

## JOURNAL OF THE HOUSE

## Fiftieth Legislative Assembly

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## FORTIETH DAY

Bismarck, March 4, 1987

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

The prayer was offered by Delmar Becker, Grace Bible Church, Bismarck, North Dakota.

## ROLL CALL

The roll was called and all Representatives were present, except Representative Strinden.

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-ninth Day and recommends that the same be corrected as follows and, when so corrected, recommends that the same be approved:

On page 1588, line 18, after the numerals 4041 and comma, insert the following: SCR 4052,

REP. THOMPSON, Chairman

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

## RECOGNITION

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

## SIXTH ORDER OF BUSINESS

REP. A. HAUSAUER MOVED that the amendments to SB 2263 as recommended by the Committee on Finance and Taxation as printed on page 1590 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SB 2263 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

REP. KRETSCHMAR MOVED that the amendments to SB 2450 as recommended by the Committee on Judiciary as printed on page 1591 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SB 2450 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

REP. KRETSCHMAR MOVED that the amendments to SB 2455 as recommended by the Committee on Judiciary as printed on page 1592 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SB 2455 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

#### SECOND READING OF SENATE BILLS

SB 2306: A BILL for an Act to amend and reenact sections 11-28.2-02 and 57-15-26.1 of the North Dakota Century Code, relating to compensation and expense reimbursement for members of a board of recreation service district commissioners and mill levy limitations that apply to recreation service districts.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 94 YEAS, 10 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Aas; Almlie; Anderson; Belter; Berg, C.; Berg, R.; Christman; Cleveland; Dalrymple; DeMers, J.; Dorso; Dotzenrod; Enget; Flaagan; Frey; Gates; Gertholz; Goetz; Gorman; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hill; Hoffner; Hokana; Kelly; Kent; 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; Nowatzki; Oban; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Rice; Rydell; Scherber; Schindler; Schneider; Shaft; Shaw; Shide; Shockman; Skjerven; Smette; Solberg; Sorensen; Starke; Stofferahn; Strinden; Thompson; Tokach; Tollefson; Tomac; Trautman; Ulmer; Wald; Wentz; Whalen; Williams, A.; Winkelman; Speaker Kloubec

NAYS: Brokaw; DeMers, P.; Kingsbury; Murphy; O'Connell; Riehl; Vander Vorst; Watne; Wilkie; Williams, W.

ABSENT AND NOT VOTING: Peterson; Williams, C.

SB 2306 passed and the title was agreed to.

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SB 2452: A BILL for an Act to create and enact a new section to chapter 11-11 of the North Dakota Century Code, relating to the establishment of county bond guarantee programs; 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 106 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: None

SB 2452 passed, the title was agreed to, and the emergency clause carried.

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#### MOTION

REP. WALD MOVED that the House reconsider its action whereby SB 2493 failed to pass, which motion prevailed on a verification vote.

#### SECOND READING OF SENATE BILLS

SB 2493: A BILL for an Act to amend and reenact section 29-07-01.1 of the North Dakota Century Code, relating to recoupment of expenses for defense of indigent defendants.

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, 40 NAYS, 0 ABSENT AND NOT VOTING.

**YEAS:** Aas; Almlie; Anderson; Belter; Berg, G.; Christman; Dalrymple; Dorso; Dotzenrod; Enget; Flaagan; Gates; Gerntholz; Goetz; Gorman; Hamerlik; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hill; Kent; Knell; Koland; Lang; Larson; Laughlin; Lindgren; Martin; Martinson; Melby; Mertens; Meyer; Moore; Myrdal; Nelson, C.; Nicholas; Nowatzki; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Peterson; Rice; Riehl; Rydell; Shaw; Shide; Skjerven; Smette; Solberg; Sorensen; Strinden; Thompson; Tokach; Tollefson; Tomac; Trautman; Wald; Wentz; Whalen; Williams, C.; Winkelman; Speaker Kloubec

**NAYS:** Berg, R.; Brokaw; Cleveland; DeMers, J.; DeMers, P.; Frey; Graba; Gunsch; Halmrast; Hanson, L.; Hoffner; Hokana; Kelly; Kingsbury; Klundt; Knudson; Kolbo; Kretschmar; Kuchera; Lautenschlager; Linderman; Marks; Murphy; Nelson, J.; Oban; O'Connell; Opedahl; Scherber; Schindler; Schneider; Shaft; Shockman; Starke; Stofferahn; Ulmer; Vander Vorst; Watne; Wilkie; Williams, A.; Williams, W.

**ABSENT AND NOT VOTING:** None

SB 2493 passed and the title was agreed to.

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SB 2144: A BILL for an Act to amend and reenact section 16.1-06-04 of the North Dakota Century Code, relating to instructions placed on ballots for voters.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 106 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING.

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

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

NAYS: None

ABSENT AND NOT VOTING: None

SB 2144 passed and the title was agreed to.

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SB 2151: A BILL for an Act to amend and reenact subsections 1, 2, and 3 of section 16.1-01-09 of the North Dakota Century Code, relating to requirements for initiative or referendum petitions.

Which has been read.

#### ROLL CALL

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

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

NAYS: None

ABSENT AND NOT VOTING: Strinden; Wald

SB 2151 passed and the title was agreed to.

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## MOTIONS

REP. GOETZ MOVED that the rules be suspended and that SB 2452 be messaged to the Senate immediately, which motion prevailed.

REP. GOETZ MOVED that SB 2230, which is on the Fourteenth order, be laid over one legislative day, which motion prevailed.

## SECOND READING OF SENATE BILLS

SB 2163: A BILL for an Act to amend and reenact subsections 2 and 3 of section 15-59-01 of the North Dakota Century Code, relating to the definition of the terms "gifted child" and "handicapped child".

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 103 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING.

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

NAYS: Knudson

ABSENT AND NOT VOTING: Kent; Peterson

SB 2163 passed and the title was agreed to.

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SB 2177: A BILL for an Act to create and enact a new section to chapter 43-15 of the North Dakota Century Code, relating to an impaired pharmacists program.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 103 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING.

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

NAYS: Kuchera

ABSENT AND NOT VOTING: Peterson; Tollefson

SB 2177 passed and the title was agreed to.

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SB 2180: A BILL for an Act to amend and reenact subsection 1 of section 38-08-14 of the North Dakota Century Code, relating to the procedure for appealing an order of the industrial commission to the district court.

Which has been read.

## ROLL CALL

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

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

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

**NAYS:** None

**ABSENT AND NOT VOTING:** DeMers, J.; Peterson; Solberg;  
 Strinden

SB 2180 passed and the title was agreed to.

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#### MESSAGES TO THE SENATE HOUSE CHAMBER

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

SB 2060, SB 2061, SB 2071, SB 2073, SB 2075, SB 2081,  
 SB 2107, SB 2114, SB 2116, SB 2138, SB 2139, SB 2142,  
 SB 2148, SB 2152, SB 2153, SB 2155, SB 2162, SB 2194,  
 SB 2200, SB 2201, SB 2206, SB 2209, SB 2211, SB 2238,  
 SB 2240, SB 2243, SB 2245, SB 2249, SB 2251, SB 2254,  
 SB 2256, SB 2264, SB 2265, SB 2275, SB 2276, SB 2285,  
 SB 2313, SB 2373, SB 2374, SB 2399, SB 2416, SB 2417,  
 SB 2426, SB 2492, SB 2518

**ROY GILBREATH, Chief Clerk**

#### HOUSE CHAMBER

**MADAM PRESIDENT:** I have the honor to return herewith the following which the House has failed to pass:

SB 2087

**ROY GILBREATH, Chief Clerk**

#### SIGNING OF BILLS AND RESOLUTIONS

**THE CHIEF CLERK ANNOUNCED** that the Speaker signed the following:

HB 1668

**ROY GILBREATH, Chief Clerk**



MESSAGE TO THE SENATE  
HOUSE CHAMBER

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

HB 1668

ROY GILBREATH, Chief Clerk

SIGNING OF BILLS AND RESOLUTIONS

THE CHIEF CLERK ANNOUNCED that the Speaker signed the following:

HB 1186, HB 1236

ROY GILBREATH, Chief Clerk

MESSAGE TO THE SENATE  
HOUSE CHAMBER

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

HB 1186, HB 1236

ROY GILBREATH, Chief Clerk

MESSAGE FROM THE SENATE  
SENATE CHAMBER

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

HB 1668

PERRY GROTEBERG, Secretary

DELIVERY OF ENROLLED BILLS

THE SPEAKER ANNOUNCED that the following bill was delivered to the Governor for his approval at the hour of 11:47 a.m., March 4, 1987:

HB 1668

MESSAGES FROM THE SENATE  
SENATE CHAMBER

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

HB 1029, HB 1040, HB 1050, HB 1059, HB 1069, HB 1074,  
HB 1100, HB 1105, HB 1111, HB 1112, HB 1113, HB 1114,  
HB 1120, HB 1124, HB 1132, HB 1143, HB 1146, HB 1153,  
HB 1155, HB 1173

PERRY GROTEBERG, Secretary

## SENATE CHAMBER

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

HB 1182, HB 1190, HB 1224, HB 1226, HB 1260, HB 1261,  
HB 1290, HB 1399, HB 1519

PERRY GROTEBERG, Secretary

## SENATE CHAMBER

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

HB 1066, HB 1071, HB 1089, HB 1116, HB 1145, HB 1152,  
HB 1162, HB 1198, HB 1212, HB 1253, HB 1269, HB 1270,  
HB 1286, HB 1322, HB 1347, HB 1396, HB 1404, HB 1409,  
HB 1422, HB 1423, HB 1437, HB 1521, HB 1536, HCR 3015

PERRY GROTEBERG, Secretary

## SENATE CHAMBER

MR. SPEAKER: I have the honor to return herewith HB 1172, HB 1180, HB 1275, HB 1276, and HB 1343 which the Senate has amended:

## SENATE AMENDMENTS TO HB 1172

On page 7, line 25, after the word "agencies" insert the words "except for the institutions and entities under the jurisdiction of the board of higher education,"

On page 7, line 27, after the period insert the following: "The institutions and entities under the jurisdiction of the board of higher education together with the office of central data processing shall make joint use of telecommunications and transmission facilities as will result in less cost to the state."

On page 8, line 14, delete the word "or"

And renumber the lines, sections, and pages accordingly

## SENATE AMENDMENTS TO HB 1180

On page 2, line 6, delete the words "if at least fifty"

On page 2, line 7, delete the words "percent of the principal on a loan has been paid, the" and insert in lieu thereof the word "The"

And renumber the lines, sections, and pages accordingly

## SENATE AMENDMENTS TO HB 1275

On page 1, line 3, after the word "proposals" insert the words "; and to declare an emergency"

On page 1, line 22, overstrike the comma

On page 2, after line 11, insert the following section:

"SECTION 2. EMERGENCY. This Act is declared to be an emergency measure and is in effect upon its filing with the secretary of state."

And renumber the lines, sections, and pages accordingly

SENATE AMENDMENTS TO HB 1276

On page 1, line 3, after the word "boards" insert the words "; and to declare an emergency"

On page 2, after line 8, insert the following section:

"SECTION 2. EMERGENCY. This Act is declared to be an emergency measure and is in effect upon its filing with the secretary of state."

And renumber the lines, sections, and pages accordingly

SENATE AMENDMENTS TO HB 1343

On page 3, line 30, overstrike the words "less than" and after the word "percent" insert the words "or less"

On page 3, line 34, overstrike the words "less than" and after the word "percent" insert the words "or less"

On page 4, line 10, after the word "by" insert the words "more than one percent and"

On page 4, line 14, after the word "by" insert the words "more than one-half of one percent and"

On page 7, line 16, after the word "state" insert the words "or county auditor"

And renumber the lines, sections, and pages accordingly

PERRY GROTEBERG, Secretary

SECOND READING OF SENATE BILL

SB 2182: A BILL for an Act to amend and reenact subsection 15 of section 43-15-10 of the North Dakota Century Code, relating to confidentiality of investigative files of the board of pharmacy.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 104 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING.

YEAS: Aas; Almlie; Anderson; Belter; Berg, G.; Berg, R.; Brokaw; Christman; Cleveland; Dalrymple; DeMers, P.; Dorso; Dotzenrod; Enget; Flaagan; Frey; Gates;

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

**NAYS:** Kuchera

**ABSENT AND NOT VOTING:** DeMers, J.

SB 2182 passed and the title was agreed to.

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#### MOTION

**REP. GOETZ MOVED** that the House waive the reading of the title to SB 2207, which motion prevailed.

#### SECOND READING OF SENATE BILLS

**SB 2207:** A BILL for an Act to create and enact a new section to chapter 15-06 of the North Dakota Century Code, relating to renegotiation of land contracts; to amend and reenact sections 15-07-02, 15-07-04, and 15-07-10 of the North Dakota Century Code, relating to sale of nongrant lands, and the right of repurchase of a former mortgagor; to repeal sections 15-06-33, 15-06-34, 15-06-35, 15-06-36, 15-06-37, 15-07-05, 15-07-06, 15-07-08, 15-07-09, 15-07-11, 15-07-12, 15-07-13, 15-07-14, 15-07-15, 15-07-16, 15-07-17, and 15-07-18 of the North Dakota Century Code, relating to sale of stumpage near Garrison dam and to specific requirements for terms and conditions of sale of nongrant lands; and to declare an emergency.

Which has been read.

#### ROLL CALL

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

**YEAS:** Aas; Almlie; Anderson; Belter; Berg, G.; Berg, R.; Brokaw; Christman; Cleveland; Dalrymple; DeMers, P.; Dorso; Dotzenrod; Enget; Flaagan; Frey; Gates; Gerntholz; Goetz; Gorman; Graba; Gunsch; Halmrast;

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

NAYS: None

ABSENT AND NOT VOTING: DeMers, J.; Shaft

SB 2207 passed, the title was agreed to, and the emergency clause carried.

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SB 2284: A BILL for an Act to amend and reenact sections 16.1-13-21 and 16.1-13-22 of the North Dakota Century Code, relating to preparation of election materials.

Which has been read.

#### ROLL CALL

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

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

NAYS: None

ABSENT AND NOT VOTING: DeMers, J.; Shaft

SB 2284 passed and the title was agreed to.

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SB 2342: A BILL for an Act to amend and reenact sections 43-18-13 and 43-18-17 of the North Dakota Century Code, relating to the license fees of plumbers.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 78 YEAS, 27 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Aas; Almlie; Belter; Berg, R.; Christman; Cleveland; Dalrymple; Dotzenrod; Enget; Frey; Gates; Goetz; Gorman; Graba; Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer, A.; Hausauer, R.; Hoffner; Kelly; Kent; Klundt; Knell; Knudson; Koland; Kolbo; Kretschmar; Kuchera; Lang; Larson; Lautenschlager; Linderman; Lindgren; Martin; Martinson; Melby; Mertens; Moore; Myrdal; Nelson, C.; Nicholas; Nowatzki; Oban; Olsen, D.; Olson, A.; Payne; Peterson; Riehl; Rydell; Scherber; Shaft; Shaw; Shide; Shockman; Skjerven; Smette; Solberg; Sorensen; Starke; Stofferahn; Strinden; Thompson; Tokach; Tollefson; Tomac; Trautman; Ulmer; Vander Vorst; Wald; Wentz; Whalen; Wilkie; Williams, A.; Williams, C.; Winkelman; Speaker Kloubec

NAYS: Anderson; Berg, G.; Brokaw; DeMers, P.; Dorso; Flaagan; Gerntholz; Gunsch; Hanson, O.; Haugen; Hill; Hokana; Kingsbury; Laughlin; Marks; Meyer; Murphy; Nelson, J.; O'Connell; Olson, V.; Opedahl; O'Shea; Rice; Schindler; Schneider; Watne; Williams, W.

ABSENT AND NOT VOTING: DeMers, J.

SB 2342 passed and the title was agreed to.

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SB 2358: A BILL for an Act to create and enact a new section to chapter 15-10 of the North Dakota Century Code, relating to the rating and transfer of lower division courses taken at the several 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 20 YEAS, 84 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Berg, G.; Brokaw; DeMers, P.; Frey; Halmrast; Hokana; Klundt; Kolbo; Laughlin; Melby; Mertens; Murphy; Nelson, J.; O'Shea; Scherber; Schneider; Shockman; Starke; Stofferahn; Ulmer

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

ABSENT AND NOT VOTING: Hausauer, R.; Martinson

SB 2358 was declared lost.

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SB 2384: A BILL for an Act to create and enact a new section to chapter 15-40.1 and a new subdivision to subsection 1 of section 57-15-14.2 of the North Dakota Century Code, relating to taxing authority of school districts entering into cooperative agreements.

Which has been read.

## ROLL CALL

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

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

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

NAYS: Murphy

ABSENT AND NOT VOTING: Hanson, L.; Laughlin; Mertens; Peterson

SB 2384 passed and the title was agreed to.

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

Which has been read.

#### ROLL CALL

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

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

NAYS: Tokach; Tomac; Ulmer

ABSENT AND NOT VOTING: Mertens; Peterson

SB 2420 passed and the title was agreed to.



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**SB 2446:** A BILL for an Act to amend and reenact sections 15-29-03, 15-29-03.1, 15-29-04, 15-29-06, subsection 12 of section 15-29-08, sections 15-29-09, 15-29-10, 15-29-11, and 15-29-13 of the North Dakota Century Code, relating to changing references from school district clerk to school district business manager; and to change statutory references from clerk of the school district to business manager of the school district.

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, 22 NAYS, 2 ABSENT AND NOT VOTING.

**YEAS:** Aas; Almlie; Anderson; Belter; Berg, G.; Brokaw; Christman; Cleveland; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Dotzenrod; Flaagan; Gerntholz; Goetz; Gorman; Graba; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hausauer, R.; Hoffner; Hokana; Kelly; Kent; Kingsbury; Knell; Knudson; Koland; Kolbo; Kuchera; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Marks; Martin; Martinson; Moore; Myrdal; Nelson, C.; Nicholas; Nowatzki; Oban; Olsen, D.; Olson, A.; Olson, V.; Payne; Riehl; Rydell; Scherber; Schneider; Shaft; Shaw; Shockman; Skjerven; Smette; Solberg; Sorensen; Starke; Strinden; Thompson; Tokach; Tollefson; Tomac; Trautman; Ulmer; Wald; Watne; Wentz; Whalen; Wilkie; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Kloubec

**NAYS:** Berg, R.; Enget; Frey; Gates; Gunsch; Haugen; Hill; Klundt; Kretschmar; Lang; Mertens; Meyer; Murphy; Nelson, J.; O'Connell; Opedahl; O'Shea; Rice; Schindler; Shide; Stofferahn; Vander Vorst

**ABSENT AND NOT VOTING:** Melby; Peterson

SB 2446 passed and the title was agreed to.

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

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 91 YEAS, 13 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Aas; Almlie; Anderson; Belter; Berg, G.; Berg, R.; Brokaw; Christman; Cleveland; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Dotzenrod; Enget; Flaagan; Frey; Gates; Gertholz; Goetz; Gorman; Graba; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hill; Hoffner; Hokana; Kelly; Kent; 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; Nowatzki; Oban; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Rice; Riehl; Rydell; Scherber; Schindler; Shaft; Shockman; Skjerven; Smette; Solberg; Sorensen; Starke; Stofferahn; Strinden; Thompson; Tokach; Tollefson; Tomac; Trautman; Vander Vorst; Watne; Wilkie; Williams, A.; Williams, C.; Winkelman

NAYS: Gunsch; Hausauer, R.; Kingsbury; Murphy; O'Connell; Schneider; Shaw; Shide; Ulmer; Wald; Whalen; Williams, W.; Speaker Kloubec

ABSENT AND NOT VOTING: Peterson; Wentz

SB 2459 passed and the title was agreed to.

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SB 2505: A BILL for an Act authorizing the state treasurer to provide services to the North Dakota centennial commission to facilitate the centennial commission in successfully administering its various programs; to provide an expiration date; and to declare an emergency.

Which has been read.

## ROLL CALL

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

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

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

NAYS: None

ABSENT AND NOT VOTING: Peterson; Wentz

SB 2505 passed, the title was agreed to, and the emergency clause carried.

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SB 2534: A BILL for an Act to amend and reenact section 44-04-20 of the North Dakota Century Code, relating to notices of public meetings.

Which has been read.

#### ROLL CALL

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

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

NAYS: DeMers, J.

ABSENT AND NOT VOTING: None

SB 2534 passed and the title was agreed to.

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## COMMUNICATION

State of North Dakota  
EXECUTIVE OFFICE  
Bismarck

March 4, 1987

The Honorable Richard Kloubec  
Speaker of the House  
House Chambers  
State Capitol  
Bismarck, North Dakota 58505

Dear Speaker Kloubec:

This is to inform you that on March 4, 1987, I signed the following:

HB 1668.

Sincerely,

GEORGE A. SINNER  
Governor

SECOND READING OF A HOUSE CONCURRENT RESOLUTION  
AND SENATE CONCURRENT RESOLUTIONS  
ON CONSENT CALENDAR

HCR 3069: A concurrent resolution directing the Committee on Public Employees Retirement Programs of the Legislative Council to evaluate health insurance benefits and other benefits administered by public employee retirement boards, and the investment practices and performances of those boards.

SCR 4006: A concurrent resolution urging the Governor of the State of North Dakota to designate September 17, 1987, as a commemorative day to commemorate the bicentennial of the Constitution of the United States.

SCR 4015: A concurrent resolution urging adoption of an "America Thru Our States" stamp series.

SCR 4018: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of implementing a guaranteed tuition program for financing a child's postsecondary education.

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.

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

**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.

Which have been read.

The question being on the final adoption of the resolutions.

So the resolutions were adopted.

#### REPORT OF PROCEDURAL COMMITTEE

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

HB 1675, HB 1676, HCR 3081, HCR 3082

REP. STRINDEN, Chairman

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

#### MESSAGE TO THE SENATE HOUSE CHAMBER

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

SB 2452

ROY GILBREATH, Chief Clerk

#### MESSAGES FROM THE SENATE SENATE CHAMBER

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

SB 2046, SB 2048, SB 2069, SB 2070, SB 2106, SB 2118,  
SB 2121, SB 2123, SB 2124, SB 2125, SB 2193, SB 2196,  
SB 2197

PERRY GROTBERG, Secretary

#### SENATE CHAMBER

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

HB 1186, HB 1236

PERRY GROTBERG, Secretary

## MOTIONS

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

REP. GOETZ MOVED that the House be on the Fifth order of business, and at the conclusion of the Fifth order, the House be on the Ninth order of business, and at the conclusion of the Ninth order, the House be on the Thirteenth order of business, and at the conclusion of the Thirteenth order, the House stand adjourned until 1:00 p.m., Thursday, March 5, 1987, which motion prevailed.

## REPORTS OF STANDING COMMITTEES

MR. SPEAKER: Your Committee on Judiciary to which was referred HCR 3076 has had the same under consideration and recommends by a vote of 9 YEAS, 1 NAY, 5 ABSENT AND NOT VOTING that the same DO PASS and BE PLACED ON THE CONSENT CALENDAR.

REP. KRETSCHMAR, Chairman

HCR 3076 was placed on the Tenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on State and Federal Government to which was referred Engrossed SB 2045 has had the same under consideration and recommends by a vote of 7 YEAS, 6 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO NOT PASS:

On page 1 of the engrossed bill, line 1, delete the words "and enact a new section to"

On page 1 of the engrossed bill, line 2, delete the words "chapter 54-23.1 of the North Dakota Century Code, relating to"

On page 1 of the engrossed bill, line 10, delete the words "A new section to chapter 54-23.1 of the North"

On page 1 of the engrossed bill, delete lines 11 and 12

And renumber the lines, sections, and pages accordingly

REP. MARTINSON, Chairman

Engrossed SB 2045 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Judiciary to which was referred SB 2065 has had the same under consideration and recommends by a vote of 8 YEAS, 6 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

REP. KRETSCHMAR, Chairman

SB 2065 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Industry, Business and Labor to which was referred SB 2108 has had the same under consideration and recommends by a vote of 14 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING that the same DO PASS.

REP. WHALEN, Chairman

SB 2108 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Industry, Business and Labor to which was referred Engrossed SB 2129 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. WHALEN, Chairman

Engrossed SB 2129 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Industry, Business and Labor to which was referred SB 2133 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. WHALEN, Chairman

SB 2133 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Industry, Business and Labor to which was referred Engrossed SB 2135 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. WHALEN, Chairman

Engrossed SB 2135 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Industry, Business and Labor to which was referred SB 2171 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. WHALEN, Chairman

SB 2171 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Finance and Taxation to which was referred Engrossed SB 2216 has had the same under consideration and recommends by a vote of 15 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

REP. A. HAUSAUER, Chairman

Engrossed SB 2216 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

**MR. SPEAKER:** Your Committee on Industry, Business and Labor to which was referred SB 2221 has had the same under consideration and recommends by a vote of 14 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING that the same DO PASS.

**REP. WHALEN, Chairman**

SB 2221 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

**MR. SPEAKER:** Your Committee on Industry, Business and Labor to which was referred SB 2227 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. WHALEN, Chairman**

SB 2227 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

**MR. SPEAKER:** Your Committee on Judiciary to which was referred SB 2241 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

**REP. KRETSCHMAR, Chairman**

SB 2241 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

**MR. SPEAKER:** Your Committee on Industry, Business and Labor to which was referred Engrossed SB 2271 has had the same under consideration and recommends by a vote of 15 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING that the same DO PASS.

**REP. WHALEN, Chairman**

Engrossed SB 2271 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

**MR. SPEAKER:** Your Committee on Industry, Business and Labor to which was referred Engrossed SB 2273 has had the same under consideration and recommends by a vote of 11 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO NOT PASS:

On page 1 of the engrossed bill, line 1, delete the word "section" and insert in lieu thereof the word "sections" and after the comma insert the numerals "26.1-05-32,"

On page 2 of the engrossed bill, after line 3, insert the following new section:

"SECTION 2. AMENDMENT. Section 26.1-05-32 of the 1985 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:



26.1-05-32. Impairment of capital or surplus of domestic life company - Determination of deficiency - Notice not to issue policies. If a domestic stock life insurance company's minimum basic paid-in capital or surplus required by section 26.1-05-04 or the minimum basic surplus of a domestic mutual insurance company required by section 26.1-12-10 becomes impaired, the commissioner shall prohibit the company and its agents from issuing new policies until the deficiency is cured. The commissioner shall determine the amount of the deficiency, notify the company of the deficiency and require the company to cure the deficiency, and require the company to file proof thereof with the commissioner within a period specified in the notice. The period may not be less than thirty days nor more than ninety days from the date of issuance of the notice."

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

Engrossed SB 2273 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on State and Federal Government to which was referred SB 2278 has had the same under consideration and recommends by a vote of 12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 2, line 14, delete the words "Advisory council" means the laboratory advisory council" and overstrike the period

On page 2, line 15, overstrike the numeral "2."

On page 2, line 18, overstrike the numeral "3." and insert immediately thereafter the numeral "2."

On page 2, line 26, delete the words "- Laboratory advisory"

On page 2, line 27, delete the word "council"

On page 3, line 1, delete the words ". The state health officer shall appoint a state laboratory"

On page 3, delete the lines 2 through 24

On page 3, line 25, delete the words "attending advisory council meetings"

On page 22, line 35, delete the words "a laboratory"

On page 23, line 1, delete the words "advisory council,"

On page 23, line 9, delete the first underscored comma and insert in lieu thereof the word "and" and delete the words ", and such" and insert in lieu thereof an underscored period

On page 23, delete lines 10 and 11

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

SB 2278 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Finance and Taxation to which was referred Engrossed SB 2309 has had the same under consideration and recommends by a vote of 15 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. A. HAUSAUER, Chairman

Engrossed SB 2309 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Education to which was referred SB 2334 has had the same under consideration and recommends by a vote of 15 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same DO PASS.

REP. GATES, Chairman

SB 2334 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Education to which was referred Engrossed SB 2338 has had the same under consideration and recommends by a vote of 12 YEAS, 2 NAYS, 4 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 2 of the engrossed bill, line 16, after the comma insert the words "township officer, rural fire protection district board member,"

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

Engrossed SB 2338 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Industry, Business and Labor to which was referred Engrossed SB 2422 has had the same under consideration and recommends by a vote of 14 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1 of the engrossed bill, line 19, delete the word "agree" and insert in lieu thereof the word "agreed"

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

Engrossed SB 2422 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Education to which was referred SCR 4007 has had the same under consideration and recommends by a vote of 14 YEAS, 1 NAY, 3 ABSENT AND NOT VOTING that the same DO PASS.

REP. GATES, Chairman

SCR 4007 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

#### FIRST READING OF HOUSE BILLS

Reps. Strinden, A. Olson, Myrdal and Sen. Heigaard introduced:  
(Approved by the Committee on Delayed Bills)

HB 1675: A BILL for an Act to create and enact a new section to chapter 57-15 of the North Dakota Century Code, relating to a school district mill levy for asbestos abatement; and to repeal subdivision j of subsection 1 of section 57-15-14.2 of the North Dakota Century Code, relating to school district mill levies for asbestos abatement.

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

Reps. Goetz, A. Hausauer, Moore introduced:  
(Approved by the Committee on Delayed Bills)

HB 1676: A BILL for an Act to create and enact section 57-38-58.1 of the North Dakota Century Code, relating to definitions for purposes of withholding from wages of nonresident employees; to amend and reenact sections 57-38-01.7 and subsection 2 of section 57-38-31 of the North Dakota Century Code, and section 57-38-29, subsection 2 of section 57-38-30.3, sections 57-38-59, 57-38-60, 57-38-60.1, 57-38-61, and 57-38-62 of the North Dakota Century Code, as contained in sections 1 through 7 of House Bill No. 1901, as approved by the fiftieth legislative assembly, relating to the rate of income tax for individuals, income withholding, income deductions, income tax returns, and payment of estimated tax for income tax purposes; to repeal sections 57-38-01.2, 57-38-01.8, 57-38-01.13, 57-38-01.14, 57-38-01.15, 57-38-06.1, 57-38-07, 57-38-29, 57-38-30.4, subsection 2 of section 57-38-31, sections 57-38-34.2, 57-38-67, 57-38-68, 57-38-69, 57-38-70, 57-38-71, 57-38-72, 57-38-73, and 57-38-74 of the North Dakota Century Code, relating to long form individual income tax filing; and to provide an effective date.

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

## FIRST READING OF HOUSE CONCURRENT RESOLUTIONS

Reps. Dalrymple, Kingsbury and Sen. Tallackson introduced:  
(Approved by the Committee on Delayed Bills)

HCR 3081: A concurrent resolution congratulating Tom Campbell on being named one of the nation's four outstanding young farmers of 1987 by the United States Jaycees.

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

Reps. Gerntholz, V. Olson introduced:  
(Approved by the Committee on Delayed Bills)

HCR 3082: A concurrent resolution urging the Congress of the United States to enact appropriate legislation to curtail advertising and promotion of alcoholic beverages.

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

## FIRST READING OF SENATE CONCURRENT RESOLUTIONS

SCR 4041: A concurrent resolution directing the Legislative Council to study game and fish laws and the liability of owners of land used for recreation.

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

SCR 4052: A concurrent resolution directing the Legislative Council to study the health impact of indoor radon gas and radon progeny in homes and other buildings in North Dakota.

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

SCR 4056: A concurrent resolution directing the Legislative Council to study the cost effectiveness and economic impact of governmental and intergovernmental services provided by state agencies, departments, and institutions, and alternative means of delivering those services.

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

SCR 4057: A concurrent resolution directing the Legislative Council to study the administrative hearing and license suspension process for alcohol-related traffic offenses.

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

SCR 4058: A concurrent resolution directing the Legislative Council to study alternative methods available for establishing a capital construction trust fund for the state.

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

SCR 4060: A concurrent resolution directing the Legislative Council to study the securities laws of North Dakota, the need for regulation of the various aspects of the

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securities business, and the desirability of revising the state's securities laws to foster legitimate capital formation in the state.

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

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

ROY GILBREATH, Chief Clerk