

JOURNAL OF THE HOUSE

Fiftieth Legislative Assembly

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FORTY-FIRST DAY

Bismarck, March 5, 1987

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

The prayer was offered by Patrick Moore, Chaplain, St. Alexius Medical Center, Bismarck, North Dakota.

ROLL CALL

The roll was called and all Representatives were present, except Representatives Laughlin and Wentz.

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

On page 1606, line 18, delete the word "House" and insert in lieu thereof the word "Senate"

REP. THOMPSON, Chairman

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

CORRECTION AND REVISION OF THE JOURNAL

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

On page 283, after line 23, insert the following:

"SB 2140: A BILL for an Act to amend and reenact section 39-04-05 of the North Dakota Century Code, relating to grounds for refusing registration of a motor vehicle.
Was read the first time and referred to the Committee on Transportation."

REP. THOMPSON, Chairman

REP. ENGET 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 passed unchanged:

SB 2077, SB 2161, SB 2213, SB 2214, SB 2343, SB 2385,
SB 2436, SB 2441, SB 2495, SCR 4022, SCR 4023

ROY GILBREATH, Chief Clerk

SIGNING OF BILLS AND RESOLUTIONS

THE CHIEF CLERK ANNOUNCED that the Speaker signed the following:

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

ROY GILBREATH, Chief Clerk

MESSAGE TO THE SENATE
HOUSE CHAMBER

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

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

ROY GILBREATH, Chief Clerk

SIXTH ORDER OF BUSINESS

REP. MARTINSON MOVED that the amendments to SB 2045 as recommended by the Committee on State and Federal Government as printed on page 1618 of the House Journal be adopted, and when so adopted, recommends the same DO NOT PASS, which motion prevailed.

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

REP. WHALEN MOVED that the amendments to SB 2273 as recommended by the Committee on Industry, Business and Labor as printed on pages 1620-1621 of the House Journal be adopted, and when so adopted, recommends the same DO NOT PASS, which motion prevailed.

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

REP. MARTINSON MOVED that the amendments to SB 2278 as recommended by the Committee on State and Federal Government as printed on pages 1621-1622 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

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

REP. GATES MOVED that the amendments to SB 2338 as recommended by the Committee on Education as printed on page 1622 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

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

REP. WHALEN MOVED that the amendments to SB 2422 as recommended by the Committee on Industry, Business and Labor as printed on page 1623 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

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

CONSIDERATION OF MESSAGES FROM THE SENATE

REP. A. OLSON MOVED that the House do concur in the Senate amendments to HB 1163 as printed on page 1576 of the House Journal, which motion prevailed.

HB 1163 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. KRETSCHMAR MOVED that the House do concur in the Senate amendments to HB 1343 as printed on page 1607 of the House Journal, which motion prevailed.

HB 1343 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MOTIONS

REP. STRINDEN MOVED that SB 2314 be rereferred from the Committee on Human Services and Veterans Affairs to the Committee on Judiciary, which motion prevailed.

REP. STRINDEN MOVED that SB 2330, SB 2391, and SB 2471 be rereferred from the Committee on Human Services and Veterans Affairs to the Committee on State and Federal Government, which motion prevailed.

REP. STRINDEN MOVED that SB 2115 be rereferred from the Committee on Human Services and Veterans Affairs to the Committee on Political Subdivisions, which motion prevailed.

REP. KRETSCHMAR MOVED that SB 2230, which is on the Fourteenth order, be rereferred to the Committee on Judiciary, which motion prevailed.

SPEAKER KLOUBEC ANNOUNCED that SB 2230 was rereferred to the Committee on Judiciary.

REP. A. OLSON MOVED that SB 2035 be returned to the House floor from the Committee on Natural Resources and be rereferred to the Committee on Agriculture, which motion prevailed.

SPEAKER KLOUBEC ANNOUNCED that SB 2035 was rereferred to the Committee on Agriculture.

MESSAGES FROM THE SENATE
SENATE CHAMBER

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

HB 1061, HB 1067, HB 1092, HB 1101, HB 1108, HB 1194,
HB 1206, HB 1217, HB 1237, HB 1263, HB 1298, HB 1461

PERRY GROTEBERG, Secretary

SENATE CHAMBER

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

SCR 4064

PERRY GROTEBERG, Secretary

SENATE CHAMBER

MR. SPEAKER: I have the honor to return herewith HB 1117 which the Senate has amended:

On page 2 of the engrossed bill, line 17, delete the words "a state or normal" and insert in lieu thereof the word "an"

On page 2 of the engrossed bill, line 20, delete the words "and not so as to hinder the audit"

On page 2 of the engrossed bill, line 35, after the underscored period insert the following: "In the case of a contract with another library for service delivery, the city auditor or county treasurer shall promptly transmit all funds received to the established library fund of the agency delivering service."

On page 3 of the engrossed bill, line 1, delete the words "a state or normal" and insert in lieu thereof the word "an"

On page 3 of the engrossed bill, line 4, delete the words "and not so as to hinder the audit"

And renumber the lines, sections, and pages accordingly

PERRY GROTEBERG, Secretary

RECOGNITION

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

MOTION

REP. GOETZ MOVED that the House waive the reading of the title to SB 2263, which motion prevailed.

SECOND READING OF SENATE BILLS

SB 2263: A BILL for an Act to amend and reenact section 57-39.2-04.1, subsection 2 of section 57-39.2-11, subsection 2 of section 57-39.2-12.1, section 57-40.2-04.1, and subsection 2 of section 57-40.2-07.1 of the North Dakota Century Code, relating to the tax commissioner's authority to change filing requirements, nonavailability of compensation for administrative expenses, deduction for administrative expenses for filing sales and use tax returns, and sales and use tax exemption for food and food products purchased with food coupons issued by the United States department of agriculture.

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 102 YEAS, 2 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.; 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; 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; Whalen; Wilkie; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Kloubec

NAYS: Hanson, O.; Melby

ABSENT AND NOT VOTING: Peterson; Wentz

SB 2263 passed and the title was agreed to.

SB 2450: A BILL for an Act to create and enact a new section to chapter 47-18 of the North Dakota Century Code, relating to notice of waiver of homestead exemption.

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 99 YEAS, 4 NAYS, 3 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; 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; Scherber; Schindler; Schneider; Shaw; Shide; Shockman; Skjervon; Smette; Solberg; Starke; Stofferahn; Strinden; Thompson; Tokach; Tollefson; Tomac; Trautman; Ulmer; Vander Vorst; Wald; Watne; Whalen; Wilkie; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Kloubec

NAYS: Aas; Kuchera; Shaft; Sorensen

ABSENT AND NOT VOTING: Peterson; Rydell; Wentz

SB 2450 passed and the title was agreed to.

SB 2455: A BILL for an Act to create and enact a new section to chapter 35-01 of the North Dakota Century Code, relating to lien statement requirements.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 103 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Aas; Almlie; Anderson; Belter; Berg, G.; Berg, R.; Brokaw; Christman; Cleveland; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Dotzenrod; Enget; Flaagan; Frey; Gates; Gerntholz; Goetz; Gorman; 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; Scherber; Schindler; Schneider; Shaft; Shaw; Shide; Shockman; Skjerven; Smette; Solberg; Sorensen; Starke; Stofferahn; Strinden; Thompson; Tokach; Tollefson; Tomac; Trautman; Ulmer; Vander Vorst; Wald; Watne; Whalen; Wilkie; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Kloubec

NAYS: None

ABSENT AND NOT VOTING: Peterson; Rydell; Wentz

SB 2455 passed and the title was agreed to.

SB 2065: A BILL for an Act to create and enact a new section to chapter 53-06.1 of the North Dakota Century Code, relating to prize limitations on charitable gambling pull tab and jar games.

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: Almlie; 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.; Haugland; Hausauer, A.; Hausauer, R.; Hill; Hoffner; Kelly; Kingsbury; Klundt; Knell; Knudson; Kolbo; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Marks; Martin; Martinson; Melby; Mertens; Meyer; Moore; Myrdal; Nelson, C.; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Rice; Riehl; Rydell; Scherber; Schindler; Shaft; Shaw; Shide; Shockman; Skjerven; Smette; Solberg; Sorensen; Starke; Stofferahn; Strinden; Thompson; Tokach; Tomac; Trautman; Vander Vorst; Wald; Watne; Whalen; Wilkie; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Kloubec

NAYS: Aas; Anderson; Haugen; Hokana; Kent; Koland; Kretschmar; Lindgren; Murphy; Nelson, J.; Schneider; Tollefson; Ulmer

ABSENT AND NOT VOTING: Peterson; Wentz

SB 2065 passed and the title was agreed to.

SB 2108: A BILL for an Act to amend and reenact section 54-52.1-04.2 of the North Dakota Century Code, relating to the requirement of obtaining aggregate stop-loss coverage under the state self-insurance plan for hospital and medical benefits.

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; 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; Solberg; Sorensen; Starke; Stofferahn; Strinden; Thompson; Tokach; Tollefson; Tomac; Trautman; Ulmer; Vander Vorst; Wald; Watne; Whalen; Wilkie; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Kloubec

NAYS: None

ABSENT AND NOT VOTING: Peterson; Wentz

SB 2108 passed and the title was agreed to.

SB 2129: A BILL for an Act to create and enact a new section to chapter 6-09 of the North Dakota Century Code, relating to the Bank of North Dakota investment in a public venture capital corporation.

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; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Marks; Martin; Martinson; Melby; Mertens; Meyer; Moore; Myrdal; Nelson, C.; Nelson, J.; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; 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; Whalen; Wilkie; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Kloubec

NAYS: Murphy

ABSENT AND NOT VOTING: Peterson; Wentz

SB 2129 passed and the title was agreed to.

SB 2133: A BILL for an Act to amend and reenact section 6-03-70 of the North Dakota Century Code, relating to financial institutions call reports.

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; 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; Solberg; Sorensen; Starke;
 Stofferahn; Strinden; Thompson; Tokach; Tollefson;
 Tomac; Trautman; Ulmer; Vander Vorst; Wald; Watne;
 Whalen; Wilkie; Williams, A.; Williams, C.;
 Williams, W.; Winkelman; Speaker Kloubec

NAYS: None

ABSENT AND NOT VOTING: Peterson; Wentz

SB 2133 passed and the title was agreed to.

SB 2135: A BILL for an Act to create and enact section 6-07-04.2 of the North Dakota Century Code, relating to emergency action of the acquisition of a failing institution; and to amend and reenact sections 6-01-17 and 6-02-05 of the North Dakota Century Code, relating to the yearly assessment of banks and application for an organization certificate.

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, J.;
 DeMers, P.; Dorso; Dotzenrod; Enget; Flaagan; Frey;
 Gates; Gertholz; Goetz; 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;
 Tomac; Trautman; Ulmer; Vander Vorst; Wald; Watne;
 Whalen; Wilkie; Williams, A.; Williams, W.; Winkelman;
 Speaker Kloubec

NAYS: None

ABSENT AND NOT VOTING: Gorman; Peterson; Wentz;
Williams, C.

SB 2135 passed and the title was agreed to.

SB 2171: A BILL for an Act to amend and reenact section 43-15-31, subsection 6 of section 43-15-35, and section 43-15-42 of the North Dakota Century Code, relating to physicians' prescriptions to be filed and preserved, requirements for a permit to operate a pharmacy, and the penalty for violation of law regulating pharmacies.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 103 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Aas; Almlie; Anderson; Belter; Berg, G.; Berg, R.; Brokaw; Christman; Cleveland; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Dotzenrod; Enget; Flaagan; Frey; Gates; Gerntholz; Goetz; Gorman; 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; Shaw; Shide; Shockman; Skjerven; Smette; Solberg; Sorensen; Starke; Stofferahn; Strinden; Thompson; Tokach; Tollefson; Tomac; Trautman; Ulmer; Vander Vorst; Wald; Watne; Whalen; Wilkie; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Kloubec

NAYS: None

ABSENT AND NOT VOTING: Peterson; Shaft; Wentz

SB 2171 passed and the title was agreed to.

SB 2216: A BILL for an Act to amend and reenact section 57-36-32 of the North Dakota Century Code, relating to an additional tax on cigarettes.

Which has been read.

ROLL CALL

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

YEAS: Aas; Almlie; Anderson; Belter; Berg, G.; Berg, R.; Brokaw; Christman; Cleveland; Dalrymple; DeMers, J.; DeMers, P.; Dotzenrod; Enget; Flaagan; Gates; Gerntholz; Goetz; Gorman; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; 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; Moore; Myrdal; Nelson, C.; Nelson, J.; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Riehl; Rydell; Scherber; Schindler; Schneider; Shaw; Shide; Shockman; Smette; Solberg; Sorensen; Starke; Stofferahn; Strinden; Tokach; Tollefson; Tomac; Trautman; Ulmer; Vander Vorst; Wald; Watne; Whalen; Wilkie; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Kloubec

NAYS: Dorso; Frey; Haugen; Kingsbury; Meyer; Murphy; Rice; Skjerven

ABSENT AND NOT VOTING: Peterson; Shaft; Thompson; Wentz

SB 2216 passed and the title was agreed to.

SB 2221: A BILL for an Act to amend and reenact section 43-15-45 of the North Dakota Century Code, relating to costs of prosecution in disciplinary proceedings 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 103 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Aas; Almlie; Anderson; Belter; Berg, G.; Berg, R.; Brokaw; Christman; Cleveland; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Dotzenrod; Enget; Flaagan; Frey; Gates; Gerntholz; Goetz; Gorman; 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; Shaw; Shide; Shockman;
 Skjerven; Smette; Solberg; Sorensen; Starke;
 Stofferahn; Strinden; Thompson; Tokach; Tollefson;
 Tomac; Trautman; Ulmer; Vander Vorst; Wald; Watne;
 Whalen; Wilkie; Williams, A.; Williams, C.;
 Williams, W.; Winkelman; Speaker Kloubec

NAYS: None

ABSENT AND NOT VOTING: Peterson; Shaft; Wentz

SB 2221 passed and the title was agreed to.

SB 2227: A BILL for an Act to amend and reenact sections 6-03-34 and 6-03-36 of the North Dakota Century Code, relating to the payment of dividends by a banking institution.

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, 0 NAYS, 5 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Martin; Peterson; Shaft;
 Thompson; Wentz

SB 2227 passed and the title was agreed to.

SB 2241: A BILL for an Act to amend and reenact subsection 3 of section 12.1-28-01 of the North Dakota Century Code, relating to the definition of gambling apparatus.

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, 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; 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; Tokach; Tollefson; Tomac; Trautman; Ulmer; Vander Vorst; Wald; Watne; Whalen; Wilkie; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Kloubec

NAYS: Kuchera

ABSENT AND NOT VOTING: Martin; Peterson; Thompson; Wentz

SB 2241 passed and the title was agreed to.

SB 2271: A BILL for an Act to require insurance companies to file their annual statements with the national association of insurance commissioners to monitor solvency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 100 YEAS, 2 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Aas; Almlie; Anderson; Belter; Berg, G.; Berg, R.; Brokaw; Christman; Cleveland; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Dotzenrod; 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; 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; Tokach; Tollefson; Tomac; Trautman; Ulmer; Vander Vorst; Wald; Watne; Whalen; Wilkie; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Kloubec

NAYS: Kuchera; Olsen, D.

ABSENT AND NOT VOTING: Enget; Peterson; Thompson; Wentz

SB 2271 passed and the title was agreed to.

SB 2309: A BILL for an Act to create and enact a new section to chapter 57-38 of the North Dakota Century Code, relating to voluntary income tax withholding for federal employees; and to provide an effective date.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 3 YEAS, 100 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Cleveland; Kuchera; Lautenschlager

NAYS: Aas; Almlie; Anderson; Belter; Berg, G.; Berg, R.; Brokaw; Christman; 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; Lang; Larson; Laughlin; 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; Tokach; Tollefson; Tomac; Trautman; Ulmer; Vander Vorst; Wald;

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

ABSENT AND NOT VOTING: Peterson; Thompson; Wentz

SB 2309 was declared lost.

SB 2334: A BILL for an Act to amend and reenact subsection 4 of section 43-17-18 of the North Dakota Century Code, relating to qualifications of a foreign-trained applicant for a license to practice medicine.

Which has been read.

ROLL CALL

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

YEAS: Almlie; Anderson; Berg, G.; Berg, R.; Christman; Cleveland; Dalrymple; Dotzenrod; Enget; Flaagan; Gates; Gerntholz; Gorman; Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer, A.; Hill; Hoffner; Hokana; Kent; Klundt; Knudson; Koland; Kolbo; Kretschmar; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Martin; Melby; Murphy; Myrdal; Nicholas; Nowatzki; Oban; O'Connell; Olson, V.; Opedahl; O'Shea; Peterson; Rice; Riehl; Rydell; Scherber; Schindler; Shaft; Shaw; Smette; Solberg; Sorensen; Starke; Stofferahn; Thompson; Trautman; Vander Vorst; Watne; Whalen; Wilkie; Williams, A.; Winkelman

NAYS: Aas; Belter; Brokaw; DeMers, J.; DeMers, P.; Dorso; Frey; Goetz; Graba; Gunsch; Hanson, O.; Haugen; Hausauer, R.; Kelly; Knell; Kuchera; Marks; Martinson; Moore; Nelson, C.; Nelson, J.; Olsen, D.; Olson, A.; Payne; Schneider; Shide; Shockman; Skjerven; Strinden; Tokach; Tollefson; Tomac; Ulmer; Wald; Williams, W.; Speaker Kloubec

ABSENT AND NOT VOTING: Kingsbury; Mertens; Meyer; Wentz; Williams, C.

SB 2334 passed and the title was agreed to.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4007: A concurrent resolution recognizing the need for public awareness of the importance of physical fitness, designating the ninth day of March, 1987, as "Legislative Fitness Day", and urging all appropriate state agencies to

promote public awareness of the importance of physical fitness.

Which has been read.

The question being on the adoption of the resolution.

SCR 4007 was declared adopted.

SECOND READING OF A HOUSE CONCURRENT RESOLUTION
ON CONSENT CALENDAR

HCR 3076: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of adopting administrative alternatives to the application of the exclusionary rule as it relates to search and seizure provisions of the North Dakota and United States Constitutions.

Which has been read.

The question being on the final adoption of the resolution.

So the resolution was adopted.

REPORT OF PROCEDURAL COMMITTEE

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

HCR 3083, HCR 3084, HB 1677

REP. STRINDEN, Chairman

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

MOTIONS

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

REP. GOETZ MOVED that the House be on the Fifth order of business, and at the conclusion of the Fifth order, the House be on the Ninth order of business, and at the conclusion of the Ninth order, the House stand adjourned until 12:30 p.m., Friday, March 6, 1987, which motion prevailed.

REPORTS OF STANDING COMMITTEES

MR. SPEAKER: Your Committee on Industry, Business and Labor to which was referred HB 1669 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 PASS:

On page 1, line 9, remove the overstrike over the words "~~term of~~"

On page 1, remove the overstrike over line 10

On page 1, line 11, remove the overstrike over the words "~~expire on the tenth day of July in each odd-numbered year~~" and insert immediately thereafter the word ". The"

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

HB 1669 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 2049 has had the same under consideration and recommends by a vote of 12 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING that the same DO PASS.

REP. MARTINSON, Chairman

SB 2049 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 2067 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 2067 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 2084 has had the same under consideration and recommends by a vote of 10 YEAS, 5 NAYS, 2 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. A. OLSON, Chairman

Engrossed SB 2084 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 2104 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 2104 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 Engrossed SB 2117 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

Engrossed 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 2140 has had the same under consideration and recommends by a vote of 11 YEAS, 0 NAYS, 5 ABSENT AND NOT VOTING that the same DO PASS.

REP. ANDERSON, Chairman

SB 2140 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 2157 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 2157 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 2164 has had the same under consideration and recommends by a vote of 16 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1 of the engrossed bill, line 1, after the words "A BILL" delete the remainder of the bill and insert in lieu thereof the following: "for an Act to amend and reenact section 26.1-03-17 of the North Dakota Century Code, relating to the payment and amount of insurance company premium taxes, the penalty for failure to make timely payment of those taxes, and credit against future liability for overpayment of those taxes.

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

SECTION 1. AMENDMENT. Section 26.1-03-17 of the 1985 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

26.1-03-17. Commissioner to collect premium tax - Insurance companies generally - Computation - Credits - Penalty - Estimated tax.

1. Before issuing the annual certificate required by law, the commissioner shall collect from every

stock and mutual insurance company, nonprofit health service corporation, health maintenance organization, and prepaid legal service organization, except a fraternal benefit society, doing business in this state, a tax on the gross amount of premiums, assessments, membership fees, subscriber fees, policy fees, service fees collected by any third party administrator providing administrative services to a group that is self-insured for health care benefits and finance and service charges received in this state during the preceding calendar year, at the rate of two percent with respect to life insurance, one-half of one percent with respect to accident and health insurance, and one percent with respect to all other lines of insurance. This tax does not apply to considerations for annuities. The total tax is payable on or before March first following the year for which the tax is assessable and shall be deposited in the general fund in the state treasury.

2. An insurance company, nonprofit health service corporation, health maintenance organization, or prepaid legal service organization subject to the tax imposed by subsection 1 is entitled to a credit against the tax due for the amount of any assessment paid as a member of a comprehensive health association under subsection 4 of section 26.1-08-09 for which the member may be liable for the year in which the assessment was paid, a credit as provided under subsection 1 of section 26.1-38-08, a credit against the tax due for an amount equal to the examination fees paid to the commissioner under sections 26.1-01-07, 26.1-02-02, and 26.1-03-19 through 26.1-03-22 and a credit against the tax due for an amount equal to the ad valorem taxes, whether direct or in the form of rent, on that proportion of premises occupied as the principal office in this state for over one-half of the year for which the tax is paid. The credits under this subsection shall be prorated on a quarterly basis and may not exceed the total tax liability under subsection 1.
3. After March 17, 1984, any Any person failing to pay the tax imposed by subsection 1, within the time required, is subject to a penalty of five percent of the amount of tax due or one hundred dollars, whichever is greater, plus six percent of such tax for each day of delay, excepting the first day after the tax became due interest of one percent per month on the unpaid tax for each

month or fraction of a month of delay, excepting the first day after the tax became due, or twenty-five dollars per day, whichever is greater. The commissioner, if satisfied that the delay was excusable, may waive, and if paid, issue a premium tax credit for all or any part of the penalty and interest.

4. Every stock and mutual insurance company, nonprofit health service corporation, health maintenance organization, and prepaid legal service organization, except a fraternal benefit society, doing business in this state required to pay premium taxes in this state shall make and file a statement of estimated premium taxes. The statement and payment shall be made on a quarterly basis as prescribed by the commissioner. Failure of a company to make payments of at least one-fourth of either the total tax paid during the previous calendar year, or eighty percent of the actual tax for the current calendar year, shall subject the company to the penalty and interest provided in subsection 3.
5. If an amount of tax, penalty, or interest has been paid which was not due under the provisions of this section, the amount of overpayment must be credited against any tax due, or to become due, under this section from the taxpayer who made the erroneous payment. The taxpayer who made the erroneous payment must present a claim for credit to the commissioner not later than two years after the due date of the return for the period for which the erroneous payment was made."

And renumber the lines, sections, and pages accordingly

REP. A. HAUSAUER, Chairman

Engrossed SB 2164 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Natural Resources to which was referred SB 2187 has had the same under consideration and recommends by a vote of 13 YEAS, 1 NAY, 3 ABSENT AND NOT VOTING that the same DO PASS.

REP. A. OLSON, Chairman

SB 2187 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 2199 has had the same under consideration and recommends by a vote of 12 YEAS, 1 NAY, 3 ABSENT AND NOT VOTING that the same BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION.

REP. ANDERSON, Chairman

Engrossed SB 2199 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 2203 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. ANDERSON, Chairman

Engrossed SB 2203 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 2208 has had the same under consideration and recommends by a vote of 17 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1 of the engrossed bill, line 2, delete the numerals "15-39.1-08,"

On page 4 of the engrossed bill, delete lines 14 through 27

And renumber the lines, sections, and pages accordingly

REP. GATES, Chairman

Engrossed SB 2208 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Natural Resources to which was referred SB 2236 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same DO PASS.

REP. A. OLSON, Chairman

SB 2236 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 SB 2237 has had the same under consideration and recommends by a vote of 8 YEAS, 1 NAY, 8 ABSENT AND NOT VOTING that the same DO PASS.

REP. A. OLSON, Chairman

SB 2237 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 2258 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 2258 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 2260 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 2260 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 2261 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 2261 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 2300 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 2300 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 2325 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

SB 2325 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 2359 has had the same under consideration and recommends by a vote of 12 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same DO PASS.

REP. MOORE, Chairman

SB 2359 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 Engrossed SB 2362 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

Engrossed SB 2362 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 2440 has had the same under consideration and recommends by a vote of 11 YEAS, 1 NAY, 3 ABSENT AND NOT VOTING that the same DO PASS.

REP. MOORE, Chairman

SB 2440 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 2443 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 2443 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 2462 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 2462 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 2481 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. ANDERSON, Chairman

SB 2481 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 2516 has had the same under consideration and recommends by a vote of 16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1 of the engrossed bill, line 2, delete the word "businessmen" and insert in lieu thereof the words "small

business concerns and to nonprofit corporations for lending to rural businesses"

On page 1 of the engrossed bill, line 8, overstrike the words "Bank loans to beginning businessmen - Requirements. The"

On page 1 of the engrossed bill, overstrike lines 9 through 16

On page 1 of the engrossed bill, line 17, overstrike the words "type of revenue-producing enterprise which he wishes to begin." and insert immediately thereafter the words "Participations in loans to small business concerns - Direct loans to nonprofit corporations."

1."

On page 1 of the engrossed bill, after line 26, insert the following new subsection:

"2. The Bank, under Public Law No. 99-198 [99 Stat. 1534, 7 U.S.C. 1932 et seq.], may make direct loans to nonprofit corporations for the purpose of relending loan funds to rural businesses to improve business, industry, and employment opportunities in rural areas."

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

Engrossed SB 2516 was placed on the Sixth 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 Engrossed SCR 4003 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

Engrossed SCR 4003 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 SCR 4048 has had the same under consideration and recommends by a vote of 10 YEAS, 1 NAY, 6 ABSENT AND NOT VOTING that the same DO PASS and BE PLACED ON THE CONSENT CALENDAR.

REP. A. OLSON, Chairman

SCR 4048 was placed on the Tenth order of business on the calendar for the succeeding legislative day.

FIRST READING OF HOUSE BILL

Reps. Strinden, Kretschmar, Mertens and Sens. Nething, Lashkowitz introduced:

(Approved by the Committee on Delayed Bills)

HB 1677: A BILL for an Act to establish a temporary court of appeals; to amend and reenact subsection 5 of section 12.1-01-04, section 27-01-01, subsection 2 of section 27-23-01, and section 59-04-27 of the North Dakota Century Code, relating to references to the temporary court of appeals and judges of the temporary court of appeals; and to provide an appropriation.

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

FIRST READING OF HOUSE CONCURRENT RESOLUTIONS

Reps. Hoffner, Kloubec and Sen. Nething introduced:

(Approved by the Committee on Delayed Bills)

HCR 3083: A concurrent resolution urging the Congress of the United States to enact legislation to allow imposition of state sales and use taxes on mail order sales to purchasers within a state by out-of-state mail order companies.

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

Rep. Strinden introduced:

(Approved by the Delayed Bills Committee)

HCR 3084: A concurrent resolution directing the Legislative Council to study the Department of Human Services' establishment of a prospective Medicaid payment system.

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

SIGNING OF BILLS AND RESOLUTIONS

THE CHIEF CLERK ANNOUNCED that the Speaker signed the following:

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

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 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

ROY GILBREATH, Chief Clerk

THURSDAY, MARCH 5, 1987

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

ROY GILBREATH, Chief Clerk