

JOURNAL OF THE HOUSE

Fiftieth Legislative Assembly

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THIRTY-SIXTH DAY

Bismarck, February 26, 1987

The House convened at 1:00 p.m., with Acting Speaker A. Hausauer presiding.

The prayer was offered by Duane Danielson, House of Prayer Lutheran Church, Bismarck, North Dakota.

ROLL CALL

The roll was called and all Representatives were present, except Representatives Aas, Hoffner, Shaft, Smette, C. Williams, and Speaker Kloubec.

A quorum was declared by Acting Speaker A. Hausauer.

LEGISLATIVE CHAPLAINCY SCHEDULE
OF DATES FOR THE HOUSE OF REPRESENTATIVES

| DATE | MARCH | CHURCH |
|-----------------------------------|--|--------------------------------|
| 2 Ed Johnson | | UTETC |
| 3 Otis Fisher | Christian and Missionary Alliance Church | |
| 4 Delmar Becker | | Grace Bible Church |
| 5 Patrick Moore | | St. Alexius Medical Center |
| 6 Ben Dove | | First Presbyterian, Mandan, ND |
| 9 Graef Gannon | | Presbyterian Reformed Church |
| 10 Jeff Hoppe | | Riverwood Baptist Fellowship |
| 11 Dennis Buchholz | | Great Plains Inst. of Theology |
| 12 A Girl Scout | | |
| 13 Debra Ball-Kilbourne | | First United Methodist |
| 16 Wallace Anderson | | Nazareth Lutheran, Cogswell |
| 17 Carol Potratz | | Bismarck Baptist |
| 18 Bob Schultz | | Church of Christ |
| 19 Dave Ewing | | Century Baptist |
| 20 Mark Dagley | | Presbyterian Reformed Church |
| 23 Jack Roth | | Metro Evangelical Church |
| 24 Barry Lee | | Church of God of Prophecy |
| 25 Tom Stark | | Capital City Christian |
| 26 Duane Danielson | | House of Prayer |
| 27 Joanne Spears | | Society of Friends |
| 30 W. H. Fanning | | Bethel Lutheran |
| 31 Bob Nordvall | | Charity Lutheran |

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-fifth Day and finds the same to be correct.

REP. THOMPSON, Chairman

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

SECOND READING OF HOUSE BILLS

HB 1448: A BILL for an Act to provide for the setting of rates to be paid for services provided to residents of nursing homes and to provide conditions for the receipt of medical assistance payments by nursing homes; to amend and reenact subsection 18 of section 54-12-01 of the North Dakota Century Code, relating to the duties of the attorney general regarding appointment of hearing officers; and to repeal subsection 21 of section 50-06-05.1 and section 50-24.1-09 of the North Dakota Century Code, relating to the powers and duties of the department of human services regarding administrative hearings and limitation on reimbursement of long-term care facilities.

Which has been read.

ROLL CALL

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

YEAS: 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; Mertens; Meyer; Moore; Murphy; Myrdal; Nelson, C.; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Peterson; Rice; Riehl; Rydell; Scherber; Schindler; Schneider; Shaw; Shide; Shockman; Skjerven; Solberg; Sorensen; Starke; Stofferahn; Strinden; Tokach; Tollefson; Tomac; Trautman; Ulmer; Vander Vorst; Wald; Watne; Wentz; Whalen; Wilkie; Williams, A.; Williams, C.; Williams, W.; Winkelman

NAYS: Melby; Nelson, J.; Opedahl; Thompson

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

HB 1448 passed and the title was agreed to.

HB 1602: A BILL for an Act to provide for the setting of rates to be paid for services provided to residents of nursing homes and to provide conditions for the receipt of medical assistance payments by nursing homes; to amend and reenact subsection 18 of section 54-12-01 of the North Dakota Century Code, relating to the duties of the attorney general regarding the appointment of hearing officers; and to repeal subsection 21 of section 50-06-05.1 and section 50-24.1-09 of the North Dakota Century Code, relating to the powers and duties of the department of human services regarding administrative hearings and limitation on reimbursement of long-term care facilities.

Which has been read.

ROLL CALL

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

YEAS: Belter; Christman; Dalrymple; Dorso; Enget; Flaagan; Gerntholz; Goetz; Gorman; Gunsch; Hanson, O.; Hill; Kingsbury; Knell; Koland; Kolbo; Kretschmar; Larson; Laughlin; Linderman; Lindgren; Martin; Melby; Myrdal; Nelson, J.; Nicholas; Nowatzki; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Peterson; Shide; Shockman; Skjerven; Solberg; Sorensen; Stofferahn; Tokach; Tollefson; Tomac; Ulmer; Vander Vorst; Wald; Whalen; Williams, A.

NAYS: Almlie; Anderson; Berg, G.; Berg, R.; Brokaw; Cleveland; DeMers, J.; DeMers, P.; Dotzenrod; Frey; Gates; Graba; Halmrast; Hamerlik; Hanson, L.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hokana; Kelly; Kent; Klundt; Knudson; Kuchera; Lang; Lautenschlager; Marks; Martinson; Mertens; Meyer; Moore; Murphy; Nelson, C.; Oban; O'Connell; Rice; Riehl; Rydell; Scherber; Schindler; Schneider; Shaw; Starke; Strinden; Thompson; Trautman; Watne; Wentz; Wilkie; Williams, C.; Williams, W.; Winkelman

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

HB 1602 was declared lost.

**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 2015, SB 2016, SB 2023, SB 2031, SB 2037, SB 2038,
SB 2063, SB 2286, SB 2351, SB 2393, SB 2406, SB 2418,
SB 2453, SB 2477, SB 2494, SB 2496, SB 2520, SB 2523
PERRY GROTEBERG, Secretary

MOTION

REP. KENT MOVED that the House reconsider its action whereby HB 1577 failed to pass for want of a Constitutional majority, which motion prevailed on a verification vote.

SECOND READING OF HOUSE BILL

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 82 YEAS, 19 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Almlie; Anderson; Belter; Berg, G.; Berg, R.; Christman; Cleveland; Dalrymple; DeMers, J.; DeMers, P.; Dotzenrod; Enget; Flaagan; Frey; Gates; Gerntholz; Goetz; Gorman; Halmrast; Hamerlik; Hanson, O.; Haugen; Haugland; Hausauer, R.; Hill; Hokana; Kelly; Kent; Klundt; Knell; Knudson; Koland; Kolbo; Kretschmar; Lang; Larson; Laughlin; Linderman; Lindgren; Martinson; Mertens; Meyer; Moore; Murphy; Myrdal; Nelson, C.; Nelson, J.; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Payne; Peterson; Rice; Riehl; Rydell; Scherber; Schindler; Schneider; Shaw; Shide; Shockman; Skjerven; Sorensen; Starke; Stofferahn; Strinden; Thompson; Tokach; Trautman; Ulmer; Vander Vorst; Wald; Wentz; Whalen; Wilkie; Williams, A.; Williams, C.; Winkelman

NAYS: Brokaw; Dorso; Graba; Gunsch; Hanson, L.; Hausauer, A.; Kingsbury; Kuchera; Lautenschlager; Marks; Martin; Melby; Opedahl; O'Shea; Solberg; Tollefson; Tomac; Watne; Williams, W.

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

HB 1577 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.

We have just considered two bills, HB 1448 and HB 1602, which are of significant importance to the state of North Dakota and to our citizens. We will be considering a resolution which will place a study committee to work with the nursing home industry, the health providers, and the Department of Human Services, to hopefully reconcile the differences which exist at the present time as well as to recommend to the next legislative session, changes which may be needed in HB 1448.

In my opinion the Legislature, the House of Representatives, made the right decision in passing HB 1448 and in rejecting HB 1602. As much as we respect the home care industry, the nursing home industry, and the providers and the excellent people we have working in this industry on behalf of many who need help and assistance, we would be wrong to place in our statute the type of requirements that only should be set by administrative decision and administrative control.

MOTION

REP. STOFFERAHN MOVED that the House reconsider its action whereby HB 1550 failed to pass, which motion prevailed on a verification vote.

SECOND READING OF HOUSE BILL

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 50 YEAS, 49 NAYS, 7 ABSENT AND NOT VOTING.

YEAS: Anderson; Belter; Berg, G.; Brokaw; Cleveland; Dalrymple; DeMers, J.; DeMers, P.; Dotzenrod; Enget; Frey; Gates; Graba; Halmrast; Hokana; Kelly; Kent; Klundt; Kolbo; Kuchera; Larson; Linderman; Lindgren; Martinson; Mertens; Meyer; Moore; Myrdal; Nelson, C.; Nowatzki; Oban; Riehl; Rydell; Scherber; Schneider; Shaw; Shockman; Skjerven; Solberg; Starke; Stofferahn; Thompson; Tomac; Ulmer; Vander Vorst; Watne; Wentz; Wilkie; Williams, A.; Winkelman

NAYS: Almlie; Berg, R.; Christman; Dorso; Flaagan; Gerntholz; Goetz; Gorman; Gunsch; Hamerlik; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hill; Kingsbury; Knell; Koland; Kretschmar; Lang; Laughlin; Lautenschlager; Marks; Martin; Melby; Nelson, J.; Nicholas; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Peterson; Rice; Schindler; Shide; Sorensen; Strinden; Tokach; Tollefson; Trautman; Wald; Whalen; Williams, C.; Williams, W.

ABSENT AND NOT VOTING: Aas; Hoffner; Knudson; Murphy; Shaft; Smette; Speaker Kloubec

HB 1550 was declared lost for want of a Constitutional majority.

MOTIONS

REP. A. OLSON MOVED that SB 2280 be returned to the House floor from the Committee on Natural Resources and be rereferred to the Committee on Transportation, which motion prevailed.

ACTING SPEAKER A. HAUSAUER ANNOUNCED that SB 2280 was rereferred to the Committee on Transportation.

REP. OBAN MOVED that the House reconsider its action whereby HB 1560 failed to pass for want of a Constitutional majority, which motion prevailed on a verification vote.

SECOND READING OF HOUSE BILL

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 56 YEAS, 45 NAYS, 5 ABSENT AND NOT VOTING.

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

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

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

HB 1560 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 2003, SB 2004, SB 2005, SB 2010, SB 2017, SB 2018,
SB 2030, SB 2078, SB 2079, SB 2166, SB 2172, SB 2220,
SB 2283, SB 2392, SB 2470, SB 2471, SB 2480, SB 2512,
SB 2535, SB 2536, SB 2537

PERRY GROTEBERG, Secretary

SECOND READING OF HOUSE BILL

HB 1610: A BILL for an Act to permit the levy by cities and counties, upon voter approval, of sales and use taxes and the levy by counties of motor vehicle registration fees and to provide for collection of motor vehicle registration fees imposed by counties by the registrar of motor vehicles; and to amend and reenact section 57-01-02.1 of the North Dakota Century Code, relating to tax collection agreements between the tax commissioner and cities or counties.

Which has been read.

MOTION

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

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 16 YEAS, 85 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Cleveland; Dotzenrod; Gates; Goetz; Gorman; Graba; Hausauer, A.; Lang; Larson; Lindgren; Moore; Scherber; Sorensen; Wald; Wentz; Winkelman

NAYS: Almlie; Anderson; Belter; Berg, G.; Berg, R.; Brokaw; Christman; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Enget; Flaagan; Frey; Gerntholz; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, R.; Hill; Hokana; Kelly; Kent; Kingsbury; Klundt; Knell; Knudson; Koland; Kolbo; Kretschmar; Kuchera; Laughlin; Lautenschlager; Linderman; Marks; Martin; Martinson; Melby; Mertens; Meyer; Murphy; Myrdal; Nelson, C.; Nelson, J.; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Peterson; Rice; Riehl; Rydell; Schindler; Schneider; Shaw; Shide; Shockman; Skjerven; Solberg; Starke; Stofferahn; Strinden; Thompson; Tokach; Tollefson; Tomac; Trautman; Ulmer; Vander Vorst; Watne; Whalen; Wilkie; Williams, A.; Williams, C.; Williams, W.

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

HB 1610 was declared lost.

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 1027, HB 1222, HB 1448, HB 1552, HB 1577, HB 1652

ROY GILBREATH, Chief Clerk

SECOND READING OF HOUSE BILL

HB 1589: A BILL for an Act to allow imposition of a county or city option sales tax upon voter approval; and to provide for the allocation of county or city sales tax revenue.

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 33 YEAS, 66 NAYS, 7 ABSENT AND NOT VOTING.

YEAS: Almlie; Berg, R.; Cleveland; Dorso; Dotzenrod; Gates; Gerntholz; Goetz; Gorman; Hamerlik; Hanson, L.; Haugen; Hausauer, A.; Hausauer, R.; Knudson; Kretschmar; Kuchera; Larson; Lindgren; Moore; Olson, A.; Olson, V.; Payne; Rice; Rydell; Scherber; Shide; Skjerven; Sorensen; Strinden; Wald; Wentz; Winkelman

NAYS: Anderson; Belter; Berg, G.; Brokaw; Christman; Dalrymple; DeMers, J.; DeMers, P.; Enget; Flaagan; Frey; Graba; Gunsch; Halmrast; Hanson, O.; Haugland; Hill; Hokana; Kelly; Kent; Kingsbury; Klundt; Knell; Koland; Kolbo; Lang; Laughlin; Lautenschlager; Linderman; Marks; Martin; Martinson; Melby; Mertens; Meyer; Murphy; Myrdal; Nelson, J.; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Opedahl; O'Shea; Riehl; Schindler; Schneider; Shaw; Shockman; Solberg; Starke; Stofferahn; Thompson; Tokach; Tollefson; Tomac; Trautman; Ulmer; Vander Vorst; Watne; Whalen; Wilkie; Williams, A.; Williams, C.; Williams, W.

ABSENT AND NOT VOTING: Aas; Hoffner; Nelson, C.; Peterson; Shaft; Smette; Speaker Kloubec

HB 1589 was declared lost.

SPECIAL ORDER OF BUSINESS

REP. STRINDEN MOVED that a committee of two be appointed to escort Colonel Robert Parker, Grand Forks Air Force Base, to the rostrum, which motion prevailed.

ACTING SPEAKER A. HAUSAUER APPOINTED Reps. Graba and Kuchera to such committee and Colonel Parker was escorted to the rostrum.

MOTION

REP. STRINDEN MOVED that HB 1630, HB 1617, and HB 1639 be placed at the top of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1630: A BILL for an Act to amend and reenact subsections 1 and 10 of section 10-06-13 of the North Dakota Century Code, relating to deeds conveying farmland or ranchland to a corporation; 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 57 YEAS, 44 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Anderson; Berg, G.; Brokaw; Christman; Cleveland; DeMers, J.; DeMers, P.; Enget; Flaagan; Frey; Gerntholz; Graba; Gunsch; Hanson, L.; Hanson, O.; Haugland; Hill; Hokana; Kelly; Klundt; Knell; Knudson; Kolbo; Laughlin; Lautenschlager; Linderman; Marks; Mertens; Meyer; Murphy; Myrdal; Nelson, C.; Nelson, J.; Nowatzki; Oban; O'Connell; Olson, V.; Opedahl; O'Shea; Peterson; Riehl; Scherber; Schneider; Shockman; Skjerven; Solberg; Starke; Stofferahn; Tokach; Tomac;

Ulmer; Watne; Wentz; Wilkie; Williams, C.;
Williams, W.; Winkelman

NAYS: Almlie; Belter; Berg, R.; Dalrymple; Dorso;
Dotzenrod; Gates; Goetz; Gorman; Halmrast; Hamerlik;
Haugen; Hausauer, A.; Hausauer, R.; Kent; Kingsbury;
Koland; Kretschmar; Kuchera; Lang; Larson; Lindgren;
Martin; Martinson; Melby; Moore; Nicholas; Olsen, D.;
Olson, A.; Payne; Rice; Rydell; Schindler; Shaw; Shide;
Sorensen; Strinden; Thompson; Tollefson; Trautman;
Vander Vorst; Wald; Whalen; Williams, A.

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

HB 1630 passed and the title was agreed to.

RECOGNITION

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

SECOND READING OF HOUSE BILL

HB 1617: A BILL for an Act to create and enact section 51-14-03.1 of the North Dakota Century Code, relating to credit service charges on certain credit cards; and to amend and reenact subsection 1 of section 51-14-01 of the North Dakota Century Code, relating to the definition of credit service charge.

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 35 YEAS, 66 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Brokaw; DeMers, J.; DeMers, P.; Flaagan; Frey;
Graba; Hanson, L.; Hill; Hokana; Kelly; Klundt;
Knudson; Kolbo; Laughlin; Linderman; Marks; Mertens;
Meyer; Murphy; Nelson, C.; Nelson, J.; Nowatzki;
O'Connell; Opedahl; O'Shea; Riehl; Scherber; Schneider;
Shockman; Starke; Stofferahn; Tomac; Wilkie;
Williams, A.; Williams, W.

NAYS: Almlie; Anderson; Belter; Berg, G.; Berg, R.;
Christman; Cleveland; Dalrymple; Dorso; Dotzenrod;
Enget; Gates; Gerntholz; Goetz; Gorman; Gunsch;
Halmrast; Hamerlik; Hanson, O.; Haugen; Haugland;
Hausauer, A.; Hausauer, R.; Kent; Kingsbury; Knell;
Koland; Kretschmar; Kuchera; Lang; Larson;

Lautenschlager; Lindgren; Martin; Martinson; Melby; Moore; Myrdal; Nicholas; Oban; Olsen, D.; Olson, A.; Olson, V.; Payne; Peterson; Rice; Rydell; Schindler; Shaw; Shide; Skjerven; Solberg; Sorensen; Strinden; Thompson; Tokach; Tollefson; Trautman; Ulmer; Vander Vorst; Wald; Watne; Wentz; Whalen; Williams, C.; Winkelman

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

HB 1617 was declared lost.

REQUEST

REP. R. BERG REQUESTED that the question of the final passage of HB 1639 be divided to have the sections voted on separately in the following manner, which request was granted.

DIVISION A

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.

That portion of Section 3 that reads as follows:

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:

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 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:

| Project | Amount in Introduced Bill | Amount in Amended Bill | Increase (Decrease) |
|---|------------------------------|---------------------------|------------------------|
| 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.

DIVISION B

| | | |
|-------------------------------|-----------------|--------------|
| North Dakota state university | Computer center | \$ 4,860,000 |
|-------------------------------|-----------------|--------------|

DIVISION C

| | | |
|---------------------------------------|---------------------------------|-----------|
| North Dakota state college of science | Agricultural mechanics building | 2,589,000 |
|---------------------------------------|---------------------------------|-----------|

DIVISION D

| | | |
|----------------------------|--|-----------|
| University of North Dakota | Renovation and addition to Abbott Hall | 5,825,000 |
|----------------------------|--|-----------|

DIVISION E

| | | |
|----------------------------|--|-----------|
| University of North Dakota | Purchase of United Hospital - North Unit | 1,900,000 |
|----------------------------|--|-----------|

DIVISION F

| | | |
|--|---------|-----------|
| State university of North Dakota-Minot | Library | 6,300,000 |
|--|---------|-----------|

DIVISION G

| | | |
|----------------------------|---|---------|
| International peace garden | Renovation of kitchen facilities and a wastewater disposal system | 513,250 |
|----------------------------|---|---------|

DIVISION H

| | | |
|---|--|---------|
| State university of North Dakota-Mayville | Alumni foundation - art gallery center | 195,000 |
|---|--|---------|

DIVISION I

| | | |
|--|------------------------------------|---------|
| 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 |

DIVISION J

University of North
Dakota

Aerospace science training 4,500,000
facility

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.

DIVISION K

North Dakota state
college of science-
Devils Lake

Roof replacement

450,000

The question then was on the passage of Division A of the divided question.

ROLL CALL

The roll was called and there were 85 YEAS, 13 NAYS, 8 ABSENT AND NOT VOTING.

YEAS: Almlie; Anderson; Belter; Berg, G.; Berg, R.; Brokaw; Christman; Cleveland; 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; Koland; Kolbo; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Marks; Martin; Martinson; Mertens; Moore; Myrdal; Nelson, C.; Nelson, J.; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Opedahl; Payne; Peterson; Rice; Rydell; Scherber; Schindler; Schneider; Shaw; Shide; Sorensen; Starke; Stofferahn; Strinden; Thompson; Tollefson; Trautman; Ulmer; Vander Vorst; Wentz; Wilkie; Williams, A.; Williams, C.; Williams, W.; Winkelman

NAYS: Knudson; Melby; Meyer; Murphy; Olson, V.; O'Shea; Riehl; Shockman; Skjerven; Solberg; Tokach; Tomac; Whalen

ABSENT AND NOT VOTING: Aas; Dalrymple; Hoffner; Shaft; Smette; Wald; Watne; Speaker Kloubec

So Division A was declared passed.

The question then was on the passage of Division B of the divided question.

ROLL CALL

The roll was called and there were 68 YEAS, 30 NAYS, 8 ABSENT AND NOT VOTING.

YEAS: Almlie; Belter; Berg, G.; Berg, R.; Christman; Cleveland; DeMers, J.; Dorso; Dotzenrod; Flaagan; Frey; Gates; Goetz; Gorman; Graba; Gunsch; Hamerlik; Hanson, O.; Haugland; Hausauer, R.; Hill; Hokana; Kelly; Kent; Kingsbury; Klundt; Knell; Koland; Kolbo; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Marks; Martinson; Mertens; Moore; Nelson, C.; Nicholas; Nowatzki; Oban; O'Connell; Opedahl; O'Shea; Payne; Peterson; Rice; Riehl; Rydell; Scherber; Schneider; Sorensen; Starke; Stofferahn; Strinden; Tollefson; Trautman; Wald; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Winkelman

NAYS: Anderson; Brokaw; DeMers, P.; Enget; Gerntholz; Halmrast; Hanson, L.; Haugen; Hausauer, A.; Knudson; Martin; Melby; Murphy; Myrdal; Nelson, J.; Olsen, D.; Olson, A.; Olson, V.; Schindler; Shaw; Shide; Shockman; Skjerven; Solberg; Thompson; Tokach; Tomac; Vander Vorst; Whalen; Wilkie

ABSENT AND NOT VOTING: Aas; Dalrymple; Hoffner; Meyer; Shaft; Smette; Ulmer; Speaker Kloubec

So Division B was declared passed.

The question then was on the passage of Division C of the divided question.

ROLL CALL

The roll was called and there were 55 YEAS, 44 NAYS, 7 ABSENT AND NOT VOTING.

YEAS: Almlie; Berg, G.; Berg, R.; Brokaw; Cleveland; DeMers, J.; Dotzenrod; Flaagan; Frey; Gates; Gorman; Graba; Gunsch; Hamerlik; Haugland; Hausauer, R.; Hokana; Kelly; Kent; Kingsbury; Knell; Koland; Kolbo; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Marks; Martinson; Mertens; Nelson, C.; Nicholas; Nowatzki; Oban; O'Connell; Payne; Peterson; Rice; Riehl; Scherber; Schindler; Schneider; Stofferahn; Strinden; Tollefson; Vander Vorst; Wentz; Williams, A.; Williams, C.; Williams, W.; Winkelman

NAYS: Anderson; Belter; Christman; DeMers, P.; Dorso; Enget; Gerntholz; Goetz; Halmrast; Hanson, L.; Hanson, O.; Haugen; Hausauer, A.; Hill; Klundt; Knudson; Martin; Melby; Moore; Murphy; Myrdal; Nelson, J.; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Rydell; Shaw; Shide; Shockman; Skjerven; Solberg; Sorensen; Starke; Thompson; Tokach; Tomac; Trautman; Ulmer; Wald; Watne; Whalen; Wilkie

ABSENT AND NOT VOTING: Aas; Dalrymple; Hoffner; Meyer; Shaft; Smette; Speaker Kloubec

So Division C was declared passed.

The question then was on the passage of Division D of the divided question.

ROLL CALL

The roll was called and there were 42 YEAS, 57 NAYS, 7 ABSENT AND NOT VOTING.

YEAS: Almlie; Berg, G.; Cleveland; DeMers, J.; Flaagan; Gates; Gorman; Graba; Hamerlik; Haugland; Hausauer, R.; Kelly; Kent; Kingsbury; Kolbo; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Martinson; Mertens; Myrdal; Nelson, C.; Nicholas; Nowatzki; Payne; Peterson; Rice; Rydell; Scherber; Schneider; Shockman; Strinden; Tollefson; Wald; Wentz; Williams, C.; Winkelman

NAYS: Anderson; Belter; Berg, R.; Brokaw; Christman; DeMers, P.; Dorso; Dotzenrod; Enget; Frey; Gerntholz; Goetz; Gunsch; Halmrast; Hanson, L.; Hanson, O.; Haugen; Hausauer, A.; Hill; Hokana; Klundt; Knell; Knudson; Koland; Marks; Martin; Melby; Moore; Murphy; Nelson, J.; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Riehl; Schindler; Shaw; Shide; Skjerven; Solberg; Sorensen; Starke; Stofferahn; Thompson; Tokach; Tomac; Trautman; Ulmer; Vander Vorst; Watne; Whalen; Wilkie; Williams, A.; Williams, W.

ABSENT AND NOT VOTING: Aas; Dalrymple; Hoffner; Meyer; Shaft; Smette; Speaker Kloubec

So Division D was declared lost.

MOTION

REP. STOFFERAHN MOVED that the House reconsider its action whereby Division D failed to pass, which motion prevailed.

REQUEST

REP. KINGSBURY REQUESTED the unanimous consent of the House to amend Division D as follows:

On page 2, line 24, delete the figure "5,825,000" and insert in lieu thereof the figure "2,525,000"

There being an objection, the request to amend Division D of HB 1639 was not granted in accordance with House Rules.

The question then being on the passage of Division D of the divided question.

ROLL CALL

The roll was called and there were 50 YEAS, 49 NAYS, 7 ABSENT AND NOT VOTING.

YEAS: Almlie; Berg, G.; Berg, R.; Cleveland; DeMers, J.; Dotzenrod; Flaagan; Gates; Gorman; Graba; Gunsch; Hamerlik; Haugland; Hausauer, R.; Kelly; Kent; Kingsbury; Klundt; Kolbo; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Martinson; Mertens; Myrdal; Nelson, C.; Nicholas; Nowatzki; Olson, A.; Opedahl; Payne; Peterson; Rice; Rydell; Scherber; Schneider; Shockman; Strinden; Tollefson; Ulmer; Wald; Wentz; Williams, A.; Williams, C.; Winkelman

NAYS: Anderson; Belter; Brokaw; Christman; DeMers, P.; Dorso; Enget; Frey; Gerntholz; Goetz; Halmrast; Hanson, L.; Hanson, O.; Haugen; Hausauer, A.; Hill; Hokana; Knell; Knudson; Koland; Marks; Martin; Melby; Moore; Murphy; Nelson, J.; Oban; O'Connell; Olsen, D.; Olson, V.; O'Shea; Riehl; Schindler; Shaw; Shide; Skjerven; Solberg; Sorensen; Starke; Stofferahn; Thompson; Tokach; Tomac; Trautman; Vander Vorst; Watne; Whalen; Wilkie; Williams, W.

ABSENT AND NOT VOTING: Aas; Dalrymple; Hoffner; Meyer; Shaft; Smette; Speaker Kloubec

Division D was declared passed.

The question then was on the passage of Division E of the divided question.

ROLL CALL

The roll was called and there were 43 YEAS, 56 NAYS, 7 ABSENT AND NOT VOTING.

YEAS: Almlie; Berg, G.; Berg, R.; Cleveland; DeMers, J.; Flaagan; Frey; Gates; Gorman; Graba; Gunsch; Hamerlik; Haugland; Hausauer, R.; Kelly; Kent; Kingsbury; Knell; Kolbo; Kretschmar; Kuchera; Laughlin; Lautenschlager; Linderman; Martinson; Mertens; Nicholas; Nowatzki; Payne; Peterson; Rice; Rydell; Scherber; Schneider; Stofferahn; Strinden; Tollefson; Trautman; Ulmer; Wald; Wentz; Williams, C.; Winkelman

NAYS: Anderson; Belter; Brokaw; Christman; DeMers, P.; Dorso; Dotzenrod; Enget; Gerntholz; Goetz; Halmrast; Hanson, L.; Hanson, O.; Haugen; Hausauer, A.; Hill; Hokana; Klundt; Knudson; Koland; Lang; Larson; Lindgren; Marks; Martin; Melby; Moore; Murphy; Myrdal; Nelson, C.; Nelson, J.; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Riehl; Schindler; Shaw; Shide; Shockman; Skjerven; Solberg; Sorensen; Starke; Thompson; Tokach; Tomac; Vander Vorst; Watne; Whalen; Wilkie; Williams, A.; Williams, W.

ABSENT AND NOT VOTING: Aas; Dalrymple; Hoffner; Meyer; Shaft; Smette; Speaker Kloubec

So Division E was declared lost.

The question then was on the passage of Division F of the divided question.

ROLL CALL

The roll was called and there were 61 YEAS, 37 NAYS, 8 ABSENT AND NOT VOTING.

YEAS: Almlie; Berg, G.; Berg, R.; Brokaw; Cleveland; DeMers, J.; Dotzenrod; Flaagan; Frey; Gates; Gorman; Graba; Gunsch; Hamerlik; Hanson, O.; Haugland; Hausauer, R.; Hokana; Kelly; Kent; Kingsbury; Knell; Koland; Kolbo; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Marks; Martinson; Mertens; Moore; Myrdal; Nelson, C.; Nelson, J.; Nicholas; Nowatzki; Oban; O'Connell; Olson, A.; Opedahl; Payne; Peterson; Rice; Rydell; Schindler; Schneider; Shaw; Shockman; Stofferahn; Strinden; Tollefson; Ulmer; Vander Vorst; Wentz; Williams, C.; Winkelman

NAYS: Anderson; Belter; Christman; DeMers, P.; Dorso; Enget; Gerntholz; Goetz; Halmrast; Hanson, L.; Haugen; Hausauer, A.; Hill; Klundt; Knudson; Martin; Melby; Murphy; Olsen, D.; Olson, V.; O'Shea; Riehl; Scherber; Shide; Skjerven; Solberg; Sorensen; Starke; Thompson; Tokach; Tomac; Trautman; Watne; Whalen; Wilkie; Williams, A.; Williams, W.

ABSENT AND NOT VOTING: Aas; Dalrymple; Hoffner; Meyer; Shaft; Smette; Wald; Speaker Kloubec

So Division F was declared passed.

The question then was on the passage of Division G of the divided question.

ROLL CALL

The roll was called and there were 63 YEAS, 36 NAYS, 7 ABSENT AND NOT VOTING.

YEAS: Almlie; Berg, G.; Berg, R.; Christman; Cleveland; DeMers, J.; DeMers, P.; Dotzenrod; Enget; Flaagan; Frey; Gates; Gerntholz; Gorman; Graba; Gunsch; Hamerlik; Haugland; Hausauer, R.; Hill; Hokana; Kelly; Kent; Kingsbury; Klundt; Koland; Kolbo; Kretschmar; Kuchera; Lang; Laughlin; Lautenschlager; Linderman; Martinson; Mertens; Myrdal; Nelson, J.; Nicholas; Nowatzki; Oban; O'Connell; Olson, A.; Opedahl; O'Shea; Payne; Peterson; Rice; Riehl; Rydell; Schneider; Skjerven; Starke; Stofferahn; Strinden; Tollefson; Trautman; Vander Vorst; Watne; Wentz; Wilkie; Williams, A.; Williams, C.; Winkelman

NAYS: Anderson; Belter; Brokaw; Dorso; Goetz; Halmrast; Hanson, L.; Hanson, O.; Haugen; Hausauer, A.; Knell; Knudson; Larson; Lindgren; Marks; Martin; Melby; Moore; Murphy; Nelson, C.; Olsen, D.; Olson, V.; Scherber; Schindler; Shaw; Shide; Shockman; Solberg; Sorensen; Thompson; Tokach; Tomac; Ulmer; Wald; Whalen; Williams, W.

ABSENT AND NOT VOTING: Aas; Dalrymple; Hoffner; Meyer; Shaft; Smette; Speaker Kloubec

So Division G was declared passed.

The question then was on the passage of Division H of the divided question.

ROLL CALL

The roll was called and there were 40 YEAS, 60 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Almlie; Berg, G.; Berg, R.; Cleveland; DeMers, J.; Dotzenrod; Flaagan; Gates; Gorman; Graba; Gunsch; Hamerlik; Haugland; Hausauer, R.; Hokana; Kelly; Kent; Kingsbury; Kolbo; Kretschmar; Kuchera; Lang; Laughlin; Lautenschlager; Linderman; Lindgren; Martinson; Mertens; Nicholas; Nowatzki; Payne; Peterson; Rydell; Schneider; Stofferahn; Strinden; Tollefson; Wentz; Williams, A.; Williams, C.

NAYS: Anderson; Belter; Brokaw; Christman; DeMers, P.; Dorso; Enget; Frey; Gerntholz; Goetz; Halmrast; Hanson, L.; Hanson, O.; Haugen; Hausauer, A.; Hill; Klundt; Knell; Knudson; Koland; Larson; Marks; Martin; Melby; Meyer; Moore; Murphy; Myrdal; Nelson, C.;

Nelson, J.; Oban; O'Connell; Olsen, D.; Olson, A.;
Olson, V.; Opedahl; O'Shea; Rice; Riehl; Scherber;
Schindler; Shaw; Shide; Shockman; Skjerven; Solberg;
Sorensen; Starke; Thompson; Tokach; Tomac; Trautman;
Ulmer; Vander Vorst; Wald; Watne; Whalen; Wilkie;
Williams, W.; Winkelman

ABSENT AND NOT VOTING: Aas; Dalrymple; Hoffner; Shaft;
Smette; Speaker Kloubec

So Division H was declared lost.

The question then was on the passage of Division I of the divided question.

ROLL CALL

The roll was called and there were 75 YEAS, 24 NAYS, 7 ABSENT AND NOT VOTING.

YEAS: Berg, G.; Berg, R.; Brokaw; Christman; Cleveland;
DeMers, J.; DeMers, P.; Dotzenrod; Enget; Flaagan;
Frey; Gates; Gorman; Graba; Gunsch; Halmrast; Hamerlik;
Hanson, L.; Haugland; Hausauer, R.; Hill; Hokana;
Kelly; Kingsbury; Klundt; Koland; Kolbo; Kretschmar;
Kuchera; Lang; Laughlin; Lautenschlager; Linderman;
Lindgren; Marks; Martinson; Melby; Mertens; Meyer;
Moore; Murphy; Myrdal; Nelson, C.; Nicholas; Nowatzki;
Oban; O'Connell; Olson, A.; Opedahl; O'Shea; Payne;
Peterson; Rice; Riehl; Rydell; Scherber; Schindler;
Schneider; Shaw; Shockman; Solberg; Sorensen; Starke;
Stofferahn; Tollefson; Trautman; Ulmer; Vander Vorst;
Watne; Wentz; Wilkie; Williams, A.; Williams, C.;
Williams, W.; Winkelman

NAYS: Almlie; Anderson; Belter; Dorso; Gerntholz; Goetz;
Hanson, O.; Haugen; Hausauer, A.; Kent; Knell; Knudson;
Larson; Martin; Nelson, J.; Olsen, D.; Olson, V.;
Shide; Skjerven; Thompson; Tokach; Tomac; Wald; Whalen

ABSENT AND NOT VOTING: Aas; Dalrymple; Hoffner; Shaft;
Smette; Strinden; Speaker Kloubec

So Division I was declared passed.

The question then was on the passage of Division J of the divided question.

ROLL CALL

The roll was called and there were 73 YEAS, 24 NAYS, 9 ABSENT AND NOT VOTING.

YEAS: Almlie; Belter; Berg, G.; Berg, R.; Brokaw;
Cleveland; DeMers, J.; Dorso; Dotzenrod; Flaagan; Frey;
Gates; Gerntholz; Gorman; Graba; Gunsch; Halmrast;

Hamerlik; Haugland; Hausauer, A.; Hausauer, R.; Hill; Hokana; Kelly; Kent; Kingsbury; Klundt; Knell; Kolbo; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Mertens; Meyer; Moore; Myrdal; Nelson, J.; Nicholas; Nowatzki; Oban; O'Connell; Olson, A.; Opedahl; O'Shea; Payne; Peterson; Rice; Riehl; Rydell; Scherber; Schneider; Shaw; Skjerven; Solberg; Sorensen; Starke; Stofferahn; Thompson; Tollefson; Trautman; Ulmer; Wald; Watne; Wentz; Wilkie; Williams, A.; Williams, C.; Winkelman

NAYS: Anderson; Christman; DeMers, P.; Enget; Goetz; Hanson, L.; Hanson, O.; Haugen; Knudson; Koland; Marks; Martin; Melby; Murphy; Olsen, D.; Olson, V.; Schindler; Shide; Shockman; Tokach; Tomac; Vander Vorst; Whalen; Williams, W.

ABSENT AND NOT VOTING: Aas; Dalrymple; Hoffner; Martinson; Nelson, C.; Shaft; Smette; Strinden; Speaker Kloubec

So Division J was declared passed.

The question then was on the passage of Division K of the divided question.

ROLL CALL

The roll was called and there were 64 YEAS, 35 NAYS, 7 ABSENT AND NOT VOTING.

YEAS: Aas; Almlie; Berg, G.; Berg, R.; Brokaw; Cleveland; DeMers, J.; DeMers, P.; Dotzenrod; Enget; Flaagan; Frey; Gates; Gorman; Graba; Gunsch; Halmrast; Hamerlik; Haugland; Hausauer, R.; Hokana; Kelly; Kent; Kingsbury; Klundt; Kolbo; Kretschmar; Lang; Laughlin; Lautenschlager; Linderman; Marks; Mertens; Meyer; Moore; Nelson, J.; Nicholas; Nowatzki; Oban; O'Connell; Opedahl; Payne; Peterson; Rice; Riehl; Rydell; Scherber; Schneider; Shaw; Shockman; Skjerven; Starke; Stofferahn; Tollefson; Trautman; Ulmer; Vander Vorst; Wald; Watne; Wentz; Wilkie; Williams, A.; Williams, C.; Williams, W.

NAYS: Anderson; Belter; Christman; Dorso; Gerntholz; Goetz; Hanson, L.; Hanson, O.; Haugen; Hausauer, A.; Hill; Knell; Knudson; Koland; Kuchera; Larson; Lindgren; Martin; Melby; Murphy; Myrdal; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Schindler; Shaft; Shide; Solberg; Sorensen; Thompson; Tokach; Tomac; Whalen; Winkelman

ABSENT AND NOT VOTING: Dalrymple; Hoffner; Martinson; Nelson, C.; Smette; Strinden; Speaker Kloubec

So Division K was declared passed.

The question then was on the final passage of HB 1639, including Divisions A, B, C, D, F, G, I, J, K, and excluding Divisions E, H, with lines, sections, and pages renumbered accordingly.

ROLL CALL

The roll was called and there were 43 YEAS, 57 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Aas; Berg, G.; Berg, R.; Cleveland; DeMers, J.; Flaagan; Frey; Gates; Gorman; Graba; Hamerlik; Haugland; Hausauer, R.; Hokana; Kelly; Kingsbury; Koland; Kolbo; Kretschmar; Kuchera; Laughlin; Lautenschlager; Linderman; Mertens; Moore; Nelson, C.; Nicholas; Nowatzki; Oban; O'Connell; Opedahl; Payne; Peterson; Rice; Rydell; Scherber; Schneider; Shaft; Stofferahn; Tollefson; Wentz; Williams, C.; Winkelman

NAYS: Almlie; Anderson; Belter; Brokaw; Christman; DeMers, P.; Dorso; Dotzenrod; Enget; Gerntholz; Goetz; Gunsch; Halmrast; Hanson, L.; Hanson, O.; Haugen; Hausauer, A.; Hill; Kent; Klundt; Knell; Knudson; Lang; Larson; Lindgren; Marks; Martin; Melby; Meyer; Murphy; Myrdal; Nelson, J.; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Riehl; Schindler; Shaw; Shide; Shockman; Skjerven; Solberg; Sorensen; Starke; Thompson; Tokach; Tomac; Trautman; Ulmer; Vander Vorst; Wald; Watne; Whalen; Wilkie; Williams, A.; Williams, W.

ABSENT AND NOT VOTING: Dalrymple; Hoffner; Martinson; Smette; Strinden; Speaker Kloubec

HB 1639, including Divisions A, B, C, D, F, G, I, J, and K, and excluding Divisions E and H, was declared lost.

MOTION

REP. A. OLSON MOVED that the House reconsider its action whereby HB 1474 failed to pass, which motion prevailed on a verification vote.

SECOND READING OF HOUSE BILLS

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 64 YEAS, 34 NAYS, 8 ABSENT AND NOT VOTING.

YEAS: Aas; Anderson; Belter; Brokaw; Christman; Cleveland; DeMers, J.; DeMers, P.; Dorso; Enget; Frey; Gates; Gerntholz; Gorman; Graba; Halmrast; Hamerlik; Hanson, L.; Haugen; Hill; Kelly; Klundt; Knudson; Koland; Kolbo; Kretschmar; Kuchera; Larson; Lautenschlager; Linderman; Lindgren; Marks; Mertens; Meyer; Moore; Myrdal; Nelson, C.; Nowatzki; Oban; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Rice; Riehl; Rydell; Scherber; Schindler; Schneider; Shaft; Skjerven; Sorensen; Starke; Stofferahn; Tollefson; Trautman; Ulmer; Watne; Wentz; Wilkie; Williams, A.; Williams, C.; Williams, W.

NAYS: Almlie; Berg, G.; Berg, R.; Dotzenrod; Flaagan; Goetz; Gunsch; Hanson, O.; Haugland; Hausauer, A.; Hausauer, R.; Hokana; Kent; Kingsbury; Knell; Laughlin; Martin; Melby; Murphy; Nelson, J.; Nicholas; O'Connell; Olsen, D.; Shaw; Shide; Shockman; Solberg; Thompson; Tokach; Tomac; Vander Vorst; Wald; Whalen; Winkelman

ABSENT AND NOT VOTING: Dalrymple; Hoffner; Lang; Martinson; Peterson; Smette; Strinden; Speaker Kloubec

HB 1474 passed and the title was agreed to.

HB 1303: A BILL for an Act to amend and reenact subdivision d of subsection 12 of section 65-01-02 of the North Dakota Century Code, relating to definition of diseases fairly traceable to employment under the workmen's compensation law.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 53 YEAS, 44 NAYS, 9 ABSENT AND NOT VOTING.

YEAS: Almlie; Berg, G.; Brokaw; Cleveland; DeMers, J.; DeMers, P.; Flaagan; Frey; Gerntholz; Graba; Halmrast; Hamerlik; Hanson, L.; Haugland; Hill; Hokana; Kelly; Kingsbury; Klundt; Knudson; Kolbo; Kretschmar; Laughlin; Lautenschlager; Linderman; Lindgren; Marks; Martin; Mertens; Meyer; Nelson, C.; Nelson, J.; Nicholas; Nowatzki; Oban; O'Connell; Opedahl; O'Shea; Riehl; Scherber; Schneider; Shaw; Shockman; Skjerven;

Solberg; Stofferahn; Tomac; Ulmer; Watne; Wentz;
Wilkie; Williams, C.; Williams, W.

NAYS: Aas; Anderson; Belter; Berg, R.; Christman; Dorso;
Dotzenrod; Enget; Gates; Goetz; Gorman; Gunsch;
Hanson, O.; Haugen; Hausauer, A.; Hausauer, R.; Kent;
Knell; Koland; Lang; Larson; Melby; Moore; Murphy;
Myrdal; Olsen, D.; Olson, A.; Olson, V.; Payne; Rice;
Schindler; Shaft; Shide; Sorensen; Starke; Thompson;
Tokach; Tollefson; Trautman; Vander Vorst; Wald;
Whalen; Williams, A.; Winkelman

ABSENT AND NOT VOTING: Dalrymple; Hoffner; Kuchera;
Martinson; Peterson; Rydell; Smette; Strinden;
Speaker Kloubec

HB 1303 was declared lost for want of a Constitutional majority.

HB 1358: A BILL for an Act to create and enact a new section to chapter 34-02 of the North Dakota Century Code, relating to benefits for part-time employees.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 38 YEAS, 59 NAYS, 9 ABSENT AND NOT VOTING.

YEAS: Berg, G.; Brokaw; DeMers, J.; DeMers, P.; Frey;
Gorman; Graba; Halmrast; Hanson, L.; Haugland;
Hausauer, A.; Hill; Hokana; Kelly; Klundt; Kolbo;
Lautenschlager; Linderman; Marks; Mertens; Murphy;
Myrdal; Nelson, C.; Nelson, J.; Oban; O'Connell;
Opedahl; O'Shea; Scherber; Schneider; Shaw; Shockman;
Starke; Stofferahn; Ulmer; Watne; Wentz; Williams, W.

NAYS: Aas; Almlie; Anderson; Belter; Berg, R.; Christman;
Cleveland; Dorso; Dotzenrod; Enget; Flaagan; Gates;
Gerntholz; Goetz; Gunsch; Hamerlik; Hanson, O.; Haugen;
Hausauer, R.; Kent; Kingsbury; Knell; Knudson; Koland;
Kretschmar; Lang; Larson; Laughlin; Lindgren; Martin;
Melby; Meyer; Moore; Nicholas; Nowatzki; Olsen, D.;
Olson, A.; Olson, V.; Payne; Rice; Riehl; Schindler;
Shaft; Shide; Skjerven; Solberg; Sorensen; Thompson;
Tokach; Tollefson; Tomac; Trautman; Vander Vorst; Wald;
Whalen; Wilkie; Williams, A.; Williams, C.; Winkelman

ABSENT AND NOT VOTING: Dalrymple; Hoffner; Kuchera;
Martinson; Peterson; Rydell; Smette; Strinden;
Speaker Kloubec

HB 1358 was declared lost.

HB 1032: A BILL for an Act to authorize the industrial commission to issue evidences of indebtedness for projects authorized by the fiftieth legislative assembly; 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.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 66 YEAS, 28 NAYS, 12 ABSENT AND NOT VOTING.

YEAS: Aas; Almlie; Berg, G.; Berg, R.; Brokaw; Cleveland; DeMers, J.; DeMers, P.; Dotzenrod; Enget; Flaagan; Frey; Gates; Gerntholz; Goetz; Gorman; Graba; Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer, A.; Hausauer, R.; Hill; Hokana; Kelly; Kent; Kingsbury; Kolbo; Kretschmar; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Marks; Meyer; Moore; Myrdal; Nelson, C.; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Opedahl; O'Shea; Payne; Rice; Riehl; Scherber; Schneider; Shaft; Shide; Shockman; Starke; Stofferahn; Tollefson; Trautman; Ulmer; Wentz; Williams, A.; Williams, C.; Williams, W.; Winkelman

NAYS: Anderson; Belter; Christman; Gunsch; Hanson, O.; Haugen; Klundt; Knell; Knudson; Koland; Martin; Melby; Murphy; Nelson, J.; Olson, V.; Schindler; Shaw; Skjervén; Solberg; Sorensen; Thompson; Tokach; Tomac; Vander Vorst; Wald; Watne; Whalen; Wilkie

ABSENT AND NOT VOTING: Dalrymple; Dorso; Hoffner; Kuchera; Lang; Martinson; Mertens; Peterson; Rydell; Smette; Strinden; Speaker Kloubec

HB 1032 passed and the title was agreed to.

HB 1504: A BILL for an Act to require creditors or vendors, in all proceedings to foreclose a mortgage or cancel a contract for the sale of agricultural property, to advise the debtor of the existence of available state administered

or sponsored assistance programs; 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 60 YEAS, 39 NAYS, 7 ABSENT AND NOT VOTING.

YEAS: Anderson; Berg, R.; Brokaw; Christman; Cleveland; DeMers, J.; DeMers, P.; Enget; Flaagan; Frey; Graba; Halmrast; Hanson, L.; Haugland; Hausauer, A.; Hill; Hokana; Kelly; Kingsbury; Klundt; Kolbo; Laughlin; Lautenschlager; Linderman; Marks; Martin; Melby; Mertens; Meyer; Murphy; Myrdal; Nelson, C.; Nelson, J.; Nicholas; Nowatzki; Oban; O'Connell; Olson, A.; Olson, V.; Opedahl; O'Shea; Riehl; Scherber; Schneider; Shaw; Shockman; Skjerven; Solberg; Starke; Stofferahn; Tokach; Tomac; Ulmer; Watne; Wentz; Wilkie; Williams, A.; Williams, C.; Williams, W.; Winkelman

NAYS: Aas; Almlie; Belter; Berg, G.; Dorso; Dotzenrod; Gates; Gerntholz; Goetz; Gorman; Gunsch; Hamerlik; Hanson, O.; Haugen; Hausauer, R.; Kent; Knell; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Lindgren; Moore; Olsen, D.; Payne; Rice; Rydell; Schindler; Shaft; Shide; Sorensen; Thompson; Tollefson; Trautman; Vander Vorst; Wald; Whalen

ABSENT AND NOT VOTING: Dalrymple; Hoffner; Martinson; Peterson; Smette; Strinden; Speaker Kloubec

HB 1504 passed and the title was agreed to.

MOTION

REP. A. WILLIAMS MOVED that the House reconsider its action whereby HB 1303 failed to pass for want of a Constitutional majority, which motion prevailed on a verification vote.

SECOND READING OF HOUSE BILL

HB 1303: A BILL for an Act to amend and reenact subdivision d of subsection 12 of section 65-01-02 of the North Dakota Century Code, relating to definition of diseases fairly traceable to employment under the workmen's compensation law.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 55 YEAS, 42 NAYS, 9 ABSENT AND NOT VOTING.

YEAS: Berg, G.; Brokaw; Cleveland; DeMers, J.; DeMers, P.; Flaagan; Frey; Graba; Halmrast; Hamerlik; Hanson, L.; Haugland; Hill; Hokana; Kelly; Klundt; Knudson; Kolbo; Kretschmar; Kuchera; Laughlin; Lautenschlager; Linderman; Marks; Martin; Mertens; Meyer; Murphy; Nelson, C.; Nelson, J.; Nowatzki; Oban; O'Connell; Opedahl; O'Shea; Riehl; Scherber; Schneider; Shaft; Shaw; Shockman; Skjerven; Solberg; Starke; Stofferahn; Tokach; Tollefson; Tomac; Ulmer; Watne; Wentz; Wilkie; Williams, A.; Williams, C.; Williams, W.

NAYS: Aas; Almlie; Anderson; Belter; Berg, R.; Christman; Dorso; Dotzenrod; Enget; Gates; Gerntholz; Goetz; Gorman; Gunsch; Hanson, O.; Haugen; Hausauer, A.; Kent; Kingsbury; Knell; Koland; Lang; Larson; Lindgren; Moore; Myrdal; Nicholas; Olsen, D.; Olson, A.; Olson, V.; Payne; Rice; Rydell; Schindler; Shide; Sorensen; Thompson; Trautman; Vander Vorst; Wald; Whalen; Winkelman

ABSENT AND NOT VOTING: Dalrymple; Hausauer, R.; Hoffner; Martinson; Melby; Peterson; Smette; Strinden; Speaker Kloubec

HB 1303 passed and the title was agreed to.

MOTIONS

REP. GOETZ MOVED that the vote by which HB 1448, HB 1550, HB 1560, HB 1630, HB 1602, HB 1610, HB 1589, HB 1303, HB 1358, HB 1032, HB 1504, HB 1617, HB 1639, HB 1577, and HB 1474 passed, or failed to pass, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

REP. GOETZ MOVED that the rules be suspended, that House Rule 402, Section 3 be extended to the Thirty-eighth Legislative Day, which motion prevailed.

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 1032, HB 1064, HB 1303, HB 1359, HB 1474, HB 1504, HB 1560, HB 1569, HB 1630, HB 1634

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 Fifth order of business, and at the conclusion of the Fifth order, the House be on the Thirteenth order of business, and at the conclusion of the Thirteenth order, the House stand adjourned until 1:00 p.m., Friday, February 27, 1987, which motion prevailed.

REPORTS OF STANDING COMMITTEES

MR. SPEAKER: Your Committee on Transportation to which was referred HCR 3065 has had the same under consideration and recommends by a vote of 8 YEAS, 4 NAYS, 4 ABSENT AND NOT VOTING that the same DO PASS.

REP. ANDERSON, Chairman

HCR 3065 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Agriculture to which was referred HCR 3067 has had the same under consideration and recommends by a vote of 15 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS and BE PLACED ON THE CONSENT CALENDAR.

REP. NICHOLAS, Chairman

HCR 3067 was placed on the Tenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Human Services and Veterans Affairs to which was referred HCR 3070 has had the same under consideration and recommends by a vote of 11 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. HAUGLAND, Chairman

HCR 3070 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Human Services and Veterans Affairs to which was referred HCR 3071 has had the same under consideration and recommends by a vote of 13 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

REP. HAUGLAND, Chairman

HCR 3071 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Human Services and Veterans Affairs to which was referred HCR 3073 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

REP. HAUGLAND, Chairman

HCR 3073 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Human Services and Veterans Affairs to which was referred HCR 3074 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

REP. HAUGLAND, Chairman

HCR 3074 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Natural Resources to which was referred SB 2061 has had the same under consideration and recommends by a vote of 13 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING that the same DO PASS.

REP. A. OLSON, Chairman

SB 2061 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Political Subdivisions to which was referred Engrossed SB 2107 has had the same under consideration and recommends by a vote of 15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

REP. MOORE, Chairman

Engrossed SB 2107 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Human Services and Veterans Affairs to which was referred SB 2114 has had the same under consideration and recommends by a vote of 13 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same DO PASS.

REP. HAUGLAND, Chairman

SB 2114 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Agriculture to which was referred SB 2116 has had the same under consideration and recommends by a vote of 15 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

REP. NICHOLAS, Chairman

SB 2116 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Human Services and Veterans Affairs to which was referred Reengrossed SB 2117 has had the same under consideration and recommends by a vote of 13 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING that the same DO PASS.

REP. HAUGLAND, Chairman

Reengrossed SB 2117 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Transportation to which was referred SB 2138 has had the same under consideration and recommends by a vote of 12 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING that the same DO PASS.

REP. ANDERSON, Chairman

SB 2138 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Transportation to which was referred SB 2139 has had the same under consideration and recommends by a vote of 13 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same DO PASS.

REP. ANDERSON, Chairman

SB 2139 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Transportation to which was referred Engrossed SB 2142 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

REP. ANDERSON, Chairman

Engrossed SB 2142 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Agriculture to which was referred SB 2148 has had the same under consideration and recommends by a vote of 16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

REP. NICHOLAS, Chairman

SB 2148 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Natural Resources to which was referred Engrossed SB 2152 has had the same under consideration and recommends by a vote of 11 YEAS, 1 NAY, 5 ABSENT AND NOT VOTING that the same DO PASS.

REP. A. OLSON, Chairman

Engrossed SB 2152 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Political Subdivisions to which was referred SB 2153 has had the same under consideration and recommends by a vote of 15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

REP. MOORE, Chairman

SB 2153 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Political Subdivisions to which was referred SB 2155 has had the same under consideration and recommends by a vote of 15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

REP. MOORE, Chairman

SB 2155 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Agriculture to which was referred SB 2162 has had the same under consideration and recommends by a vote of 15 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

REP. NICHOLAS, Chairman

SB 2162 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Transportation to which was referred Engrossed SB 2200 has had the same under consideration and recommends by a vote of 13 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same DO PASS.

REP. ANDERSON, Chairman

Engrossed SB 2200 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Agriculture to which was referred SB 2206 has had the same under consideration and recommends by a vote of 16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

REP. NICHOLAS, Chairman

SB 2206 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Political Subdivisions to which was referred SB 2240 has had the same under consideration and recommends by a vote of 13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

REP. MOORE, Chairman

SB 2240 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Political Subdivisions to which was referred SB 2264 has had the same under consideration and recommends by a vote of 13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

REP. MOORE, Chairman

SB 2264 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

FIRST READING OF SENATE BILLS

SB 2002: A BILL for an Act making an appropriation for defraying the expenses of the superintendent of public instruction of the state of North Dakota; providing for a transfer of funds from the displaced homemaker fund; and to amend and reenact subsection 2 of section 15-40.1-06 of the North Dakota Century Code as amended by Senate Bill No. 2904 as approved by the fiftieth legislative assembly, relating to the educational support per pupil.

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

SB 2021: A BILL for an Act to provide an appropriation for the distribution of funds for the replacement of personal property tax revenue; to amend and reenact section 57-58-01 of the North Dakota Century Code as it will exist on July 1, 1987, pursuant to section 5 of chapter 45 of the 1985 Session Laws, relating to distribution of personal property tax replacement revenues to counties and local subdivisions.

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

SB 2022: A BILL for an Act making an appropriation for the distribution of state general fund revenue to local political subdivisions of the state of North Dakota.

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

SB 2024: A BILL for an Act making an appropriation for defraying the expenses of the various divisions under the supervision of the commissioner of insurance of the state of North Dakota; to create and enact three new sections to chapter 26.1-01 and a new subsection to section 26.1-01-07 of the North Dakota Century Code, relating to the establishment of an insurance regulatory trust fund; to amend and reenact subsections 2 and 11 of section 26.1-01-07 and section 26.1-03-20 of the North Dakota Century Code, relating to fees charged by the commissioner of insurance; to provide for transfers from the unsatisfied judgment and state bonding funds; and to provide an effective date.

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

SB 2027: A BILL for an Act making an appropriation for defraying the expenses of the game and fish department of the state of North Dakota.

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

SB 2029: A BILL for an Act making an appropriation for defraying the expenses of the various divisions of the state water commission of the state of North Dakota; and providing for an appropriation and transfer of funds from the resources trust fund, bond guarantee fund, the water use fund, and the lands and minerals trust fund.

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

SB 2033: A BILL for an Act to create and enact three new sections to chapter 20.1-02 of the North Dakota Century Code, establishing a wetlands advisory board.

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

SB 2057: A BILL for an Act to amend and reenact sections 23-27-04.1 and 39-08-04.1 of the North Dakota Century Code, relating to liability of certain persons who render services in an emergency.

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

SB 2064: A BILL for an Act to create and enact three new sections to chapter 53-06.1 of the North Dakota Century Code, relating to maximum rent payable for conducting certain games of chance; and to amend and reenact subdivision c of subsection 3 of section 53-06.1-03 of the North Dakota Century Code, relating to maximum rent payable for conducting certain games of chance.

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

SB 2068: A BILL for an Act to create and enact two new sections to chapter 25-04 of the North Dakota Century Code, relating to liability for care and treatment of nonresident patients at and reduction or writeoff of accounts receivable by the Grafton state school; and to amend and reenact section 25-04-04, subsection 3 of section 25-04-05, and sections 25-04-14, 25-04-15, 25-16-13, 50-06.3-03, 50-06.3-04, and 50-06.3-09 of the North Dakota Century Code, relating to payment of expenses for care and treatment of patients at the Grafton state school and the state hospital.

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

SB 2076: A BILL for an Act providing limitations on property tax levy increase authority of political subdivisions; and to provide an effective date.

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

SB 2099: A BILL for an Act to amend and reenact section 57-60-02 of the North Dakota Century Code, relating to the rate of the coal conversion facility privilege tax imposed on coal gasification plants; and to declare an emergency.

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

SB 2103: A BILL for an Act to amend and reenact subsections 1 and 3 of section 57-36-25, subsections 1 and 2 of section 57-36-26, and subsection 1 of section 57-36-28 of the North Dakota Century Code, relating to the excise tax and consumer's use tax on cigars, snuff, and other tobacco products; and to provide an appropriation.

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

SB 2174: A BILL for an Act to amend and reenact section 26.1-17-04 of the North Dakota Century Code, relating to the directors of nonprofit health service corporations.

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

SB 2188: A BILL for an Act to establish a lignite development commission.

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

SB 2198: A BILL for an Act to create a commission on governmental reorganization under the legislative council to study existing state boards and commissions; to provide an appropriation; and to provide an effective date and an expiration date.

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

SB 2229: A BILL for an Act to amend and reenact section 65-05-17 of the North Dakota Century Code, relating to the removal of a cap on workmen's compensation death benefits; and to provide for retroactive application of this Act.

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

SB 2232: A BILL for an Act to amend and reenact section 65-02-08 of the North Dakota Century Code, relating to payment of attorney's fees in workmen's compensation proceedings.

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

SB 2244: A BILL for an Act to amend and reenact sections 50-25.1-02, 50-25.1-03, 50-25.1-03.1, 50-25.1-04, 50-25.1-04.1, 50-25.1-05, 50-25.1-05.1, 50-25.1-05.2, 50-25.1-05.3, 50-25.1-06, 50-25.1-07, and 50-25.1-11 of the North Dakota Century Code, relating to child abuse and neglect.

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

SB 2246: A BILL for an Act to amend and reenact subsection 5 of section 57-15-56 of the North Dakota Century Code, relating to the state matching program for senior citizen programs and activities.

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

SB 2302: A BILL for an Act to amend and reenact sections 11-17-01, 28-20-11, 28-21-05, 28-21-06, 29-26-22, 29-26-22.1, and 29-27-02 of the North Dakota Century Code, relating to clerk of court recordkeeping requirements, issuance and contents of an execution to enforce a judgment, assessing costs of prosecution, and docketing and enforcement of a judgment for a fine or costs in a criminal case.

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

SB 2303: A BILL for an Act to provide immunity from liability for reporting, assisting, or providing services with respect to abused, neglected, or exploited adults; to create and enact a new subsection to section 50-06-05.1 of the North Dakota Century Code, relating to the powers and duties of the department of human services; and to provide an expiration date.

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

SB 2308: A BILL for an Act to amend and reenact section 25-02-03 of the North Dakota Century Code, relating to the object of the state hospital.

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

SB 2315: A BILL for an Act to create and enact a new section to title 25 of the North Dakota Century Code, relating to the rights of mentally ill individuals.

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

SB 2316: A BILL for an Act to create and enact two new sections to chapter 35-17 of the North Dakota Century Code, relating to agister's liens; and to amend and reenact sections 35-17-01 and 35-17-02 of the North Dakota Century Code, relating to agister's liens.

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

SB 2319: A BILL for an Act to provide for parimutuel horse racing conducted by certain civic and service clubs, charitable, fraternal, religious, and veterans' organizations, and other public-spirited organizations, the creation of a racing commission, license authorization, and fees; to provide a penalty; and to provide an appropriation.

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

SB 2337: A BILL for an Act to create and enact a new section to chapter 43-41 of the North Dakota Century Code, relating to privileged communications between a social worker and client.

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

SB 2365: A BILL for an Act to provide arrest procedures, guidelines, and training for law enforcement officers in handling incidents of domestic violence, and protection by judicial intervention for victims of domestic violence.

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

SB 2378: A BILL for an Act to create and enact two new sections to chapter 43-07 of the North Dakota Century Code, relating to display of contractor's license number on certain building permits and a public awareness program of contractors' responsibilities.

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

SB 2391: A BILL for an Act to create and enact a new subsection to section 26.1-36-32 of the North Dakota Century Code, relating to standards for medicare supplement policies; and to amend and reenact section 26.1-36-37 of the North Dakota Century Code, relating to limitations on preexisting conditions in nursing home policies.

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

SB 2396: A BILL for an Act to provide for elimination of the office of commissioner of labor; to provide for transfer of powers, duties, and functions of the office of commissioner of labor and the department of labor; to provide for a legislative council study of the elimination or transfer of powers, duties, and functions of the commissioner of labor and department of labor; and to provide an effective date.

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

SB 2409: A BILL for an Act to create and enact a new section to chapter 38-09 of the North Dakota Century Code, relating to public offering of state mineral leases.

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

SB 2413: A BILL for an Act to amend and reenact subsection 3 of section 26.1-41-13 of the North Dakota Century Code, relating to coordination of no-fault insurance benefits.

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

SB 2423: A BILL for an Act to amend and reenact sections 15-36-15, 15-36-16, and 15-38-19 of the North Dakota Century Code, relating to the authority of the superintendent of public instruction to suspend, revoke, or annul teachers' certificates, and the certificate proceedings conducted by and the authority of the teachers' professional practices commission.

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

SB 2432: A BILL for an Act to create and enact a new section to chapter 14-08.1 of the North Dakota Century Code, relating to child support orders; to amend and reenact five new sections to chapter 14-09 of the North Dakota Century Code, as created by section 1, section 3, section 5, subsections 3 and 8 of section 7, and section 13 of House Bill No. 1903, as approved by the fiftieth legislative assembly, relating to income withholding for the enforcement of child support obligations; to amend and reenact section 14-09-09.6 and subsection 3 of section 57-38.3-02 of the North Dakota Century Code, relating to voluntary income withholding and set off of debts owed to the state against income tax refunds; to provide a penalty; and to declare an emergency.

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

SB 2449: A BILL for an Act to create and enact a new subdivision to subsection 2 of section 12.1-06.1-01 of the North Dakota Century Code, relating to the definition of a pattern of racketeering activity; and to amend and reenact subsections 1 and 2 of section 12.1-06.1-03, section 12.1-06.1-04, subsections 1, 2, 4, and 5 of section 12.1-06.1-05, subsection 1 of section 12.1-06.1-06, and subsections 1 and 2 of section 12.1-06.1-07 of the North Dakota Century Code, relating to racketeer-influenced and corrupt organizations.

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

SB 2463: A BILL for an Act to create and enact a new section to chapter 39-21 of the North Dakota Century Code, relating to exemption from equipment requirements for certain motor vehicles.

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

SB 2468: A BILL for an Act to create and enact a new section to chapter 39-20 of the North Dakota Century Code, relating to death or serious bodily injury caused by a driver under the influence of intoxicating liquor or a controlled substance; and to amend and reenact sections 39-06-31, 39-06.1-05, subdivision a of subsection 3.1 of section 39-06.1-10, sections 39-07-08, 39-07-11, 39-08-01, 39-08-01.2, 39-20-01, subsection 3 of section 39-20-03.1, subsection 3 of section 39-20-03.2, sections 39-20-04, 39-20-06, 39-20-07, 54-38-05, and 65-01-11 of the North Dakota

Century Code, relating to law enforcement, judicial, and administrative procedures, sanctions, penalties for driving or being in actual physical control of a motor vehicle while under the influence of alcohol or a controlled substance, and burden of proof in compensation matters; to repeal section 39-06-33.1 of the North Dakota Century Code, relating to the suspension of a driver's license for causing injury or death; and to provide a penalty.

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

SB 2469: A BILL for an Act to provide farmers the right to redeem separate known lots or parcels of property, including a known lot or parcel containing the farmer's home, separately from the remaining property; to amend and reenact section 15-07-04 of the North Dakota Century Code, relating to sale of land by the board of university and school lands; to provide an expiration date; and to declare an emergency.

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

SB 2472: A BILL for an Act to amend and reenact subsection 1 of section 39-20-03.1, subsections 1 and 2 of section 39-20-03.2, section 39-20-04, and subsection 1 of section 39-20-05 of the North Dakota Century Code, relating to temporary operator's permits and administrative hearings for alcohol-related traffic offenses.

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

SB 2476: A BILL for an Act to create and enact a new section to chapter 40-57.3 of the North Dakota Century Code, relating to a city lodging and restaurant tax; and to amend and reenact sections 40-57.3-01, 40-57.3-02, 40-57.3-03, and 40-57.3-04 of the North Dakota Century Code, relating to a city lodging and restaurant tax.

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

SB 2483: A BILL for an Act to create and enact a new chapter to title 51 of the North Dakota Century Code, relating to pyramid promotional schemes and referral sales schemes; to repeal chapter 51-16 of the North Dakota Century Code, relating to multilevel distributorships and chain sales schemes; and to provide a penalty.

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

SB 2514: A BILL for an Act to create and enact a new subsection to section 58-06-01 of the North Dakota Century Code, relating to township budgets; and to amend and reenact subsection 9 of section 58-06-01 and sections 58-08-05 and 58-11-03 of the North Dakota Century Code, relating to

township budgets, annual statements by township treasurers, and the duties of boards of auditors of townships.

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

SB 2521: A BILL for an Act to amend and reenact section 51-15-02 of the North Dakota Century Code, if Senate Bill No. 2483 is not approved by the fiftieth legislative assembly, relating to the unlawful consumer fraud practice of operating an unlawful referral selling or pyramid scheme.

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

SB 2526: A BILL for an Act to create and enact a new section to chapter 23-24 and a new subsection to section 23-24-01 of the North Dakota Century Code, relating to withdrawing from a vector control district and the definition of potential or emergency health hazards; and to amend and reenact subsection 4 of section 23-24-01, sections 23-24-03, 23-24-04, and 23-24-05, and subsection 1 of section 23-24-08 of the North Dakota Century Code, relating to the definition of public health vectors, orders modifying the boundaries of vector control districts, the expansion of vector control districts, boards of commissioners of vector control districts, and mill levies.

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

SB 2542: A BILL for an Act to amend and reenact section 39-01-15 of the North Dakota Century Code, relating to parking privileges for mobility impaired persons; and to provide for transition.

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

FIRST READING OF SENATE CONCURRENT RESOLUTION

SCR 4043: A concurrent resolution designating U.S. Highway 2 as the Centennial Highway.

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

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

ROY GILBREATH, Chief Clerk