

TUESDAY, MARCH 10, 1987

1727

JOURNAL OF THE HOUSE

Fiftieth Legislative Assembly

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FORTY-FOURTH DAY

Bismarck, March 10, 1987
The House convened at 1:00 p.m., with Speaker Kloubec presiding.

The prayer was offered by Douglas Mathison, Marion Lutheran Church, Marion, North Dakota.

ROLL CALL

The roll was called and all Representatives were present, except Representatives Cleveland, O. Hanson, and Kolbo.

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 Forty-third Day and finds the same to be correct.

REP. THOMPSON, Chairman

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

MESSAGES TO THE SENATE
HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to inform you that the House has concurred in the Senate amendments to HB 1163 and HB 1343 and subsequently passed the same.

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 2084, SB 2199

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

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

SB 2049, SB 2067, SB 2104, SB 2117, SB 2140, SB 2157,
SB 2187, SB 2203, SB 2236, SB 2237, SB 2258, SB 2260,
SB 2261, SB 2300, SB 2325, SB 2359, SB 2362, SB 2440,
SB 2443, SB 2462, SB 2481, SCR 4003, SCR 4048, SCR 4064

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to return herewith the following which the House has amended and subsequently passed:

SB 2278, SB 2338, SB 2422

ROY GILBREATH, Chief Clerk

SIGNING OF BILLS AND RESOLUTIONS

THE CHIEF CLERK ANNOUNCED that the Speaker signed the following:

HB 1025, HB 1106, HB 1126, HB 1157, HB 1195, HB 1199,
HB 1218, HB 1225, HB 1232, HB 1248, HB 1302, HB 1307,
HB 1313, HB 1469, HB 1483, HB 1489, HB 1516, HB 1546,
HB 1612

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 1025, HB 1106, HB 1126, HB 1157, HB 1195, HB 1199,
HB 1218, HB 1225, HB 1232, HB 1248, HB 1302, HB 1307,
HB 1313, HB 1469, HB 1483, HB 1489, HB 1516, HB 1546,
HB 1612

ROY GILBREATH, Chief Clerk

MOTIONS

REP. MARTINSON MOVED that the House reconsider its action whereby the committee report was accepted and SB 2109 was placed on the Fourteenth order of business on the calendar, which motion prevailed.

REP. MARTINSON MOVED that SB 2109 be rereferred to the Committee on State and Federal Government, which motion prevailed.

SPEAKER KLOUBEC ANNOUNCED that SB 2109 was referred to the Committee on State and Federal Government.

REP. MARTINSON MOVED that the House reconsider its action whereby the committee report was accepted and HCR 3082 was placed on the consent calendar, which motion prevailed.

REP. MARTINSON MOVED that HCR 3082 be rereferred to the Committee on State and Federal Government, which motion prevailed.

SPEAKER KLOUBEC ANNOUNCED that HCR 3082 was referred to the Committee on State and Federal Government.

RECOGNITION

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

SIXTH ORDER OF BUSINESS

REP. PETERSON MOVED that the amendments to SB 2011 as recommended by the Committee on Appropriations as printed on pages 1715-1716 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SB 2011 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

REP. NICHOLAS MOVED that the amendments to SB 2033 as recommended by the Committee on Agriculture as printed on pages 1716-1717 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SB 2033 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

REP. MOORE MOVED that the amendments to SB 2085 as recommended by the Committee on Political Subdivisions as printed on page 1718 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SB 2085 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

REP. ANDERSON MOVED that the amendments to SB 2093 as recommended by the Committee on Transportation as printed on page 1718 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SB 2093 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

REP. ANDERSON MOVED that the amendments to SB 2141 as recommended by the Committee on Transportation as printed on pages 1719-1720 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SB 2141 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

REP. HAUGLAND MOVED that the amendments to SB 2192 as recommended by the Committee on Human Services and Veterans Affairs as printed on page 1720 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SB 2192 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

REP. HAUGLAND MOVED that the amendments to SB 2337 as recommended by the Committee on Human Services and Veterans Affairs as printed on pages 1722-1724 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SB 2337 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

REP. A. OLSON MOVED that the amendments to SB 2412 as recommended by the Committee on Natural Resources as printed on page 1724 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

REQUEST

REP. STRINDEN REQUESTED a recorded roll call vote on the motion to adopt the proposed amendments to SB 2412, which request was granted.

ROLL CALL

The question being on the motion to adopt the amendments to SB 2412, the roll was called and there were 68 YEAS, 35 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Almlie; Anderson; Belter; Berg, G.; Brokaw; Christman; Dalrymple; DeMers, P.; Dotzenrod; Enget; Flaagan; Gates; Gerntholz; Goetz; Gunsch; Hamerlik; Haugen; Haugland; Hausauer, R.; Kent; Kingsbury; Knell; Knudson; Kretschmar; Kuchera; Lang; Laughlin; Lautenschlager; Linderman; Martin; Martinson; Melby; Meyer; Moore; Murphy; Myrdal; Nelson, J.; Nicholas; Nowatzki; Olsen, D.; Olson, A.; Opedahl; Rice; Riehl; Rydell; Scherber; Schindler; Shaft; Shaw; Shide; Shockman; Skjerven; Smette; Solberg; Starke; Stofferahn; Strinden; Thompson; Tokach; Tomac; Ulmer; Vander Vorst; Wald; Watne; Wentz; Wilkie; Williams, A.; Williams, C.

NAYS: Aas; Berg, R.; DeMers, J.; Dorso; Frey; Gorman; Graba; Halmrast; Hanson, L.; Hausauer, A.; Hill; Hoffner; Hokana; Kelly; Klundt; Koland; Kolbo; Larson; Lindgren; Marks; Mertens; Nelson, C.; Oban; O'Connell; Olson, V.; O'Shea; Payne; Schneider; Sorensen; Tollefson; Trautman; Whalen; Williams, W.; Winkelman; Speaker Kloubec

ABSENT AND NOT VOTING: Cleveland; Hanson, O.; Peterson

The motion to adopt the amendments to SB 2412 passed.

SB 2412 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

SIXTH ORDER OF BUSINESS

REP. MOORE MOVED that the amendments to SB 2415 as recommended by the Committee on Political Subdivisions as printed on pages 1724-1725 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SB 2415 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

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 1014, HB 1094, HB 1097, HB 1137, HB 1138, HB 1139,
HB 1200, HB 1301, HB 1311, HB 1380, HB 1540

PERRY GROTEBERG, Secretary

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 2144, SB 2151, SB 2163, SB 2177, SB 2180, SB 2182,
SB 2207, SB 2284, SB 2342, SB 2384, SB 2420, SB 2446,
SB 2452, SB 2459, SB 2493, SB 2505, SB 2534, SCR 4006,
SCR 4015, SCR 4018, SCR 4020, SCR 4036, SCR 4045

PERRY GROTEBERG, Secretary

SENATE CHAMBER

MR. SPEAKER: I have the honor to return herewith HB 1223, HB 1596, and HCR 3025 which the Senate has amended and subsequently passed:

SENATE AMENDMENTS TO HOUSE BILL NO. 1223

On page 1, line 3, delete the second word "and" and after the word "sections" insert the numerals "15-20.4-02,"

On page 1, line 5, after the word "to" insert the words "exemptions from standards for postsecondary educational institutions, and", and after the word "licenses" insert the words "; and to declare an emergency"

On page 1, after line 7, insert the following new section:

"SECTION 1. AMENDMENT. Section 15-20.4-02 of the 1985 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

15-20.4-02. Exemptions. The following education and educational institutions are exempted from the provisions of this chapter:

1. Institutions exclusively offering instruction at any or all levels from preschool through the twelfth grade.
2. Education sponsored by a bona fide trade, business, professional, or fraternal organization, so recognized by the board, solely for that organization's membership, or offered on a no-fee basis.
3. Education solely avocational or recreational in nature, as determined by the board, and institutions offering such education exclusively.
4. Education offered by charitable institutions, organizations, or agencies, so recognized by the board, provided ~~such the~~ education is not advertised or promoted as leading toward educational credentials.
5. Postsecondary educational institutions established, operated, and governed by this state or its political subdivisions, as determined by the board and any educational consortium that includes one or more of ~~such the~~ institutions.
6. Private four-year institutions chartered or incorporated and operating in the state prior to July 1, 1977, so long as ~~such the~~ institutions retain accreditation by national or regional accrediting agencies recognized by the United States office of education.
7. Schools of barbering regulated under chapter 43-04.
8. Schools of cosmetology regulated under chapter 43-11.
9. Schools of nursing regulated under chapter 43-12.1.
10. Schools instructing on the manner of conducting games of chance which are regulated under chapter 53-06.1.
11. Schools instructing on the manner of conducting auction sales which are regulated under chapter 51-05.1."

On page 4, after line 15, insert the following new section:

"SECTION 7. EMERGENCY. This Act is declared to be an emergency measure and is in effect upon its filing with the secretary of state or on a date specified in this Act."

And renumber the lines, sections, and pages accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1596

On page 1 of the engrossed bill, line 23, delete the word "twenty" and insert in lieu thereof the word "fifty"

On page 2 of the engrossed bill, line 3, delete the word "five" and insert in lieu thereof the word "four"

On page 2 of the engrossed bill, line 10, delete the word "five" and insert in lieu thereof the word "four"

And renumber the lines, sections, and pages accordingly

SENATE AMENDMENTS TO HOUSE CONCURRENT RESOLUTION NO. 3025

On page 1, line 4, after the word "schools" insert the words ", and directing the Legislative Council to study the feasibility, cost, and benefits of utilizing current technology to enhance the educational opportunities of North Dakota students"

On page 1, line 27, after the semicolon insert the word "and"

On page 1, after line 27, insert the following:

"WHEREAS, via the use of current technology such as satellite technology, fiber optics in telephones, and other electronic media, the educational opportunities of North Dakota students can be inexpensively enhanced;"

On page 2, after line 16, insert the following:

"BE IT FURTHER RESOLVED, that the Legislative Council study the feasibility, cost, and benefits of utilizing current technology to enhance the educational opportunities of North Dakota students; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Fifty-first Legislative Assembly; and"

And renumber the lines, sections, and pages accordingly

PERRY GROTEBERG, Secretary

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. ANDERSON MOVED that the House do not concur in the Senate amendments to HB 1068 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed.

APPOINTMENT OF A CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1068:

Reps. Belter, Knell, O'Connell

MESSAGE TO THE SENATE

HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to inform you that the House has refused to concur in the Senate amendments to HB 1068 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1068: Reps. Belter, Knell, O'Connell

ROY GILBREATH, Chief Clerk

CONSIDERATION OF MESSAGES FROM THE SENATE

REP. MOORE MOVED that the House do concur in the Senate amendments to HB 1308 as printed on page 1661 of the House Journal, which motion prevailed.

HB 1308 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. MOORE MOVED that the House do concur in the Senate amendments to HB 1594 as printed on pages 1662-1666 of the House Journal, which motion prevailed.

HB 1594 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MOTION

REP. STRINDEN MOVED that the rules be suspended and that HB 1308 and HB 1594 be deemed properly reengrossed and be placed on the Eleventh order, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE BILLS

HB 1308: A BILL for an Act to amend and reenact section 40-39-04 of the North Dakota Century Code, relating to electric facilities existing on vacated streets and alleys.

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; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Dotzenrod; Enget; Flaagan; Frey; Gates; Gerntholz; 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; 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: None

ABSENT AND NOT VOTING: Cleveland; Hanson, O.; Peterson

HB 1308 passed and the title was agreed to.

HB 1594: A BILL for an Act to amend and reenact sections 40-62-01, 40-62-02, 40-62-03, 40-62-04, 40-62-05, 40-62-06, and 40-62-07 of the North Dakota Century Code, relating to pedestrian malls and skyways.

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; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Dotzenrod; Enget; Flaagan; Frey; Gates; Gerntholz; 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; 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: None

ABSENT AND NOT VOTING: Cleveland; Hanson, O.; Peterson

HB 1594 passed and the title was agreed to.

MOTION

REP. STRINDEN MOVED that HB 1674, which is on the Eleventh order, be laid over one legislative day, which motion prevailed.

MESSAGES FROM THE SENATE

SENATE CHAMBER

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

HB 1093, HB 1119, HB 1164, HB 1175, HB 1205, HB 1219,
HB 1244, HB 1317, HB 1318, HB 1370, HB 1389, HB 1400,
HB 1415, HB 1419, HB 1425, HB 1432, HB 1501, HB 1522,
HB 1531, HCR 3002, HCR 3008, HCR 3012, HCR 3022

PERRY GROTBERG, Secretary

SENATE CHAMBER

MR. SPEAKER: I have the honor to return herewith the following which the Senate has failed to pass:

HB 1144, HCR 3045

PERRY GROTBERG, Secretary

SECOND READING OF SENATE BILLS

SB 2215: A BILL for an Act to create and enact three new subsections to section 57-40.3-01 of the North Dakota Century Code, relating to definitions of vehicles for purposes of the motor vehicle excise tax; and to amend and reenact subsection 1 of section 57-40.3-01 of the North Dakota Century Code, relating to the definition of motor vehicle for purposes of motor vehicle excise tax.

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 84 YEAS, 18 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Aas; Almlie; Anderson; Belter; Berg, G.; Berg, R.; Christman; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Dotzenrod; Enget; Flaagan; Gerntholz; Goetz; Gorman; Graba; Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer, R.; Hill; Hoffner; Hokana; Kelly; Kent; Klundt; Knell; Knudson; Koland; Kolbo; Kretschmar; Kuchera; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Marks; Martin; Martinson; Melby; Mertens;

Moore; Murphy; Nelson, C.; Nicholas; Nowatzki; Oban;
 Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea;
 Payne; Rice; Rydell; Scherber; Shaft; Shaw; Shide;
 Skjerven; Smette; Sorensen; Starke; Stofferahn;
 Strinden; Tokach; Tollefson; Tomac; Trautman; Ulmer;
 Wald; Watne; Wentz; Whalen; Wilkie; Williams, A.;
 Williams, C.; Williams, W.; Winkelman; Speaker Kloubec

NAYS: Brokaw; Frey; Gates; Gunsch; Haugen; Hausauer, A.;
 Kingsbury; Lang; Meyer; Myrdal; Nelson, J.; O'Connell;
 Riehl; Schindler; Schneider; Shockman; Solberg;
 Vander Vorst

ABSENT AND NOT VOTING: Cleveland; Hanson, O.; Peterson;
 Thompson

SB 2215 passed and the title was agreed to.

SB 2262: A BILL for an Act to create and enact a new subsection to section 39-24-09 of the North Dakota Century Code, relating to snowmobile operation requirements; and to amend and reenact sections 39-24-03, 39-24-04, and 39-24-09.1 of the North Dakota Century Code, relating to snowmobile registration, exemption from registration, operation, and safety education programs.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 78 YEAS, 25 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Almlie; Berg, G.; Berg, R.; Brokaw; Christman;
 DeMers, J.; DeMers, P.; Dorso; Dotzenrod; Enget;
 Flaagan; Frey; Gates; Gerntholz; Goetz; Gorman; Graba;
 Halmrast; Hamerlik; Hanson, L.; Haugen; Haugland;
 Hausauer, R.; Hoffner; Kelly; Kent; Kingsbury; Klundt;
 Kolbo; Kretschmar; Kuchera; Lang; Larson; Laughlin;
 Linderman; Lindgren; Marks; Martinson; Melby; Mertens;
 Moore; Myrdal; Nelson, C.; Nicholas; Nowatzki; Oban;
 Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Rice;
 Rydell; Scherber; Schindler; Shaft; Shaw; Shide;
 Skjerven; Sorensen; Starke; Stofferahn; Strinden;
 Tokach; Tollefson; Tomac; Trautman; Ulmer;
 Vander Vorst; Wald; Wentz; Whalen; Wilkie;
 Williams, A.; Williams, C.; Williams, W.; Winkelman;
 Speaker Kloubec

NAYS: Aas; Anderson; Belter; Dalrymple; Gunsch;
 Hausauer, A.; Hill; Hokana; Knell; Knudson; Koland;
 Lautenschlager; Martin; Meyer; Murphy; Nelson, J.;

O'Connell; Opedahl; Riehl; Schneider; Shockman; Smette;
Solberg; Thompson; Watne

ABSENT AND NOT VOTING: Cleveland; Hanson, O.; Peterson

SB 2262 passed and the title was agreed to.

SB 2404: A BILL for an Act to amend and reenact subsection 9 of section 27-20-02 and section 27-20-31 of the North Dakota Century Code, relating to the jurisdiction of the juvenile court over traffic offenses committed by a child and the disposition of a delinquent child.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 97 YEAS, 6 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Aas; Almlie; Belter; Berg, G.; Berg, R.; Brokaw; Christman; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Dotzenrod; Enget; Flaagan; Frey; Gates; Gertholz; Goetz; Gorman; Graba; Halmarast; Hamerlik; Hanson, L.; Haugland; Hausauer, A.; Hausauer, R.; Hill; Hoffner; Hokana; Kelly; Kent; Kingsbury; Klundt; Knell; Knudson; Kolbo; Kretschmar; 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; Wentz; Whalen; Wilkie; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Kloubec

NAYS: Anderson; Gunsch; Haugen; Koland; Kuchera; Melby

ABSENT AND NOT VOTING: Cleveland; Hanson, O.; Peterson

SB 2404 passed and the title was agreed to.

SB 2047: A BILL for an Act to create and enact a new section to chapter 54-12 of the North Dakota Century Code, relating to investigations on Indian reservations by the attorney general.

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; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Dotzenrod; Enget; Flaagan; Frey; Gates; Gerntholz; 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; 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; Trautman; Ulmer; Vander Vorst; Wald; Watne; Wentz; Whalen; Wilkie; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Kloubec

NAYS: None

ABSENT AND NOT VOTING: Cleveland; Hanson, O.; Peterson; Tomac

SB 2047 passed and the title was agreed to.

MOTION

REP. GOETZ MOVED that the House waive the reading of the title to SB 2094, which motion prevailed.

SECOND READING OF SENATE BILLS

SB 2094: A BILL for an Act to create and enact a new section to chapter 43-04 and a new subsection to section 43-04-42 of the North Dakota Century Code, relating to qualifications of barbers registered in another state to receive a certificate of registration to practice barbering in this state and the fee for such a certificate; and to repeal section 43-04-38 of the North Dakota Century Code, relating to the issuance of a permit to practice as a journeyman barber to persons having practiced barbering in another state.

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; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Dotzenrod; Enget; Flaagan; Frey; Gates; Gerntholz; 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; 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: None

ABSENT AND NOT VOTING: Cleveland; Hanson, O.; Peterson

SB 2094 passed and the title was agreed to.

SB 2096: A BILL for an Act establishing English as the official language of the state of North Dakota.

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, 24 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Aas; Almlie; Anderson; Belter; Berg, G.; Berg, R.; Brokaw; Christman; Dalrymple; Dorso; Dotzenrod; Flaagan; Gates; Gerntholz; Goetz; Graba; Gunsch; Halmrast; Hamerlik; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hill; Hoffner; Hokana; Kent; Kingsbury; Knell; Knudson; Koland; Kolbo; Kretschmar; Kuchera; Lang; Laughlin; Linderman; Lindgren; Marks; Martin; Martinson; Melby; Meyer; Moore; Murphy; Myrdal; Nelson, C.; Nelson, J.; Nicholas; Olsen, D.; Olson, A.; Olson, V.; Opedahl; Payne; Rice; Rydell; Schindler; Shaft; Shaw; Shide; Shockman; Skjerven; Smette; Sorensen; Stofferahn; Strinden; Thompson; Tollefson; Trautman; Vander Vorst; Wald; Watne; Whalen;

Williams, A.; Williams, C.; Williams, W.; Winkelman;
Speaker Kloubec

NAYS: DeMers, J.; DeMers, P.; Enget; Frey; Hanson, L.;
Kelly; Klundt; Larson; Lautenschlager; Mertens;
Nowatzki; Oban; O'Connell; O'Shea; Riehl; Scherber;
Schneider; Solberg; Starke; Tokach; Tomac; Ulmer;
Wentz; Wilkie

ABSENT AND NOT VOTING: Cleveland; Gorman; Hanson, O.;
Peterson

SB 2096 passed and the title was agreed to.

SB 2105: A BILL for an Act to amend and reenact sections
29-07-01.1, 31-01-18, 31-01-19, and 40-18-19 of the North
Dakota Century Code, relating to the payment of indigent
defense expenditures and witness fees and expenses in
criminal cases.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was
called and there were 97 YEAS, 3 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Almlie; Anderson; Belter; Berg, G.; Berg, R.;
Brokaw; Christman; Dalrymple; DeMers, J.; DeMers, P.;
Dorso; Dotzenrod; Enget; Flaagan; Frey; Gates;
Gerntholz; Goetz; Gorman; Graba; Gunsch; Halmrast;
Hamerlik; Hanson, L.; 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; 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;
Tokach; Tollefson; Trautman; Ulmer; Vander Vorst; Wald;
Watne; Wentz; Whalen; Wilkie; Williams, A.;
Williams, C.; Williams, W.; Winkelman; Speaker Kloubec

NAYS: Aas; Haugen; Kingsbury

ABSENT AND NOT VOTING: Cleveland; Hanson, O.; Martinson;
Mertens; Peterson; Tomac

SB 2105 passed and the title was agreed to.

SB 2154: A BILL for an Act to amend and reenact section 6-09.4-04 of the North Dakota Century Code, relating to the North Dakota municipal bond bank.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 100 YEAS, 1 NAY, 5 ABSENT AND NOT VOTING.

YEAS: Aas; Almlie; Anderson; Belter; Berg, G.; Berg, R.; Brokaw; Christman; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Dotzenrod; Enget; Flaagan; Frey; Gates; Gerntholz; Goetz; Gorman; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Haugen; Haugland; 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; Tokach; Tollefson; Trautman; Ulmer; Vander Vorst; Wald; Watne; Wentz; Whalen; Wilkie; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Kloubec

NAYS: Hausauer, A.

ABSENT AND NOT VOTING: Cleveland; Hanson, O.; Mertens; Peterson; Tomac

SB 2154 passed and the title was agreed to.

MOTION

REP. GOETZ MOVED that the House waive the reading of the title to SB 2169, which motion prevailed.

SECOND READING OF SENATE BILLS

SB 2169: A BILL for an Act to create and enact a new section to chapter 10-24 of the North Dakota Century Code, relating to reservation of a corporate name; to amend and reenact sections 10-24-07, 10-24-08, 10-24-09, 10-24-10, 10-24-28, 10-24-36, 10-24-37, 10-27-03, 10-27-06, 10-27-08, 10-27-09, 10-27-10, 10-27-12, 10-27-16, 10-27-17, 10-28-01, 10-28-02, and 10-28-08 of the North Dakota Century Code, relating to nonprofit corporations; and to repeal section 10-27-11 of

the North Dakota Century Code, relating to foreign nonprofit corporations' articles of incorporation.

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; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Dotzenrod; Enget; Flaagan; Frey; Gates; Gerntholz; 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; Melby; 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: Cleveland; Hanson, O.; Mertens

SB 2169 passed and the title was agreed to.

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

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 97 YEAS, 6 NAYS, 3 ABSENT AND NOT VOTING.

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

NAYS: Flaagan; Laughlin; Murphy; Shide; Thompson; Whalen

ABSENT AND NOT VOTING: Cleveland; Hanson, O.; Strinden

SB 2246 passed and the title was agreed to.

SB 2250: A BILL for an Act to create and enact a new section to chapter 54-44.1 of the North Dakota Century Code, relating to indirect cost recoveries from federal programs and special funds.

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; Dalrymple; DeMers, J.; DeMers, P.;
 Dorso; Dotzenrod; Enget; Flaagan; Frey; Gates;
 Gerntholz; 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; 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: Cleveland; Hanson, O.

SB 2250 passed and the title was agreed to.

SB 2267: A BILL for an Act relating to changing the name of the workmen's compensation bureau of North Dakota to the workers compensation bureau.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 69 YEAS, 33 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Aas; Anderson; Berg, G.; Brokaw; Christman; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Dotzenrod; Enget; Flaagan; Frey; Gates; Gorman; Graba; Halmrast; Hamerlik; Hanson, L.; Haugen; Haugland; Hill; Hoffner; Hokana; Kelly; Klundt; Koland; Kolbo; Kretschmar; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Marks; Martin; Martinson; Mertens; Moore; Nelson, C.; Nelson, J.; Nowatzki; Oban; O'Connell; Opedahl; O'Shea; Payne; Riehl; Rydell; Scherber; Schindler; Schneider; Shaw; Shockman; Skjerven; Solberg; Sorensen; Starke; Stofferahn; Thompson; Tomac; Trautman; Ulmer; Watne; Wentz; Wilkie; Williams, A.; Williams, W.; Winkelman

NAYS: Almlie; Belter; Berg, R.; Gerntholz; Goetz; Gunsch; Hausauer, A.; Hausauer, R.; Kent; Kingsbury; Knell; Knudson; Kuchera; Lang; Melby; Meyer; Murphy; Myrdal; Nicholas; Olsen, D.; Olson, A.; Olson, V.; Rice; Shaft; Shide; Smette; Strinden; Tokach; Tollefson; Vander Vorst; Whalen; Williams, C.; Speaker Kloubec

ABSENT AND NOT VOTING: Cleveland; Hanson, O.; Peterson; Wald

SB 2267 passed and the title was agreed to.

SB 2272: A BILL for an Act to amend and reenact subsections 1 and 3 of section 41-09-41 and subsection 5 of section 41-09-42 of the North Dakota Century Code, relating to Uniform Commercial Code form requirements and fees for those filings.

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, 0 NAYS, 6 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Cleveland; Dorso; Hanson, O.; Peterson; Strinden; Ulmer

SB 2272 passed and the title was agreed to.

SB 2283: A BILL for an Act making an appropriation to pay for the expenses of the constitutional celebration committee.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 95 YEAS, 7 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Aas; Almlie; Anderson; Berg, G.; Berg, R.; Brokaw; Christman; DeMers, J.; DeMers, P.; Dotzenrod; Enget; Flaagan; Frey; Gates; Gerntholz; 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; Melby; Mertens; Meyer; Moore; Myrdal; Nelson, C.; Nelson, J.; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Peterson; Rice; Riehl; Rydell; Scherber; Schindler; Schneider; Shaft; Shaw; Shide; Smette; Solberg; Sorensen; Starke; Stofferahn; Strinden; Tokach; Tollefson; Tomac; Trautman;

Vander Vorst; Wald; Watne; Wentz; Wilkie; Williams, A.;
Williams, C.; Williams, W.; Winkelman; Speaker Kloubec

NAYS: Belter; Dalrymple; Dorso; Murphy; Shockman;
Thompson; Whalen

ABSENT AND NOT VOTING: Cleveland; Hanson, O.; Skjerven;
Ulmer

SB 2283 passed and the title was agreed to.

SB 2292: A BILL for an Act to create and enact a new section to chapter 23-06.1 of the North Dakota Century Code, relating to establishing procedures for the request of anatomical gifts.

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; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Dotzenrod; Enget; Flaagan; Frey; Gates; Gerntholz; 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; 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; Watne; Wentz; Whalen; Wilkie; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Kloubec

NAYS: None

ABSENT AND NOT VOTING: Cleveland; Hanson, O.; Wald

SB 2292 passed and the title was agreed to.

SB 2330: A BILL for an Act to create and enact a new section to chapter 50-06 of the North Dakota Century Code, relating to

the exchange and transfer of mental health records within the department of human services and agencies under contract with the department.

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, R.; Brokaw; Christman; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Dotzenrod; Enget; Flaagan; Frey; Gates; Gerntholz; 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; Melby; 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; Watne; Wentz; Whalen; Wilkie; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Kloubec

NAYS: None

ABSENT AND NOT VOTING: Berg, G.; Cleveland; Hanson, O.; Mertens; Wald

SB 2330 passed and the title was agreed to.

SB 2398: A BILL for an Act to amend and reenact section 4-22-22 of the North Dakota Century Code, relating to compensation of soil conservation district supervisors.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 99 YEAS, 3 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Aas; Almlie; Belter; Berg, G.; Berg, R.; Brokaw; Christman; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Dotzenrod; Enget; Flaagan; Frey; Gates; Gerntholz; Goetz; Gorman; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Haugen; Haugland; Hausauer, A.; 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; Tokach; Tollefson; Tomac; Trautman; Ulmer; Wald; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Kloubec

NAYS: Thompson; Vander Vorst; Wilkie

ABSENT AND NOT VOTING: Anderson; Cleveland; Hanson, O.; Hausauer, R.

SB 2398 passed and the title was agreed to.

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

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; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Dotzenrod; Enget; Flaagan; Frey; Gates; Gerntholz; Goetz; Gorman; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Haugen; Haugland; Hausauer, A.; 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: Cleveland; Hanson, O.;
Hausauer, R.

SB 2423 passed and the title was agreed to.

MOTION

REP. GOETZ MOVED that the House waive the reading of the title to SB 2432, which motion prevailed.

SECOND READING OF SENATE BILLS

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

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; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Dotzenrod; Enget; Flaagan; Frey; Gates; Gerntholz; 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; 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;

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

NAYS: Tomac

ABSENT AND NOT VOTING: Cleveland; Hanson, O.

SB 2432 passed, the title was agreed to, and the emergency clause carried.

SB 2511: A BILL for an Act to provide for standards and compliance requirements for organic foods.

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, 26 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Aas; Almlie; Anderson; Belter; Berg, G.; Brokaw;
Christman; DeMers, J.; DeMers, P.; Dotzenrod; Enget;
Flaagan; Frey; Gertholz; Graba; Halmrast; Hamerlik;
Hanson, L.; Haugen; Haugland; Hausauer, R.; Hill;
Hoffner; Hokana; Kelly; Klundt; Knudson; Koland; Kolbo;
Kretschmar; Lang; Laughlin; Lautenschlager; Linderman;
Marks; Martin; Martinson; Melby; Mertens; Meyer;
Murphy; Myrdal; Nelson, C.; Nelson, J.; Nicholas;
Nowatzki; Oban; O'Connell; Olson, A.; Opedahl; O'Shea;
Peterson; Rice; Riehl; Scherber; Schindler; Shaw;
Shide; Shockman; Skjerven; Smette; Solberg; Sorensen;
Starke; Stofferahn; Tokach; Tollefson; Tomac; Trautman;
Ulmer; Vander Vorst; Watne; Wentz; Wilkie;
Williams, A.; Williams, C.; Williams, W.; Winkelman

NAYS: Berg, R.; Dalrymple; Dorso; Gates; Goetz; Gorman;
Gunsch; Hausauer, A.; Kent; Kingsbury; Knell; Kuchera;
Larson; Lindgren; Moore; Olsen, D.; Olson, V.; Payne;
Rydell; Schneider; Shaft; Strinden; Thompson; Wald;
Whalen; Speaker Kloubec

ABSENT AND NOT VOTING: Cleveland; Hanson, O.

SB 2511 passed and the title was agreed to.

SECOND READING OF SENATE CONCURRENT RESOLUTIONS ON CONSENT CALENDAR

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

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.

SCR 4053: A concurrent resolution directing the Legislative Council to study the appropriation of special funds.

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.

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

Which have been read.

The question being on the final adoption of the resolutions.

So the resolutions were adopted.

SIGNING OF BILLS AND RESOLUTIONS

THE CHIEF CLERK ANNOUNCED that the Speaker signed the following:

SB 2144, SB 2151, SB 2163, SB 2177, SB 2180, SB 2182,
SB 2207, SB 2284, SB 2342, SB 2384, SB 2420, SB 2446,
SB 2452, SB 2459, SB 2493, SB 2505, SB 2534, SCR 4006,
SCR 4015, SCR 4018, SCR 4020, SCR 4036, SCR 4045

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 2144, SB 2151, SB 2163, SB 2177, SB 2180, SB 2182,
SB 2207, SB 2284, SB 2342, SB 2384, SB 2420, SB 2446,
SB 2452, SB 2459, SB 2493, SB 2505, SB 2534, SCR 4006,
SCR 4015, SCR 4018, SCR 4020, SCR 4036, SCR 4045

ROY GILBREATH, Chief Clerk

MOTIONS

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

REP. GOETZ MOVED that the House be on the Fifth order of business, and at the conclusion of the Fifth order, the House stand adjourned until 12:30 p.m., Wednesday, March 11, 1987, which motion prevailed.

REPORTS OF STANDING COMMITTEES

MR. SPEAKER: Your Committee on Finance and Taxation to which was referred HB 1676 has had the same under consideration and recommends by a vote of 8 YEAS, 7 NAYS, 2 ABSENT AND NOT VOTING that the same BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION.

REP. A. HAUSAUER, Chairman

HB 1676 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Appropriations to which was referred SB 2018 has had the same under consideration and recommends by a vote of 23 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

REP. PETERSON, Chairman

SB 2018 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Appropriations to which was referred SB 2026 has had the same under consideration and recommends by a vote of 20 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same DO PASS.

REP. PETERSON, Chairman

SB 2026 was placed on the Fourteenth 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 2122 has had the same under consideration and recommends by a vote of 12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

REP. MARTINSON, Chairman

SB 2122 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 2131 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. KOLAND, Vice Chairman

SB 2131 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 2132 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. KOLAND, Vice Chairman

SB 2132 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 2170 has had the same under consideration and recommends by a vote of 11 YEAS, 3 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

REP. KOLAND, Vice Chairman

Engrossed SB 2170 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 2229 has had the same under consideration and recommends by a vote of 12 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

REP. KOLAND, Vice Chairman

Engrossed SB 2229 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 2230 has had the same under consideration and recommends by a vote of 13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 12, delete the words "by the governor or" and after the word "any" insert the word "judicial"

And renumber the lines, sections, and pages accordingly

REP. KRETSCHMAR, Chairman

SB 2230 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 2231 has had the same under consideration and recommends by a vote of 13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

REP. KRETSCHMAR, Chairman

SB 2231 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 2232 has had the same under consideration and recommends by a vote of 12 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

REP. KOLAND, Vice Chairman

Engrossed SB 2232 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on State and Federal Government to which was rereferred SB 2248 has had the same under consideration and recommends by a vote of 10 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

REP. MARTINSON, Chairman

SB 2248 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 2288 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. KOLAND, Vice Chairman

SB 2288 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 2293 has had the same under consideration and recommends by a vote of 13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1 of the engrossed bill, line 19, delete the word "or" and insert in lieu thereof the words "and may also consist of any residents of this state" and after the word "been" insert the word "previously"

And renumber the lines, sections, and pages accordingly

REP. KRETSCHMAR, Chairman

Engrossed SB 2293 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 2339 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 2 of the engrossed bill, line 16, after the word "agencies" insert the words ", nonprofit organizations,"

On page 2 of the engrossed bill, line 26, after the word "agencies" insert the words ", nonprofit organizations,"

And renumber the lines, sections, and pages accordingly

REP. MARTINSON, Chairman

SB 2339 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 2372 has had the same under consideration and recommends by a vote of 11 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same DO PASS.

REP. MARTINSON, Chairman

SB 2372 was placed on the Fourteenth 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 2380 has had the same under consideration and recommends by a vote of 10 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

REP. MARTINSON, Chairman

SB 2380 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 2402 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

Engrossed SB 2402 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 2437 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 2437 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 rereferred SB 2465 has had the same under consideration and recommends by a vote of 11 YEAS, 0 NAYS, 6 ABSENT AND NOT VOTING that the same DO PASS.

REP. A. HAUSAUER, Chairman

SB 2465 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 2467 has had the same under consideration and recommends by a vote of 13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 21, overstrike the word "he" and insert immediately thereafter the words "the challenged person"

On page 1, line 25, after the word "affiant" insert the words
"and the address of the affiant at the time the affiant
last voted"

On page 2, line 1, overstrike the words "cast his"

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

SB 2467 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 2483 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

Engrossed SB 2483 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 2510 has had the same under
consideration and recommends by a vote of 14 YEAS, 2 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 1, delete the words "create
and enact a new section to chapter"

On page 1 of the engrossed bill, delete line 2

On page 1 of the engrossed bill, line 3, delete the words "rights
of health care facility residents; and to"

On page 5 of the engrossed bill, line 10, overstrike the words
"in writing"

On page 5 of the engrossed bill, line 18, overstrike the period
and insert immediately thereafter the words "and, if the
restraint is a chemical one, it must be administered by a
licensed nurse or physician."

On page 7 of the engrossed bill, after line 11, insert the
following new subdivision:

"u. The right to appropriate care based on
individual needs to achieve the resident's
highest level of physical and mental
functioning."

On page 8 of the engrossed bill, delete lines 1 through 9

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

Engrossed SB 2510 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 2551 has had the same under consideration and recommends by a vote of 9 YEAS, 0 NAYS, 6 ABSENT AND NOT VOTING that the same DO PASS.

REP. KRETSCHMAR, Chairman

SB 2551 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 SCR 4038 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 and BE PLACED ON THE CONSENT CALENDAR.

REP. KRETSCHMAR, Chairman

SCR 4038 was placed on the Tenth order of business on the calendar for the succeeding legislative day.

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

ROY GILBREATH, Chief Clerk