneider; Skjervén; Smette;
Ulmer; Williams, W.; Winkelman

NAYS: Anderson; Belter; Berg, G.; Brokaw; Cleveland;
DeMers, P.; Dotzenrod; Enget; Frey; Gates; Goetz;
Gorman; Gunsch; Hanson, O.; Haugen; Haugland; Hill;
Kingsbury; Klundt; Knudson; Koland; Lang;
Lautenschlager; Linderman; Marks; Martin; Melby;
Mertens; Meyer; Moore; Myrdal; Nelson, C.; Nelson, J.;
Nicholas; Nowatzki; O'Connell; Olsen, D.; Olson, A.;
Opedahl; Payne; Rice; Riehl; Rydell; Shaw; Shide;
Shockman; Solberg; Sorensen; Starke; Strinden;
Thompson; Tokach; Tollefson; Tomac; Trautman;
Vander Vorst; Wald; Watne; Wentz; Whalen; Wilkie;
Williams, A.; Williams, C.

ABSENT AND NOT VOTING: Aas; Hanson, L.; Hoffner; Shaft;
Stofferahn; Speaker Kloubec

HB 1462 was declared lost.

HB 1470: A BILL for an Act to amend and reenact subdivision e of subsection 1 of section 23-17.3-05 of the North Dakota Century Code, relating to standards of licensure for home health agencies.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 90 YEAS, 8 NAYS, 8 ABSENT AND NOT VOTING.

YEAS: Almlie; Anderson; Belter; Berg, G.; Berg, R.; Brokaw; Christman; Cleveland; Dalrymple; Dorso; Dotzenrod; Enget; Flaagan; Frey; Gates; Gerntholz; Goetz; Gorman; Gunsch; Halmrast; 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; Lindgren; 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; Rice; Riehl; Rydell; Scherber; Schindler; Schneider; Shaw; Shide; Shockman; Skjerven; Smette; Solberg; Sorensen; Starke; Strinden; Thompson; Tokach; Tollefson; Tomac; Ulmer; Vander Vorst; Wald; Watne; Wentz; Wilkie; Williams, A.; Williams, C.; Williams, W.; Winkelman

NAYS: DeMers, J.; DeMers, P.; Graba; Hamerlik; Marks; Murphy; Trautman; Whalen

ABSENT AND NOT VOTING: Aas; Hanson, L.; Hoffner; Meyer; Peterson; Shaft; Stofferahn; Speaker Kloubec

HB 1470 passed and the title was agreed to.

HB 1569: A BILL for an Act to create and enact a new section to chapter 4-22 of the North Dakota Century Code, relating to immunity from civil liability for soil conservation district supervisors.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 62 YEAS, 35 NAYS, 9 ABSENT AND NOT VOTING.

YEAS: Almlie; Anderson; Belter; Berg, G.; Berg, R.; Brokaw; Christman; Dalrymple; Dotzenrod; Flaagan; Gerntholz; Goetz; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hill; Hokana; Kent; Kingsbury; Klundt; Knudson; Koland; Kolbo; Kretschmar; Lang; Laughlin; Marks; Martin; Martinson; Melby; Meyer; Nelson, J.; Nicholas; Nowatzki; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Peterson; Rice; Riehl; Rydell; Schindler; Shaw; Shide; Shockman; Skjerven; Solberg; Sorensen; Starke; Thompson; Tokach; Tomac; Trautman; Vander Vorst; Wald; Wilkie; Williams, A.; Williams, C.

NAYS: Cleveland; DeMers, J.; DeMers, P.; Dorso; Enget; Frey; Gates; Gorman; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hausauer, R.; Kelly; Knell; Kuchera; Larson; Lautenschlager; Linderman; Lindgren; Moore; Murphy; Nelson, C.; Oban; Payne; Scherber; Schneider; Smette; Tollefson; Ulmer; Watne; Wentz; Williams, W.; Winkelman

ABSENT AND NOT VOTING: Aas; Hoffner; Mertens; Myrdal; Shaft; Stofferahn; Strinden; Whalen; Speaker Kloube

HB 1569 passed and the title was agreed to.

HB 1577: A BILL for an Act to amend and reenact sections 6-08.1-02, 6-08.1-05, and 6-08.1-07 of the North Dakota Century Code, relating to law enforcement access to customer information retained by a financial institution.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 50 YEAS, 49 NAYS, 7 ABSENT AND NOT VOTING.

YEAS: Almlie; Anderson; Belter; Berg, G.; Cleveland; DeMers, J.; Dotzenrod; Enget; Frey; Gates; Gerntholz; Goetz; Hamerlik; Haugen; Hausauer, A.; Kelly; Knudson; Koland; Kolbo; Kretschmar; Larson; Lindgren; Marks; Martinson; Meyer; Moore; Murphy; Nelson, C.; Nelson, J.; Nicholas; Nowatzki; Oban; Olson, V.; Rice; Riehl; Rydell; Scherber; Schindler; Shaw; Skjerven; Sorensen; Starke; Thompson; Tokach; Trautman; Ulmer; Vander Vorst; Wald; Williams, C.; Winkelman

NAYS: Berg, R.; Brokaw; Christman; Dalrymple; DeMers, P.; Dorso; Flaagan; Gorman; Graba; Gunsch; Halmrast; Hanson, L.; Hanson, O.; Haugland; Hausauer, R.; Hill; Hokana; Kent; Kingsbury; Klundt; Knell; Kuchera; Lang; Laughlin; Lautenschlager; Linderman; Martin; Melby

Mertens; Myrdal; O'Connell; Olsen, D.; Olson, A.;
Opedahl; O'Shea; Payne; Peterson; Schneider; Shide;
Shockman; Smette; Solberg; Tollefson; Tomac; Watne;
Wentz; Wilkie; Williams, A.; Williams, W.

ABSENT AND NOT VOTING: Aas; Hoffner; Shaft; Stofferahn;
Strinden; Whalen; Speaker Kloubec

HB 1577 was declared lost for want of a Constitutional majority.

HB 1586: A BILL for an Act to amend and reenact section 47-28-02 of the North Dakota Century Code, relating to sharing of income from patents from inventions and discoveries by faculty, officials, and employees of state institutions of higher education.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 73 YEAS, 25 NAYS, 8 ABSENT AND NOT VOTING.

YEAS: Almlie; Anderson; Belter; Berg, G.; Berg, R.;
Christman; Cleveland; Dalrymple; DeMers, J.; Dorso;
Dotzenrod; Enget; Flaagan; Frey; Gerntholz; Goetz;
Gorman; Halmrast; Hamerlik; Haugen; Haugland;
Hausauer, A.; Hausauer, R.; Hill; Hokana; Kelly; Kent;
Klundt; Koland; Kolbo; Kretschmar; Kuchera; Lang;
Larson; Laughlin; Lautenschlager; Linderman; Lindgren;
Martin; Martinson; Mertens; Moore; Myrdal; Nelson, C.;
Nicholas; Nowatzki; Oban; Olsen, D.; Olson, A.; Payne;
Peterson; Rice; Scherber; Schindler; Schneider; Shaw;
Shide; Skjerven; Smette; Solberg; Sorensen; Strinden;
Thompson; Tokach; Tollefson; Trautman; Ulmer; Wald;
Wentz; Whalen; Williams, A.; Williams, C.; Winkelman

NAYS: Brokaw; DeMers, P.; Gates; Graba; Gunsch;
Hanson, L.; Hanson, O.; Kingsbury; Knell; Marks; Melby;
Murphy; Nelson, J.; O'Connell; Olson, V.; Opedahl;
O'Shea; Riehl; Shockman; Starke; Tomac; Vander Vorst;
Watne; Wilkie; Williams, W.

ABSENT AND NOT VOTING: Aas; Hoffner; Knudson; Meyer;
Rydell; Shaft; Stofferahn; Speaker Kloubec

HB 1586 passed and the title was agreed to.

HB 1635: A BILL for an Act providing for a transfer from the industrial development revenue bond guarantee fund to the general fund.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 87 YEAS, 12 NAYS, 7 ABSENT AND NOT VOTING.

YEAS: Almlie; Anderson; Belter; Berg, G.; Berg, R.; Christman; Cleveland; 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; Knell; Koland; Kolbo; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Marks; Martin; Martinson; Melby; Moore; Murphy; Myrdal; Nelson, C.; Nelson, J.; Nicholas; Nowatzki; Oban; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Peterson; Rice; Rydell; Scherber; Schindler; Schneider; Shaw; Shide; Shockman; Skjerven; Smette; Sorensen; Starke; Strinden; Thompson; Tokach; Tollefson; Tomac; Trautman; Vander Vorst; Wald; Wentz; Whalen; Wilkie; Williams, A.; Williams, C.; Winkelman

NAYS: Brokaw; Enget; Graba; Klundt; Mertens; Meyer; O'Connell; Riehl; Solberg; Ulmer; Watne; Williams, W.

ABSENT AND NOT VOTING: Aas; Hoffner; Knudson; Lindgren; Shaft; Stofferahn; Speaker Kloubec

HB 1635 passed and the title was agreed to.

POINT OF PERSONAL PRIVILEGE

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

Mr. Speaker and ladies and gentlemen of the House: Monday, February 16th was the official state holiday in recognition of George Washington's birthday. Because of Crossover, the Legislature will observe February 23rd as the presidential holiday. All Legislative Assembly employees will be paid for the legislative holiday, February 23rd, in observance of President's Day.

The Legislative Assembly will also be in recess on February 24th. In recognition of the uncompensated overtime which all our employees have put in since the beginning of this Session, legislative employees will also be paid for that day.

SECOND READING OF HOUSE BILLS

HB 1646: A BILL for an Act to repeal subsections 14 and 16 of section 4-12.2-01 and sections 4-12.2-09, 4-12.2-10,

4-12.2-11, and 4-12.2-12 of the North Dakota Century Code, relating to the two-mile radius restriction for apiary locations.

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, 63 NAYS, 7 ABSENT AND NOT VOTING.

YEAS: Anderson; Christman; DeMers, J.; DeMers, P.; Enget; Frey; Halmrast; Hanson, L.; Hill; Kelly; Koland; Lang; Larson; Linderman; Lindgren; Martin; Martinson; Melby; Meyer; Murphy; Nelson, C.; Oban; O'Connell; O'Shea; Riehl; Rydell; Scherber; Schneider; Shaw; Smette; Solberg; Sorensen; Watne; Wentz; Wilkie; Winkelman

NAYS: Almlie; Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; Dalrymple; Dorso; Dotzenrod; Flaagan; Gates; Gerntholz; Goetz; Gorman; Graba; Gunsch; Hamerlik; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hokana; Kent; Kingsbury; Klundt; Knell; Knudson; Kolbo; Kretschmar; Kuchera; Laughlin; Lautenschlager; Marks; Mertens; Moore; Myrdal; Nelson, J.; Nicholas; Nowatzki; Olsen, D.; Olson, A.; Olson, V.; Opedahl; Payne; Peterson; Rice; Schindler; Shide; Shockman; Skjerven; Starke; Strinden; Tokach; Tollefson; Tomac; Trautman; Ulmer; Vander Vorst; Whalen; Williams, A.; Williams, C.; Williams, W.

ABSENT AND NOT VOTING: Aas; Hoffner; Shaft; Stofferahn; Thompson; Wald; Speaker Kloubec

HB 1646 was declared lost.

HB 1655: A BILL for an Act to amend and reenact subsection 11 of section 15-10-17 of the North Dakota Century Code, relating to approval of tuition rates by the budget section of the legislative council.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 17 YEAS, 82 NAYS, 7 ABSENT AND NOT VOTING.

YEAS: Graba; Hanson, L.; Hill; Klundt; Koland; Laughlin; Marks; Melby; Mertens; Nelson, J.; Oban; O'Connell; O'Shea; Schneider; Shaw; Wilkie; Williams, W.

NAYS: Almlie; Anderson; Belter; Berg, G.; Berg, R.; Brokaw; Christman; Cleveland; Dalrymple; DeMers, J.;

DeMers, P.; Dorso; Dotzenrod; Enget; Flaagan; Frey;
 Gates; Gerntholz; Goetz; Gunsch; Halmrast; Hamerlik;
 Hanson, O.; Haugen; Haugland; Hausauer, A.;
 Hausauer, R.; Hokana; Kelly; Kent; Kingsbury; Knell;
 Knudson; Kolbo; Kretschmar; Kuchera; Lang; Larson;
 Lautenschlager; Linderman; Lindgren; Martin; Martinson;
 Meyer; Moore; Murphy; Myrdal; Nelson, C.; Nicholas;
 Nowatzki; Olsen, D.; Olson, A.; Olson, V.; Opedahl;
 Payne; Peterson; Rice; Riehl; Rydell; Scherber;
 Schindler; Shide; Shockman; Skjerven; Smette; Solberg;
 Sorensen; Starke; Strinden; Tokach; Tollefson; Tomac;
 Trautman; Ulmer; Vander Vorst; Wald; Watne; Wentz;
 Whalen; Williams, A.; Williams, C.; Winkelman

ABSENT AND NOT VOTING: Aas; Gorman; Hoffner; Shaft;
 Stofferahn; Thompson; Speaker Kloubec

HB 1655 was declared lost.

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

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.

Which has been read.

The question being on the adoption of the resolution.

HCR 3050 was declared adopted on a voice vote.

HCR 3018: A concurrent resolution directing the Legislative Council to study and determine alternatives to improve the committee structure for the appropriation process.

Which has been read.

The question being on the adoption of the resolution.

HCR 3018 was declared adopted on a voice vote.

REPORT OF STANDING COMMITTEE

MR. SPEAKER: Your Committee on Appropriations to which was referred HB 1639 has had the same under consideration and recommends by a vote of 16 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, line 1, after the words "A BILL" delete the remainder of the bill and insert in lieu thereof the following: "for an Act to authorize the industrial commission to issue evidences of indebtedness for the construction of various buildings and facilities at state agencies, departments, and institutions; to create and enact a new section to chapter 54-17.2 of the North Dakota Century Code, relating to evidences of indebtedness issued by the industrial commission and continued authority of the commission as the North Dakota building authority; to amend and reenact section 22 of chapter 571 of the 1985 Session Laws of North Dakota, relating to the continuing appropriation of moneys related to the projects; and to repeal section 21 of chapter 571 of the 1985 Session Laws of North Dakota, relating to projects authorized by the forty-ninth legislative assembly.

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

SECTION 1. A new section to chapter 54-17.2 of the North Dakota Century Code is hereby created and enacted to read as follows:

Evidences of indebtedness conditions - Continued authority. The industrial commission may issue evidences of indebtedness subject to the condition that lease rental payments shall begin no earlier than the first business day of the biennium following the biennium of issuance. Although the authority to issue evidences of indebtedness for specific projects may terminate, the industrial commission may exercise all other powers granted to the commission under this chapter and may comply with any covenants entered into before the applicable termination date.

SECTION 2. AMENDMENT. Section 22 of chapter 571 of the 1985 Session Laws of North Dakota is hereby amended and reenacted to read as follows:

SECTION 22. CONTINUING APPROPRIATION. The moneys received by the commission and the state agencies and institutions from the sale of evidences of indebtedness, lease rental payments, and from revenue generated by projects authorized under section 21 of this Act by the legislative assembly are hereby appropriated as a continuing appropriation for the acquisition of these authorized projects and the payment of lease rentals for these projects.

SECTION 3. AUTHORITY TO ISSUE EVIDENCES OF INDEBTEDNESS. The industrial commission may issue, until June 30, 1989, evidences of indebtedness under North Dakota Century Code chapter 54-17.2 to defray that portion of the

project costs associated with the acquisition or construction of the following projects hereby declared to be in the public interest:

NAME OF AGENCY, DEPARTMENT, OR INSTITUTION	TYPE OF FACILITY	CONSTRUCTION ACQUISITION FUNDS
North Dakota state university	Computer center	\$ 4,860,000
North Dakota state college of science	Agricultural mechanics building	2,589,000
University of North Dakota	Renovation and addition to Abbott Hall	5,825,000
University of North Dakota	Purchase of United Hospital - North Unit	1,900,000
State university of North Dakota-Minot	Library	6,300,000
International peace garden	Renovation of kitchen facilities and a wastewater disposal system	513,250
State university of North Dakota-Mayville	Alumni foundation - art gallery center	195,000
Bismarck state community college	Handicapped accessibility projects	372,500
North Dakota state university	Handicapped accessibility projects	169,000
North Dakota state university-Bottineau	Handicapped accessibility projects	131,100
State university of North Dakota-Mayville	Handicapped accessibility projects	231,400
State university of North Dakota-Minot	Handicapped accessibility projects	960,000
State university of North Dakota-Valley City	Handicapped accessibility projects	200,000
University of North Dakota	Handicapped accessibility projects	542,600
University of North Dakota	Aerospace science training facility	4,500,000
North Dakota state college of science-Devils Lake	Roof replacement	450,000
Total major capital construction		<u>\$29,738,850</u>

Provided, however, that the industrial commission shall first offer the evidences of indebtedness authorized under this section for sale to the Bank of North Dakota at a price that is as representative as possible of the current market interest rates for comparable securities purchased by the Bank of North Dakota, taking into consideration in the determination of price the costs of issuance including future administrative and other costs associated with

credit enhancements. If the price at which the evidences of indebtedness are offered for sale to the Bank of North Dakota including the consideration of all costs of issuance including future administrative fees and other costs associated with any credit enhancements is higher than the price available for the sale of evidences of indebtedness offered for sale with the same terms and conditions at public sale or through private negotiated sale under prevailing market conditions for comparable evidences of indebtedness, the industrial commission shall not sell the evidences of indebtedness to the Bank of North Dakota, but shall sell the evidences of indebtedness at either public sale or a private negotiated sale under whatever terms and conditions are authorized for the sale of evidences of indebtedness under North Dakota Century Code chapter 54-17.2.

SECTION 4. BUDGET SECTION APPROVAL OF BOND SALE OR LOAN FOR AEROSPACE SCIENCE TRAINING FACILITY. The attorney general shall review the lease agreement between the university of North Dakota and the lessee of the aerospace science training facility to determine if the commitment is adequate to ensure future lease payments. The attorney general shall report the findings to the legislative council's budget section. Based on the attorney general's findings, the budget section shall either approve or disapprove the sale of bonds or the execution of a loan from the Bank of North Dakota to finance the project.

SECTION 5. APPROPRIATION - ADDITIONAL FUNDS. In addition to the appropriations and authorizations set forth in this Act, there is hereby appropriated to the state institutions listed herein, any moneys available from federal or other sources to purchase, construct, or renovate the buildings and facilities set forth in this Act for the biennium beginning July 1, 1987, and ending June 30, 1989.

SECTION 6. REPEAL. Section 21 of chapter 571 of the 1985 Session Laws of North Dakota is hereby repealed."

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

A comparison of the projects included in the bill as introduced to the projects included in the bill as amended is as follows:

<u>Project</u>	<u>Amount in Introduced Bill</u>	<u>Amount in Amended Bill</u>	<u>Increase (Decrease)</u>
Computer Center at NDSU	\$ 4,860,000	\$ 4,860,000	\$ -0-
Agricultural mechanics building at the North Dakota State College of Science	2,589,000	2,589,000	-0-
Abbott Hall - UND	3,300,000	5,825,000	2,525,000
United Hospital - UND	1,900,000	1,900,000	-0-
Library - SUND-Minot	7,200,000	6,300,000	(900,000)
Kitchen and disposal system - Peace Garden	-0-	513,250	513,250
Art Gallery - SUND-Mayville	-0-	195,000	195,000
Handicapped accessibility projects	-0-	2,606,600	2,606,600
BSCC -	\$ 372,500		
NDSU -	169,000		
NDSU-Bottineau-	131,100		
SUND-Mayville -	231,400		
SUND-Minot -	960,000		
SUND-Valley -	200,000		
City			
UND -	542,600		
Total	\$2,606,600		
Aerospace Training Facility - UND	-0-	4,500,000	4,500,000
Roof Replacement - NDSCS- Devils Lake	-0-	450,000	450,000
Total	\$19,849,000	\$29,738,850	\$9,889,850

The bill as amended includes language not contained in the bill as introduced, among other changes, providing that the Industrial Commission shall first offer the evidences of indebtedness to the Bank of North Dakota.

REP. PETERSON, Chairman

HB 1639 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MOTION

REP. STRINDEN MOVED that the rules be suspended and that HB 1639 be placed on the Sixth order of business, and after action taken on the Sixth order, that HB 1639 be placed on the Eleventh order for second reading and final passage, which motion prevailed.

SIXTH ORDER OF BUSINESS

REP. PETERSON MOVED that the amendments to HB 1639 as recommended by the Committee on Appropriations be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

MOTION

REP. STRINDEN MOVED that a portion of Joint Rule No. 203 pertaining to all bills and resolutions being sent to the other house be suspended and the crossover date be designated as

5:00 p.m. on the Thirty-sixth Legislative Day, excluding those measures excepted in the rule, which motion prevailed.

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 1204, HB 1470, HB 1586, HB 1635

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to transmit herewith the following which the House has passed and your favorable consideration is requested on:

HCR 3018, HCR 3050

ROY GILBREATH, Chief Clerk

MOTIONS

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

REP. GOETZ MOVED that 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 1:00 p.m., Thursday, February 26, 1987, which motion prevailed.

FIRST READING OF HOUSE CONCURRENT RESOLUTIONS

Reps. Wentz, Frey, Gorman, J. DeMers introduced:

HCR 3077: A concurrent resolution directing the Legislative Council to study the extent to which differences in employee benefits between part-time and full-time employment in the private sector reflect a failure to provide economic benefits to part-time employees in the workplace.

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

Reps. Wald, Hoffner introduced:

HCR 3078: A concurrent resolution directing the Legislative Council to study fiscal aspects of the office of the court monitor which was created by the federal district court in the case concerning deinstitutionalization of developmentally disabled persons.

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

Reps. Wentz, Kuchera introduced:

HCR 3079: A concurrent resolution directing the Legislative Council to study the potential benefits to be derived from offering courses through the use of electronic media, including satellite dishes, cable and public television,

video cassettes, and video and telephone audiosystems, and the methods available to implement a system of telecommunications.

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

FIRST READING OF SENATE BILLS

SB 2006: A BILL for an Act making an appropriation for defraying the expenses of the state industrial school of the state of North Dakota.

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

SB 2007: A BILL for an Act making an appropriation for defraying the expenses of the school for the deaf and the school for the blind of the state of North Dakota.

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

SB 2008: A BILL for an Act making an appropriation for defraying the expenses of the state library of the state of North Dakota.

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

SB 2009: A BILL for an Act making an appropriation for defraying the expenses of the state penitentiary and various divisions thereof of the state of North Dakota and providing for a transfer from the North Dakota state penitentiary land fund.

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

SB 2011: A BILL for an Act making an appropriation for defraying the expenses of the division of emergency management of the state of North Dakota.

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

SB 2012: A BILL for an Act making an appropriation for defraying the expenses of the pardon board and the parole and probation office of the state of North Dakota.

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

SB 2013: A BILL for an Act making an appropriation for defraying the expenses of the adjutant general of the state of North Dakota; and providing for an appropriation and transfer of funds from the national guard tuition trust fund; to provide for a transfer of the proceeds from the sale of the Bismarck national guard armory to the general fund; and to amend and reenact section 37-07.1-06.1 of the North Dakota Century Code, relating to the North Dakota national guard tuition trust fund.

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

SB 2014: A BILL for an Act making an appropriation for defraying the expenses of the civil air patrol of the state of North Dakota; and providing legislative intent regarding budget control during the 1987-89 biennium.

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

SB 2020: A BILL for an Act making an appropriation for the homestead tax credit.

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

SB 2025: A BILL for an Act making an appropriation for defraying the expenses of various agricultural councils and commissions of the state of North Dakota.

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

SB 2026: A BILL for an Act making an appropriation for defraying the expenses of the state seed department of the state of North Dakota.

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

SB 2028: A BILL for an Act making an appropriation for defraying the expenses of the parks and recreation department of the state of North Dakota and providing for a transfer from the snowmobile fund and the trail tax transfer fund.

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

SB 2035: A BILL for an Act declaring a state wetlands policy; and to amend and reenact section 61-16.1-41 of the North Dakota Century Code, as amended by section 5 of chapter 665 of the 1985 Session Laws of North Dakota, relating to consideration of the state water resources policy prior to draining water.

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

SB 2059: A BILL for an Act to amend and reenact section 32-12.1-02 of the North Dakota Century Code, relating to the definitions concerning political subdivision liability.

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

SB 2184: A BILL for an Act to establish a state surface mining and reclamation bond fund.

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

SB 2185: A BILL for an Act to amend and reenact subsection 12.1 of section 38-14.1-02 of the North Dakota Century Code, relating to bonds issued under the state surface mining and reclamation bond fund.

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

SB 2259: A BILL for an Act to amend and reenact section 39-04-19 of the North Dakota Century Code, relating to vehicle registration fees; and to provide for a transfer of funds.

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

SB 2269: A BILL for an Act to amend and reenact subdivision c of subsection 4 and subdivision a of subsection 6 of section 65-13-03, and subsections 2 and 8 of section 65-13-06 of the North Dakota Century Code, relating to awards and limitations of crime victims reparations; and to repeal subsection 7 of section 65-13-06 of the North Dakota Century Code, relating to the minimum economic loss for crime victims reparations awards.

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

SB 2279: A BILL for an Act to amend and reenact subsection 2 of section 39-04-18 of the North Dakota Century Code, relating to exemptions from motor vehicle registration.

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

SB 2314: A BILL for an Act to amend and reenact section 50-25.1-13 of the North Dakota Century Code, relating to false reports of child abuse or neglect.

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

SB 2330: A BILL for an Act to create and enact a new section to chapter 50-06 of the North Dakota Century Code, relating to the exchange and transfer of mental health records within the department of human services and agencies under contract with the department.

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

SB 2366: A BILL for an Act to create and enact a new subsection to section 27-07.1-17 of the North Dakota Century Code, relating to the jurisdiction of the county court; and to amend and reenact subsection 1 of section 14-07.1-02 and section 14-07.1-08 of the North Dakota Century Code, relating to actions for an adult abuse protection order.

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

SB 2367: A BILL for an Act to amend and reenact sections 14-07.1-06 and 29-06-15 of the North Dakota Century Code, relating to arrest without warrant for domestic assault.
Was read the first time and referred to the Committee on Judiciary.

SB 2380: A BILL for an Act to create and enact a new section to chapter 5-02 of the North Dakota Century Code, relating to the sale on Sunday of beer and wine by eating establishments in conjunction with the sale of prepared meals; and to amend and reenact section 5-02-05 and subsection 37 of section 12.1-30-03 of the North Dakota Century Code, relating to the sale or consumption of alcoholic beverages on certain days and businesses authorized to operate on Sunday.
Was read the first time and referred to the Committee on Industry, Business and Labor.

SB 2440: A BILL for an Act to create and enact section 57-15-59 of the North Dakota Century Code, relating to counties and cities entering into long-term leases and dedicating taxes for regional, county, or municipal correction centers and law enforcement facilities.
Was read the first time and referred to the Committee on Political Subdivisions.

SB 2451: A BILL for an Act to create and enact a new section to chapter 20.1-05 of the North Dakota Century Code, relating to the taking of big game by blind persons.
Was read the first time and referred to the Committee on Natural Resources.

SB 2497: A BILL for an Act to create and enact a new section to chapter 18-10 of the North Dakota Century Code, relating to civil immunity for fire protection districts and district personnel; and to amend and reenact subsection 3 of section 32-12.1-03 of the North Dakota Century Code, relating to civil immunity for political subdivisions and subdivision employees.
Was read the first time and referred to the Committee on Political Subdivisions.

SB 2503: A BILL for an Act to create and enact a new section to chapter 15-39.1 of the North Dakota Century Code, relating to postretirement benefit adjustments under the teachers' fund for retirement; to amend and reenact subsection 1 of section 15-39.1-09, subsections 1 and 2 of section 15-39.1-10, and section 15-39.1-11 of the North Dakota Century Code, relating to assessment and contribution rates, payments of benefits, and vesting under the teachers' fund for retirement; and to provide for application of this Act.
Was read the first time and referred to the Committee on State and Federal Government.

SB 2507: A BILL for an Act to create and enact a new chapter to title 61 of the North Dakota Century Code, relating to wetlands; and to repeal section 61-16.1-52 of the North Dakota Century Code and section 61-16.1-41 of the North Dakota Century Code, as amended by section 5 of chapter 665 of the 1985 Session Laws, relating to drainage permits and closing drains.

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

SB 2532: A BILL for an Act to create and enact a new section to chapter 48-02 of the North Dakota Century Code, relating to bid requirements and acceptance for building and repair contracts; and to amend and reenact sections 48-02-04 and 48-02-06 of the North Dakota Century Code, relating to the contents of bid advertisements and awarding contracts.

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

SB 2543: A BILL for an Act to create and enact a new subsection to section 20.1-03-11 of the North Dakota Century Code, relating to deer hunting licenses issued to handicapped or permanently disabled persons.

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

FIRST READING OF SENATE CONCURRENT RESOLUTIONS

SCR 4020: A concurrent resolution regarding the approval of state agency use of block grant funds, and authorizing the Budget Section of the Legislative Council to hold the required legislative hearings on state plans for the receipt and expenditure of new or revised block grants as passed by Congress.

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

SCR 4035: A concurrent resolution urging the Agriculture Stabilization and Conservation Service to approve Brassica napus as a cover crop on set aside acreage.

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

SCR 4036: A concurrent resolution expressing the full support of the Fiftieth Legislative Assembly of North Dakota for the North Dakota Hall of Fame.

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

SCR 4042: A concurrent resolution directing the Legislative Council to study the life insurance needs of individuals born with incurable diseases.

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

SCR 4045: A concurrent resolution directing the Legislative Council to study the process of approving and ultimately prioritizing studies to be conducted by the Legislative Council.

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

SCR 4046: A concurrent resolution directing the Legislative Council to study the state's game and fish laws and rules, with an emphasis on the laws and rules concerning the issuance of game and fish licenses and the role of county auditors in the issuance of game and fish licenses.

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

SCR 4048: A concurrent resolution directing the Legislative Council to study the state's bountiful natural resources and outdoor recreation activities with an emphasis on the state's wildlife resources for the purpose of promoting tourism and economic development.

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

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

ROY GILBREATH, Chief Clerk