

## JOURNAL OF THE HOUSE

## Fiftieth Legislative Assembly

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## FORTY-FIFTH DAY

Bismarck, March 11, 1987

The House convened at 12:30 p.m., with Speaker Kloubec presiding.

The prayer was offered by Dennis Buchholz, Dean of Great Plains Institute of Theology, Bismarck, North Dakota.

## ROLL CALL

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

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

On page 1753, line 6, delete the words "DO PASS and"

REP. THOMPSON, Chairman

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

## SIXTH ORDER OF BUSINESS

REP. KRETSCHMAR MOVED that the amendments to SB 2230 as recommended by the Committee on Judiciary as printed on page 1754 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SB 2230 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

REP. KRETSCHMAR MOVED that the amendments to SB 2293 as recommended by the Committee on Judiciary as printed on page 1755 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SB 2293 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

REP. MARTINSON MOVED that the amendments to SB 2339 as recommended by the Committee on State and Federal Government as printed on page 1755 of the House Journal be adopted, and when so adopted, recommends the same DO NOT PASS which motion prevailed.

## REQUEST

REP. KOLAND REQUESTED a recorded roll call vote on the motion to adopt the proposed amendments to SB 2339, which request was granted.

## ROLL CALL

The question being on the motion to adopt the amendments to SB 2339, the roll was called and there were 80 YEAS, 24 NAYS, 2 ABSENT AND NOT VOTING.

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

NAYS: Aas; Anderson; Belter; Dotzenrod; Frey; Gunsch; Haugen; Haugland; Knell; Koland; Larson; Lautenschlager; Lindgren; Melby; Olson, A.; Peterson; Shide; Smette; Sorensen; Strinden; Tollefson; Wald; Wentz; Whalen

ABSENT AND NOT VOTING: Knudson; Rydell

The motion to adopt the amendments to SB 2339 passed.

SB 2339 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

## SIXTH ORDER OF BUSINESS

REP. KRETCHMAR MOVED that the amendments to SB 2467 as recommended by the Committee on Judiciary as printed on pages 1756-1757 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SB 2467 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

REP. HAUGLAND MOVED that the amendments to SB 2510 as recommended by the Committee on Human Services and Veterans Affairs as printed on page 1757 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

## REQUEST

REP. SCHNEIDER REQUESTED the question of the adoption of the amendments to SB 2510 be divided to have the sections voted on separately in the following manner, which request was granted as per House Rule 316, which states that the Division of the Question must be supported by twelve members.

## DIVISION A

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."

## DIVISION B

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 11, after the word "time" insert the words "and, if the restraint is a chemical one, it must be administered by a licensed nurse or physician"

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

And renumber the lines, sections, and pages accordingly

The question being on the motion to adopt Division A of SB 2510. The motion to adopt the Division A amendments to SB 2510 failed on a verification vote.

The question being on the motion to adopt Division B of SB 2510. The motion to adopt the Division B amendments to SB 2510 prevailed.

The question then was on the adoption of the amendments to SB 2510, excluding Division A, and including Division B, with lines, sections, and pages renumbered accordingly.

The proposed amendments to SB 2510, excluding Division A, and including Division B to SB 2510 were adopted.

SB 2510, as amended, 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 HB 1081, HB 1167, HB 1234, HB 1254, HB 1273, HB 1299, and HB 1300 which the Senate has amended and subsequently passed:

SENATE AMENDMENTS TO HB 1081

On page 1, line 12, delete the words "the office of management and budget" and insert in lieu thereof the words "human services"

On page 1, line 13, delete the words "The committee"

On page 1, delete lines 14 and 15

On page 1, line 16, delete the words "the director of central data processing may request."

On page 1, line 17, delete the word "also"

On page 1, line 19, after the period insert the words "The committee shall report to the budget section of the legislative council."

And renumber the lines, sections, and pages accordingly

SENATE AMENDMENTS TO HB 1167

On page 1, line 1, after the word "to" insert the words "create and enact a new section to chapter 16.1-11 of the North Dakota Century Code, relating to election endorsements; and to"

On page 1, after line 5, insert the following new section:

"SECTION 1. A new section to chapter 16.1-11 of the North Dakota Century Code is hereby created and enacted to read as follows:

Participation in endorsements for nomination. No person may participate directly or indirectly in the endorsement for nomination of more than one person for each office to be filled, except a person may sign a petition for placement of a candidate's name on the primary ballot:

1. For more than one person for each office for an office not under party designation.
2. For more than one person for each office for an office under party designation only if all the candidates for whom the person signs a petition

for an office are running under the same party designation.

No person may accept endorsement for nomination by certificate or petition to more than one office. No political party is entitled to endorse for nomination by certificate more than one set of nominees."

On page 1, line 10, after the word "nomination" insert the word "- Exception"

On page 1, line 15, after the word "~~ne~~" insert the words "on the general election ballot"

On page 1, line 17, after the word "office" insert the words "on the general election ballot"

On page 1, line 19, after the word "official" insert the words "general election"

And renumber the lines, sections, and pages accordingly

SENATE AMENDMENTS TO ENGROSSED HB 1234

On page 3 of the engrossed bill, after line 19, insert the following new subsection:

"4. Sales made by a seller at residential premises pursuant to an invitation issued by the owner or legal occupant of such premises."

And renumber the lines, sections, and pages accordingly

SENATE AMENDMENTS TO REENGROSSED HB 1254

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

On page 1 of the reengrossed bill, delete lines 2 and 3

On page 1 of the reengrossed bill, line 12, remove the overstrike over the word "~~multidisciplinary~~"

On page 1 of the reengrossed bill, remove the overstrike over lines 13 through 23

On page 1 of the reengrossed bill, line 24, remove the overstrike over the words "~~of fewer than three members~~" and delete the words "team organized under section 2"

On page 1 of the reengrossed bill, line 25, delete the words "of this Act" and after the period insert the words "The department shall coordinate the organization of local child protection teams on a county or multicounty basis."

On page 1 of the reengrossed bill, delete lines 26 through 28

On page 2 of the reengrossed bill, delete lines 1 through 11

And renumber the lines, sections, and pages accordingly

SENATE AMENDMENTS TO HB 1273

On page 1, line 9, delete the words "to authorize the institutions"

On page 1, line 12, after the period insert the words "No rule promulgated by the board may in any way limit or otherwise affect the applicability or implementation of any rule or regulation of the state department of health. Each grant or contract involving confidential information must be explained in the institution's report to the board of grants and contracts received and must be reviewed at the board's public meeting."

And renumber the lines, sections, and pages accordingly

SENATE AMENDMENTS TO HB 1299

On page 9, line 18, after the word "~~this~~" insert the word "This" and remove the overstrike over the words "~~limitations does not apply to mill levies pursuant to~~"

On page 9, line 19, remove the overstrike over the words "~~subdivisions a, c, f, and j of subsection 17,~~"

And renumber the lines, sections, and pages accordingly

SENATE AMENDMENTS TO HB 1300

On page 1, line 1, after the words "A BILL" delete the remainder of the bill and insert in lieu thereof the following: "for an Act to amend and reenact subsection 6 of section 15-10-01 and subdivision d of subsection 13 of section 15-10-17 of the North Dakota Century Code, relating to the name of Bismarck junior college."

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

SECTION 1. AMENDMENT. Subsection 6 of section 15-10-01 of the 1985 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

6. The following junior colleges and off-campus educational center: Bismarck ~~junior~~ state college, Lake Region community college, and the university of North Dakota - Williston center.

SECTION 2. AMENDMENT. Subdivision d of subsection 13 of section 15-10-17 of the 1985 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

- d. Employees of Bismarck ~~junior~~ state college and Lake Region community college coming under the jurisdiction of the board who are members of the teachers' fund for retirement may elect prior to July 1, 1985, to continue membership in the teachers' fund for retirement in lieu of the alternate retirement program. If an employee does not elect to continue membership in the teachers' fund for retirement, membership in that fund will terminate and the employee will become a member of the alternate retirement program established by the board effective July 1, 1985. An employee of the above-named colleges who becomes a member of the alternate retirement program may elect prior to July 1, 1985, to have the employee's assessments and employer's contributions in the teachers' fund for retirement with interest transferred by the board of trustees of the teachers' fund for retirement to the employee's account in the alternate retirement program. If an employee elects to transfer the employee's assessment and employer's contributions together with interest to the alternate retirement program, the employee relinquishes all rights the employee or the employee's beneficiary may have to benefits provided in chapters 15-39, 15-39.1, and 15-39.2."

And renumber the lines, sections, and pages accordingly

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 4065

PERRY GROTEBERG, Secretary

#### REPORT OF PROCEDURAL COMMITTEE

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

HB 1678, HCR 3085

REP. STRINDEN, Chairman

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

## CONSIDERATION OF MESSAGE FROM THE SENATE

REP. MARTINSON MOVED that the House do not concur in the Senate amendments to HB 1056 as printed on pages 1574-1576 of the House Journal 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 1056:

Reps. Melby, Knell, C. Nelson

## CONSIDERATION OF MESSAGE FROM THE SENATE

REP. WHALEN MOVED that the House do concur in the Senate amendments to HB 1122 as printed on page 1699 of the House Journal, which motion prevailed.

## MOTION

REP. STRINDEN MOVED that the rules be suspended, that HB 1122 be deemed properly reengrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

## SECOND READING OF HOUSE BILL

HB 1122: A BILL for an Act to amend and reenact sections 6-07-10 and 6-07-11 of the North Dakota Century Code, relating to acquisition of a bank which voluntarily places itself in possession of the state banking board, and appointment of a receiver for a bank that voluntarily places itself in the possession of the state banking board.

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 101 YEAS, 0 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Almlie; Anderson; Belter; Berg, G.; Brokaw; Christman; Cleveland; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Dotzenrod; Enget; Flaagan; Frey; Gates; Gertholz; Goetz; Gorman; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hill; Hoffner; Hokana; Kelly; Kent; Kingsbury; Klundt; Knell; 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; Scherber; Schindler; Schneider; Shaft; Shaw; Shide; Shockman; Skjerven; Smette; Solberg; Sorensen; Starke; Stofferahn; Strinden; 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: Aas; Berg, R.; Knudson; Rydell;  
Ulmer

HB 1122 passed and the title was agreed to.

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#### CONSIDERATION OF MESSAGE FROM THE SENATE

REP. MARTINSON MOVED that the House do concur in the Senate amendments to HB 1172 as printed on page 1606 of the House Journal, which motion prevailed.

#### MOTION

REP. STRINDEN MOVED that the rules be suspended, that HB 1172 be deemed properly reengrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

#### SECOND READING OF HOUSE BILL

HB 1172: A BILL for an Act to create and enact a new section to chapter 54-23.2 and three new sections to chapter 54-44.2 of the North Dakota Century Code, relating to radio communication functions by the director of institutions and telecommunication functions by the office of central data processing; to amend and reenact sections 48-07-01, 48-07-02, 48-07-03, 48-07-04, 54-21-19, subsection 3 of section 54-44-11, and sections 54-44.2-00.1 and 54-44.2-02 of the North Dakota Century Code, relating to telecommunication functions by the office of central data processing; and to repeal section 48-07-05 and chapter 54-23.1 of the North Dakota Century Code, relating to responsibility of the director of institutions for state communications.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 98 YEAS, 2 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Almlie; Anderson; Belter; Brokaw; Christman;  
Cleveland; Dalrymple; DeMers, J.; DeMers, P.; Dorso;  
Dotzenrod; Enget; Flaagan; Frey; Gates; Gertholz;  
Goetz; Gorman; Graba; Gunsch; Halmrast; Hamerlik;  
Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.;  
Hausauer, R.; Hill; Hoffner; Hokana; Kelly; Kent;  
Klundt; Knell; 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; Peterson;  
 Rice; Riehl; Scherber; Schindler; Schneider; Shaft;  
 Shaw; Shide; Shockman; Skjerven; Smette; Solberg;  
 Sorensen; Starke; Stofferahn; Strinden; Thompson;  
 Tokach; Tollefson; Tomac; Trautman; Vander Vorst; Wald;  
 Watne; Wentz; Whalen; Wilkie; Williams, A.;  
 Williams, C.; Williams, W.; Winkelman; Speaker Kloubec

NAYS: Kingsbury; Melby

ABSENT AND NOT VOTING: Aas; Berg, G.; Berg, R.; Knudson;  
 Rydell; Ulmer

HB 1172 passed and the title was agreed to.

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#### CONSIDERATION OF MESSAGE FROM THE SENATE

REP. MARTINSON MOVED that the House do concur in the Senate amendments to HB 1180 as printed on page 1606 of the House Journal, which motion prevailed.

#### MOTION

REP. STRINDEN MOVED that the rules be suspended, that HB 1180 be deemed properly reengrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

#### SECOND READING OF HOUSE BILL

HB 1180: A BILL for an Act to amend and reenact sections 15-03-01, 15-03-04.1, 15-03-04.3, 15-03-16, 15-03-17, and 15-03-18 of the North Dakota Century Code, relating to custody of permanent funds, management of the loan pool account, continuing appropriation for certain investments and related fees, redemption of bonds, and records of investments; to repeal sections 15-03-03, 15-03-19, and 15-03-21 of the North Dakota Century Code, relating to custody of funds, warrants, and the collection of money due on securities; and to declare an emergency.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 99 YEAS, 1 NAY, 6 ABSENT AND NOT VOTING.

YEAS: Almlie; Anderson; Belter; 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; 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; 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; Wilkie; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Kloubec

NAYS: Whalen

ABSENT AND NOT VOTING: Aas; Berg, G.; Berg, R.; Knudson; Mertens; Rydell

HB 1180 passed, the title was agreed to, and the emergency clause carried.

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#### CONSIDERATION OF MESSAGE FROM THE SENATE

REP. WHALEN MOVED that the House do concur in the Senate amendments to HB 1185 as printed on page 1700 of the House Journal, which motion prevailed.

#### MOTION

REP. STRINDEN MOVED that the rules be suspended, that HB 1185 be deemed properly reengrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

#### SECOND READING OF HOUSE BILL

HB 1185: A BILL for an Act to create and enact section 6-07-04.1 of the North Dakota Century Code, relating to orders to show cause on insolvency, exceptions for emergencies, and recourse for aggrieved banks; and to amend and reenact sections 6-07-15 and 6-07-33 of the North Dakota Century Code, relating to district courts' supervision over administrative receiverships and confidentiality of proceedings.

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 101 YEAS, 1 NAY, 4 ABSENT AND NOT VOTING.

**YEAS:** Almlie; Anderson; Belter; 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; Koland; Kolbo; Kretschmar; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Marks; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Myrdal; Nelson, C.; Nelson, J.; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Peterson; Rice; Riehl; Scherber; Schindler; Schneider; Shaft; Shaw; Shide; Shockman; Skjerven; Smette; Solberg; Sorensen; Starke; Stofferahn; Strinden; Thompson; Tokach; Tollefson; Tomac; Trautman; Ulmer; Vander Vorst; Wald; Watne; Wentz; Whalen; Wilkie; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Kloubec

**NAYS:** Kuchera

**ABSENT AND NOT VOTING:** Aas; Berg, G.; Knudson; Rydell

HB 1185 passed and the title was agreed to.

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#### CONSIDERATION OF MESSAGE FROM THE SENATE

**REP. A. OLSON MOVED** that the House do not concur in the Senate amendments to HB 1365 as printed on pages 1661-1662 of the House Journal 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 1365:

Reps. Goetz, A. Olson, W. Williams

#### CONSIDERATION OF MESSAGE FROM THE SENATE

**REP. NICHOLAS MOVED** that the House do concur in the Senate amendments to HB 1397 as printed on page 1662 of the House Journal, which motion prevailed.

#### MOTION

**REP. STRINDEN MOVED** that the rules be suspended, that HB 1397 be deemed properly reengrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

#### SECOND READING OF HOUSE BILL

**HB 1397:** A BILL for an Act to create and enact a new section to chapter 24-06 of the North Dakota Century Code, relating to

maintenance of ditches along township roads by parties with an interest in adjoining land.

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, 3 NAYS, 6 ABSENT AND NOT VOTING.

**YEAS:** Aas; Almlie; Anderson; Belter; Berg, R.; 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; Koland; Kolbo; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Marks; Martinson; Melby; Mertens; Moore; Murphy; Myrdal; Nelson, C.; Nelson, J.; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Rice; 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:** Brokaw; Riehl; Tomac

**ABSENT AND NOT VOTING:** Berg, G.; Knudson; Martin; Meyer; Peterson; Rydell

HB 1397 passed and the title was agreed to.

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#### CONSIDERATION OF MESSAGE FROM THE SENATE

**REP. A. HAUSAUER** MOVED that the House do not concur in the Senate amendments to HB 1596 as printed on page 1731 of the House Journal 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 1596:

Reps. Moore, Belter, Schneider

#### CONSIDERATION OF MESSAGE FROM THE SENATE

**REP. GATES** MOVED that the House do concur in the Senate amendments to HCR 3025 as printed on page 1733 of the House Journal, which motion prevailed.

## MOTION

REP. STRINDEN MOVED that the rules be suspended, that HCR 3025 be deemed properly engrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

## SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3025: A concurrent resolution expressing the importance of the knowledge of foreign languages and the potential benefits to be derived from the use of electronic media to assist in teaching foreign languages in North Dakota schools, 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.

Which has been read.

The question being on the adoption of the resolution, as amended.

HCR 3025 was declared adopted on a voice vote.

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## MOTION

REP. STRINDEN MOVED that HB 1676, which is on the Eleventh order, be laid over one legislative day, which motion prevailed.

## SECOND READING OF HOUSE BILL

HB 1674: A BILL for an Act to authorize the industrial commission acting as the North Dakota building authority to issue evidences of indebtedness for the construction of an aerospace science training facility at the university of North Dakota; to create and enact a new section to chapter 54-17.2 of the North Dakota Century Code, relating to evidences of indebtedness issued by the industrial commission and continued authority of the commission as the North Dakota building authority; to amend and reenact section 22 of chapter 571 of the 1985 Session Laws of North Dakota, relating to the continuing appropriation of moneys related to the projects; and to repeal section 21 of chapter 571 of the 1985 Session Laws of North Dakota, relating to projects authorized by the forty-ninth legislative assembly.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 99 YEAS, 3 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; 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; Koland; Kolbo; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Marks; Martin; Martinson; Melby; Mertens; Meyer; Moore; Myrdal; 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; Trautman; Ulmer; Vander Vorst; Wald; Watne; Wentz; Whalen; Wilkie; Williams, C.; Williams, W.; Winkelman; Speaker Kloubec

NAYS: Murphy; Tomac; Williams, A.

ABSENT AND NOT VOTING: Knudson; Nelson, C.; Peterson; Rydell

HB 1674 passed and the title was agreed to.

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#### SECOND READING OF SENATE BILLS

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

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

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

**NAYS:** None

**ABSENT AND NOT VOTING:** Gorman; Knudson; Peterson;  
Rydell; Strinden

SB 2011 passed and the title was agreed to.

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

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, 2 NAYS, 7 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; Hamerlik; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hill; Hoffner; Hokana; Kelly; Kingsbury; Klundt; Kneil; 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; Shaft; Shaw; Shide; Shockman; Skjerven; Smette; Solberg; Sorensen; Stofferahn; Thompson; Tokach; Tollefson; Tomac; Trautman; Ulmer; Vander Vorst; Wald; Watne; Wentz; Whalen; Wilkie; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Kloubec

**NAYS:** Halmrast; Hanson, L.

**ABSENT AND NOT VOTING:** Kent; Knudson; Kuchera; Peterson; Rydell; Starke; Strinden

SB 2033 passed and the title was agreed to.

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**SB 2085:** A BILL for an Act to provide mill levy authority for support of parks and recreational facilities; and to create and enact a new subsection to section 57-15-12.2 of the



North Dakota Century Code, relating to park district tax levy limitations.

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 75 YEAS, 26 NAYS, 5 ABSENT AND NOT VOTING.

**YEAS:** Almlie; Berg, G.; Berg, R.; Christman; Cleveland; Dalrymple; DeMers, J.; Dorso; Dotzenrod; Enget; Flaagan; Frey; Gates; Gerntholz; Goetz; Gorman; Halmrast; Hamerlik; Hanson, L.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hill; Hoffner; Hokana; Kelly; Kent; Klundt; Knell; Kolbo; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Marks; Martin; Martinson; Mertens; Moore; Myrdal; Nelson, C.; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, V.; Opedahl; Payne; Rice; Scherber; Schindler; Shaw; Skjerven; Smette; Solberg; Sorensen; Starke; Thompson; Tokach; Ulmer; Vander Vorst; Wald; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Kloubec

**NAYS:** Aas; Anderson; Belter; Brokaw; DeMers, P.; Graba; Gunsch; Hanson, O.; Kingsbury; Koland; Melby; Meyer; Murphy; Nelson, J.; Olson, A.; O'Shea; Riehl; Schneider; Shide; Shockman; Stofferahn; Tollefson; Tomac; Trautman; Watne; Wilkie

**ABSENT AND NOT VOTING:** Knudson; Peterson; Rydell; Shaft; Strinden

SB 2085 passed and the title was agreed to.

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**SB 2093:** A BILL for an Act to amend and reenact subsections 1 and 9 of section 39-06-03.1, subsection 1 of section 39-06-14, and section 39-06-19 of the North Dakota Century Code, relating to nondriver photo identification cards and motor vehicle operator's licenses.

Which has been read.

### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 92 YEAS, 10 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; Gerntholz; Goetz; Gorman; Graba; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, R.; Hill; Hoffner; Hokana; Kelly; Kent; Klundt; Knell; Koland; Kolbo; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Marks; Martin; Martinson; Mertens; Moore; Myrdal; Nelson, C.; Nelson, J.; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; Payne; Rice; Scherber; Schindler; Schneider; Shaw; Shide; 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.; Speaker Kloubec

**NAYS:** Gunsch; Hausauer, A.; Kingsbury; Melby; Meyer; Murphy; O'Shea; Riehl; Shockman; Winkelman

**ABSENT AND NOT VOTING:** Knudson; Peterson; Rydell; Shaft

SB 2093 passed and the title was agreed to.

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**SB 2141:** A BILL for an Act to limit the authority of the state penitentiary to acquire license plate manufacturing equipment; and to amend and reenact section 39-04-09 of the North Dakota Century Code, relating to acquisition of license plates from the state penitentiary.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 98 YEAS, 4 NAYS, 4 ABSENT AND NOT VOTING.

**YEAS:** Aas; Almlie; Anderson; Belter; Berg, G.; Berg, R.; Brokaw; Christman; Cleveland; DeMers, J.; DeMers, P.; Dorso; Dotzenrod; Enget; Flaagan; Frey; Gates; Gerntholz; Goetz; Gorman; Graba; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hill; Hoffner; Hokana; Kelly; Kent; Kingsbury; Klundt; Knell; 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; Shaw; Shide; Shockman; Skjerven; Smette; Solberg; Sorensen; Starke; Stofferahn; Strinden; Thompson; Tokach; Tollefson; Tomac; Trautman; Vander Vorst; Wald; Watne; Wentz;

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

NAYS: Dalrymple; Gunsch; Koland; Ulmer

ABSENT AND NOT VOTING: Knudson; Peterson; Rydell; Shaft

SB 2141 passed and the title was agreed to.

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#### MOTION

REP. GOETZ MOVED that the House waive the reading of the title to SB 2192, which motion prevailed.

#### SECOND READING OF SENATE BILL

SB 2192: A BILL for an Act to create and enact four new sections to chapter 25-16 of the North Dakota Century Code, relating to treatment or care centers for the developmentally disabled; to amend and reenact sections 25-16-01, 25-16-02, 25-16-03, 25-16-03.1, 25-16-04, 25-16-06, 25-16-08, 25-16-09, 25-16-10, and 25-16-12 of the North Dakota Century Code, relating to residential care and services for the developmentally disabled; and to provide a penalty.

Which has been read.

#### ROLL CALL

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

YEAS: Aas; Anderson; Belter; Dorso; Dotzenrod; Gates; Goetz; Hamerlik; Hanson, O.; Haugland; Hausauer, A.; Hausauer, R.; Koland; Kretschmar; Kuchera; Larson; Laughlin; Lautenschlager; Lindgren; Marks; Martin; Martinson; Moore; Nicholas; Nowatzki; O'Connell; Olson, V.; Peterson; Schneider; Skjerven; Sorensen; Strinden; Thompson; Tollefson; Trautman; Whalen; Speaker Kloubec

NAYS: Almlie; Berg, G.; Berg, R.; Brokaw; Christman; Dalrymple; DeMers, J.; DeMers, P.; Enget; Flaagan; Frey; Gerntholz; Gorman; Graba; Gunsch; Halmrast; Hanson, L.; Haugen; Hill; Hoffner; Hokana; Kelly; Kent; Kingsbury; Klundt; Knell; Kolbo; Lang; Linderman; Melby; Mertens; Meyer; Murphy; Myrdal; Nelson, C.; Nelson, J.; Oban; Olsen, D.; Olson, A.; Opedahl; O'Shea; Payne; Rice; Riehl; Scherber; Schindler; Shaw; Shide; Shockman; Smette; Solberg; Starke; Stofferahn; Tokach; Tomac; Ulmer; Vander Vorst; Wentz; Wilkie; Williams, A.; Williams, C.; Williams, W.; Winkelman

ABSENT AND NOT VOTING: Cleveland; Knudson; Rydell;  
Shaft; Wald; Watne

SB 2192 was declared lost.

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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 1275 and HB 1276 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 passed unchanged:

SB 2112, SB 2159, SB 2239, SB 2270, SB 2282, SB 2329,  
SB 2332, SB 2335, SB 2370, SB 2433, SB 2482, SB 2487,  
SB 2497, SCR 4004

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 2164, SB 2208, SB 2273, SB 2516

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 2083

ROY GILBREATH, Chief Clerk

DELIVERY OF ENROLLED BILLS

THE SPEAKER ANNOUNCED that the following bills were delivered to the Governor for his approval at the hour of 8:59 a.m., March 11, 1987:

HB 1014, HB 1029, HB 1040, HB 1050, HB 1059, HB 1061,  
HB 1066, HB 1067, HB 1069, HB 1071, HB 1074, HB 1089,  
HB 1092, HB 1094, HB 1097, HB 1100, HB 1101, HB 1105,  
HB 1108, HB 1111, HB 1112, HB 1113, HB 1114, HB 1116,  
HB 1120, HB 1124, HB 1132, HB 1137, HB 1138, HB 1139,  
HB 1143, HB 1145, HB 1146, HB 1152, HB 1153, HB 1155,  
HB 1162, HB 1173, HB 1182, HB 1186, HB 1194, HB 1198,  
HB 1200, HB 1206

## DELIVERY OF ENROLLED BILLS

THE SPEAKER ANNOUNCED that the following bills were delivered to the Governor for his approval at the hour of 8:59 a.m., March 11, 1987:

HB 1212, HB 1217, HB 1224, HB 1226, HB 1236, HB 1237,  
HB 1260, HB 1261, HB 1263, HB 1286, HB 1290, HB 1298,  
HB 1301, HB 1311, HB 1322, HB 1347, HB 1380, HB 1396,  
HB 1399, HB 1404, HB 1409, HB 1422, HB 1423, HB 1437,  
HB 1461, HB 1519, HB 1521, HB 1536, HB 1540

## DELIVERY OF ENROLLED RESOLUTION

THE SPEAKER ANNOUNCED that the following resolution was delivered to the Secretary of State for his filing at the hour of 9:40 a.m., March 11, 1987:

HCR 3015

## SIGNING OF BILLS AND RESOLUTIONS

THE CHIEF CLERK ANNOUNCED that the Speaker signed the following:

HB 1093, HB 1119, HB 1163, HB 1164, HB 1175, HB 1205,  
HB 1219, HB 1244, HB 1317, HB 1318, HB 1343, 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

ROY GILBREATH, Chief Clerk

## MESSAGES 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 1093, HB 1119, HB 1163, HB 1164, HB 1175, HB 1205,  
HB 1219, HB 1244, HB 1317, HB 1318, HB 1343, 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

ROY GILBREATH, Chief Clerk

## HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to inform you that the House has refused to concur in the Senate amendments to HB 1056, HB 1365, and HB 1596 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1056: Reps. Melby, Knell, C. Nelson  
HB 1365: Reps. Goetz, A. Olson, W. Williams  
HB 1596: Reps. Moore, Belter, Schneider

ROY GILBREATH, Chief Clerk

**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 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

**PERRY GROTBERG, 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 2065, SB 2108, SB 2129, SB 2133, SB 2135, SB 2171,  
SB 2216, SB 2221, SB 2227, SB 2241, SB 2271, SB 2334,  
SCR 4007

**PERRY GROTBERG, Secretary**

**MOTION**

**REP. STRINDEN MOVED** that the House stand in recess to receive the Senate for a Joint Session, which motion prevailed.

**SPECIAL ORDER OF BUSINESS  
JOINT SESSION**

**REP. STRINDEN MOVED** that the House be on a Special Order of Business for the purpose of recognizing and celebrating the Bicentennial of the United States Constitution during the period of 1987-1991, and celebrating the Centennial of the North Dakota Constitution in 1989. For this purpose, the Senators joined the Representatives in a Joint Session. The Joint Session was called to order by President Pro Tempore Redlin.

The Colors were presented by the North Dakota National Guard. The National Anthem was sung by the Bismarck High School Choir.

**REP. MARTIN INTRODUCED** President Pro Tempore Redlin, Speaker Kloubec, members of the Supreme Court, and members of the House and Senate who would be participating in the program. Former Lt. Governor and State Senator Frank Wenstrom was introduced. Senator Wenstrom was Chairman of the North Dakota Constitutional Convention in 1971-1972 and has spent many years working with the North Dakota Constitution.

The Battle Hymn of the Republic was sung by the Bismarck High School Choir. The Preamble was read by Rep. Martin. The United States Constitution was read. Closing remarks were given by Sen. Stromme.

The Joint Session of the Special Order of Business was declared dissolved by Rep. Strinden.

THE HOUSE RECONVENED, with Speaker Kloubec presiding.

#### RECOGNITION

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

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

THE SPEAKER ANNOUNCED that a former Representative was in the chambers, and requested that the House recognize former Representative Wesley Belter, father of Representative Wesley R. Belter, and Representative Belter was thereupon introduced to the House.

#### DELIVERY OF ENROLLED BILLS

THE SPEAKER ANNOUNCED that the following bills were delivered to the Governor for his approval at the hour of 2:12 p.m., March 11, 1987:

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

#### MOTIONS

REP. MARTINSON MOVED that the House reconsider its action whereby it did not concur with the Senate amendments to HB 1056, which motion prevailed.

REP. MARTINSON MOVED that the House do concur with the Senate amendments to HB 1056, which motion prevailed.

#### ANNOUNCEMENT BY SPEAKER

SPEAKER KLOUBEC ANNOUNCED that the Conference Committee on HB 1056 was dissolved.

#### MOTION

REP. STRINDEN MOVED that the rules be suspended and that HB 1056 be deemed properly engrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

#### SECOND READING OF HOUSE BILL

HB 1056: A BILL for an Act to amend and reenact sections 16.1-15-30, 16.1-16-01, 16.1-16-04, 16.1-16-06, 16.1-16-09, 16.1-16-10, 23-06-13, 23-20.2-09, 54-03-01.5, 54-03-02, 54-03-07, 54-03.1-02, the new section to chapter 54-07 as created by section 2 of House Bill No. 1057 as approved by the fiftieth legislative assembly, and 61-16.1-16 of the

North Dakota Century Code, relating to legislative elections and contests, legislative actions, legislative apportionment requirements, legislative enactments, and legislative meetings; to repeal sections 16.1-16-11, 16.1-16-12, 16.1-16-13, 16.1-16-14, 16.1-16-15, 16.1-16-16, and 16.1-16-17 of the North Dakota Century Code, relating to legislative election contests; and to declare an emergency.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 72 YEAS, 19 NAYS, 15 ABSENT AND NOT VOTING.

YEAS: Aas; Almlie; Anderson; Belter; Berg, R.; Cleveland; Dalrymple; Dotzenrod; Frey; Gates; Gerntholz; Goetz; Gorman; Graba; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Kent; Kingsbury; Klundt; Knell; Knudson; Koland; Kolbo; Kretschmar; Kuchera; Lang; Larson; Lautenschlager; Lindgren; Marks; Martinson; Melby; Moore; Murphy; Myrdal; Nelson, J.; Nicholas; Nowatzki; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Peterson; Rice; Schindler; Shaft; Shaw; Shide; Shockman; Skjerven; Sorensen; Starke; Strinden; Thompson; Tokach; Tollefson; Trautman; Ulmer; Watne; Wentz; Whalen; Wilkie; Williams, C.; Williams, W.; Winkelman; Speaker Kloubec

NAYS: Berg, G.; Brokaw; DeMers, J.; DeMers, P.; Flaagan; Haugen; Hill; Hoffner; Hokana; Kelly; Laughlin; Linderman; Mertens; Nelson, C.; Oban; O'Connell; Riehl; Scherber; Schneider

ABSENT AND NOT VOTING: Christman; Dorso; Enget; Gunsch; Hausauer, R.; Martin; Meyer; Rydell; Smette; Solberg; Stofferahn; Tomac; Vander Vorst; Wald; Williams, A.

HB 1056 passed, the title was agreed to, and the emergency clause carried.

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#### MESSAGE FROM THE SENATE SENATE CHAMBER

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

SB 2550

PERRY GROTEBERG, Secretary



## MOTIONS

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

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

## REPORTS OF STANDING COMMITTEES

MR. SPEAKER: Your Committee on Education to which was referred HB 1675 has had the same under consideration and recommends by a vote of 15 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same DO PASS.

REP. GATES, Chairman

HB 1675 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on State and Federal Government to which was referred HCR 3082 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 NOT PASS.

REP. MARTINSON, Chairman

HCR 3082 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Finance and Taxation to which was referred HCR 3083 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 and BE PLACED ON THE CONSENT CALENDAR.

REP. A. HAUSAUER, Chairman

HCR 3083 was placed on the Tenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Appropriations to which was referred SB 2025 has had the same under consideration and recommends by a vote of 22 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 2 of the engrossed bill, after line 35, insert the following section:

"SECTION 4. CONTINUING APPROPRIATION - HONEY PROMOTION FUND. The moneys received by the honey promotion fund from sales of the honey cookbooks are hereby appropriated for cookbook publication expenses for the biennium beginning July 1, 1987, and ending June 30, 1989."

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Honey Promotion Fund

A new section appropriates the proceeds received from sales of the honey cookbook to cover the cookbook publication expenses.

REP. PETERSON, Chairman

SB 2025 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 rereferred SB 2045 has had the same under consideration and recommends by a vote of 11 YEAS, 3 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 "and enact a new section to"

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

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

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

On page 2 of the engrossed bill, line 14, after the word "systems" insert the words "that utilize a county rural numbering system to identify the sections, townships, and quarters, and the farms, residences, businesses, or buildings in a counter clockwise rotation around each quarter"

And renumber the lines, sections, and pages accordingly

REP. MARTINSON, Chairman

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

MR. SPEAKER: Your Committee on Finance and Taxation to which was referred Engrossed SB 2050 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1 of the engrossed bill, line 4, after the fourth comma insert the word "and" and delete the words ", and 54-34-04"

On page 3 of the engrossed bill, line 5, delete the words "consisting of the economic development commission" and insert in lieu thereof the words " , elected by the shareholders pursuant to initial bylaws adopted by the economic development commission as the incorporators, "

On page 3 of the engrossed bill, line 6, after the underscored period insert the words "There must be representation on the board of directors from the economic development commission, investors, and the business sectors of the North Dakota economy."

On page 8, delete lines 26 through 34

On page 9, delete lines 1 and 2

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

Engrossed SB 2050 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 2052 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 2052 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 2054 has had the same under consideration and recommends by a vote of 10 YEAS, 0 NAYS, 5 ABSENT AND NOT VOTING that the same DO PASS.

REP. KRETSCHMAR, Chairman

SB 2054 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 2057 has had the same under consideration and recommends by a vote of 11 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

REP. KRETSCHMAR, Chairman

Engrossed SB 2057 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 2058 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. KRETSCHMAR, Chairman

SB 2058 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 2059 has had the same under consideration and recommends by a vote of 11 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING that the same DO PASS.

REP. KRETSCHMAR, Chairman

SB 2059 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 2090 has had the same under consideration and recommends by a vote of 12 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 2, delete the word "section" and insert in lieu thereof the word "sections" and after the numeral "54-12-14" insert the word and numeral "and 54-12-16"

On page 1, line 4, after the word "laws" insert the words "and powers of drug enforcement unit personnel"

On page 1, line 24, delete the word "lead" and insert in lieu thereof the word "led"

On page 2, line 33, after the word "state" insert the words "criminal law or"

On page 3, after line 20, insert the following section:

"SECTION 3. AMENDMENT. Section 54-12-16 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

54-12-16. Powers of drug enforcement unit personnel. For purposes of carrying out the provisions of section 54-12-15, and such other duties in the investigation, detection, apprehension, prosecution, or suppression of crime as may be assigned by the attorney general, any officer of the drug enforcement unit designated by the attorney general shall have all the powers conferred by law upon any peace officer of this state.

And renumber the lines, sections, and pages accordingly

REP. KRETSCHMAR, Chairman

SB 2090 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 2100 has had the same under consideration and recommends by a

vote of 8 YEAS, 3 NAYS, 4 ABSENT AND NOT VOTING that the same DO PASS.

REP. KRETSCHMAR, Chairman

SB 2100 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 2101 has had the same under consideration and recommends by a vote of 8 YEAS, 4 NAYS, 3 ABSENT AND NOT VOTING that the same DO PASS.

REP. KRETSCHMAR, Chairman

Engrossed SB 2101 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 2102 has had the same under consideration and recommends by a vote of 10 YEAS, 1 NAY, 4 ABSENT AND NOT VOTING that the same DO PASS.

REP. KRETSCHMAR, Chairman

SB 2102 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 Reengrossed SB 2103 has had the same under consideration and recommends by a vote of 13 YEAS, 0 NAYS, 4 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 reengrossed bill, line 5, delete the words "; and to provide an appropriation"

On page 1 of the reengrossed bill, line 13, delete the word "twenty-five" and insert in lieu thereof the word "fifteen"

On page 2 of the reengrossed bill, line 6, remove the overstrike over the words "~~to the credit of the general fund~~" and delete the word "Of"

On page 2 of the reengrossed bill, delete lines 7 through 18

On page 2 of the reengrossed bill, line 26, delete the word "twenty-five" and insert in lieu thereof the word "fifteen"

On page 3 of the reengrossed bill, line 21, delete the word "twenty-five" and insert in lieu thereof the word "fifteen"

On page 4 of the reengrossed bill, line 1, delete the word "twenty-five" and insert in lieu thereof the word "fifteen"

On page 4 of the reengrossed bill, delete lines 3 through 16

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

Reengrossed SB 2103 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 2143 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 2, delete line 1

On page 2, line 2, delete the letter "d" and insert in lieu thereof the letter "c"

On page 2, line 3, delete the letter "e" and insert in lieu thereof the letter "d"

On page 2, line 4, delete the letter "f" and insert in lieu thereof the letter "e"

On page 2, line 5, delete the letter "g" and insert in lieu thereof the letter "f"

On page 2, line 6, delete the letter "h" and insert in lieu thereof the letter "g"

On page 2, line 11, delete the letter "i" and insert in lieu thereof the letter "h"

On page 2, line 12, delete the letter "j" and insert in lieu thereof the letter "i"

On page 2, line 13, delete the letter "k" and insert in lieu thereof the letter "j"

On page 2, line 14, delete the letter "l" and insert in lieu thereof the letter "k"

On page 2, line 15, delete the letter "m" and insert in lieu thereof the letter "l"

On page 2, line 17, delete the letter "n" and insert in lieu thereof the letter "m"

On page 2, line 20, delete the letter "o" and insert in lieu thereof the letter "n"

On page 2, line 21, delete the letter "p" and insert in lieu thereof the letter "o"

- On page 2, line 22, delete the letter "g" and insert in lieu thereof the letter "p"
- On page 2, line 23, delete the letter "r" and insert in lieu thereof the letter "q"
- On page 2, line 24, delete the letter "s" and insert in lieu thereof the letter "r"
- On page 2, line 25, delete the letter "t" and insert in lieu thereof the letter "s"
- On page 2, line 26, delete the letter "u" and insert in lieu thereof the letter "t"
- On page 2, line 27, delete the letter "v" and insert in lieu thereof the letter "u"
- On page 2, line 28, delete the letter "w" and insert in lieu thereof the letter "v"
- On page 2, line 29, delete the letter "x" and insert in lieu thereof the letter "w"
- On page 2, line 30, delete the letter "y" and insert in lieu thereof the letter "x"
- On page 2, line 31, delete the letter "z" and insert in lieu thereof the letter "y"
- On page 2, line 32, delete the letters "aa" and insert in lieu thereof the letter "z"
- On page 2, line 33, delete the letters "bb" and insert in lieu thereof the letters "aa"
- On page 2, line 34, delete the letters "cc" and insert in lieu thereof the letters "bb"
- On page 2, line 35, delete the letters "dd" and insert in lieu thereof the letters "cc"
- On page 3, line 1, delete the letters "ee" and insert in lieu thereof the letters "dd"
- On page 3, line 2, delete the letters "ff" and insert in lieu thereof the letters "ee"
- On page 3, line 3, delete the letters "gg" and insert in lieu thereof the letters "ff"
- On page 3, line 4, delete the letters "hh" and insert in lieu thereof the letters "gg"

- On page 3, line 5, delete the letters "ii" and insert in lieu thereof the letters "hh"
- On page 3, line 6, delete the letters "jj" and insert in lieu thereof the letters "ii"
- On page 3, line 7, delete the letters "kk" and insert in lieu thereof the letters "jj"
- On page 3, line 8, delete the letters "ll" and insert in lieu thereof the letters "kk"
- On page 3, line 9, delete the letters "mm" and insert in lieu thereof the letters "ll"
- On page 3, line 10, delete the letters "nn" and insert in lieu thereof the letters "mm"
- On page 3, line 11, delete the letters "oo" and insert in lieu thereof the letters "nn"
- On page 3, line 12, delete the letters "pp" and insert in lieu thereof the letters "oo"
- On page 3, line 14, delete the letters "qq" and insert in lieu thereof the letters "pp"
- On page 3, line 15, delete the letters "rr" and insert in lieu thereof the letters "qq"
- On page 3, line 16, delete the letters "ss" and insert in lieu thereof the letters "rr"
- On page 3, line 17, delete the letters "tt" and insert in lieu thereof the letters "ss"
- On page 3, line 18, delete the letters "uu" and insert in lieu thereof the letters "tt"
- On page 3, line 19, delete the letters "vy" and insert in lieu thereof the letters "uu"
- On page 3, line 21, delete the letters "ww" and insert in lieu thereof the letters "vv"
- On page 3, line 22, delete the letters "xx" and insert in lieu thereof the letters "ww"
- On page 3, line 23, delete the letters "yy" and insert in lieu thereof the letters "xx"
- On page 3, line 24, delete the letters "zz" and insert in lieu thereof the letters "yy"



- On page 3, line 25, delete the letters "aaa" and insert in lieu thereof the letters "zz"
- On page 3, line 26, delete the letters "bbb" and insert in lieu thereof the letters "aaa"
- On page 3, line 28, delete the letters "ccc" and insert in lieu thereof the letters "bbb"
- On page 3, line 29, delete the letters "ddd" and insert in lieu thereof the letters "ccc"
- On page 3, line 31, delete the letters "eee" and insert in lieu thereof the letters "ddd"
- On page 10, line 12, after the letter "a." insert the following

"Alfentanil.

b."

- On page 10, line 13, overstrike the letter "b." and insert immediately thereafter the letter "c."
- On page 10, line 14, overstrike the letter "c." and insert immediately thereafter the letter "d."
- On page 10, line 15, overstrike the letter "d." and insert immediately thereafter the letter "e."
- On page 10, line 16, overstrike the letter "e." and insert immediately thereafter the letter "f."
- On page 10, line 17, overstrike the letter "f." and insert immediately thereafter the letter "g."
- On page 10, line 18, overstrike the letter "g." and insert immediately thereafter the letter "h."
- On page 10, line 19, overstrike the letter "h." and insert immediately thereafter the letter "i."
- On page 10, line 20, overstrike the letter "i." and insert immediately thereafter the letter "j."
- On page 10, line 21, overstrike the letter "j." and insert immediately thereafter the letter "k."
- On page 10, line 22, overstrike the letter "k." and insert immediately thereafter the letter "l."
- On page 10, line 23, overstrike the letter "l." and insert immediately thereafter the letter "m."

- On page 10, line 24, overstrike the letter "m." and insert immediately thereafter the letter "n."
- On page 10, line 26, overstrike the letter "n." and insert immediately thereafter the letter "o."
- On page 10, line 29, overstrike the letter "o." and insert immediately thereafter the letter "p."
- On page 10, line 30, overstrike the letter "p." and insert immediately thereafter the letter "q."
- On page 10, line 32, overstrike the letter "q." and insert immediately thereafter the letter "r."
- On page 10, line 34, overstrike the letter "r." and insert immediately thereafter the letter "s."
- On page 11, line 1, overstrike the letter "s." and insert immediately thereafter the letter "t."
- On page 11, line 2, overstrike the letter "t." and insert immediately thereafter the letter "u."
- On page 11, line 3, overstrike the letter "u." and insert immediately thereafter the letter "v."
- On page 11, line 4, overstrike the letter "v." and insert immediately thereafter the letter "w."
- On page 11, line 5, overstrike the letter "w." and insert immediately thereafter the letter "x."

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

SB 2143 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 2174 has had the same under consideration and recommends by a vote of 14 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

REP. WHALEN, Chairman

Engrossed SB 2174 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 2175 has had the same under consideration and recommends by a vote of 11 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING that the same DO PASS.

REP. KRETSCHMAR, Chairman

SB 2175 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 2176 has had the same under consideration and recommends by a vote of 11 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING that the same DO PASS.

REP. KRETSCHMAR, Chairman

Engrossed SB 2176 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 2269 has had the same under consideration and recommends by a vote of 15 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING that the same DO PASS.

REP. WHALEN, Chairman

SB 2269 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 2287 has had the same under consideration and recommends by a vote of 13 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

REP. WHALEN, Chairman

Engrossed SB 2287 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 2302 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 2302 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 2315 has had the same under consideration and recommends by a vote of 10 YEAS, 2 NAYS, 3 ABSENT AND NOT VOTING that the same DO PASS.

REP. KRETSCHMAR, Chairman

Engrossed SB 2315 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 2319 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 and be rereferred to the Committee on Appropriations.

REP. MARTINSON, Chairman

SB 2319 was rereferred to the Committee on Appropriations.

MR. SPEAKER: Your Committee on Judiciary to which was referred SB 2366 has had the same under consideration and recommends by a vote of 11 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING that the same DO PASS.

REP. KRETSCHMAR, Chairman

SB 2366 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 2367 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. KRETSCHMAR, Chairman

SB 2367 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 2403 has had the same under consideration and recommends by a vote of 12 YEAS, 3 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 23, after the word "merchandise" insert the words "and is not engaged in the business of home solicitation sales"

On page 2 of the engrossed bill, after line 29, insert the following new section:

"Exception. The provisions of this chapter do not apply to chapters 51-07, 51-19, 51-20, and 51-20.1."

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

Engrossed SB 2403 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Finance and Taxation to which was referred Engrossed SB 2406 has had the same under consideration and recommends by a vote of 9 YEAS, 4 NAYS, 4 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

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

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

Engrossed SB 2406 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 2458 has had the same under consideration and recommends by a vote of 10 YEAS, 1 NAY, 4 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 11, after the first word "of" insert the words "up to"

On page 1, line 19, delete the word "sentence" and insert in lieu thereof the word "fine" and after the word "is" insert the words "imposed and"

On page 1, line 20, delete the word "deferred" and insert in lieu thereof the word "suspended"

On page 1, line 21, delete the word "half" and insert in lieu thereof the words "twenty-five percent"

On page 1, line 26, overstrike the word "must" and insert immediately thereafter the word "may"

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

SB 2458 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

**MR. SPEAKER:** Your Committee on Finance and Taxation to which was referred Engrossed SB 2476 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 PASS.

REP. A. HAUSAUER, Chairman

Engrossed SB 2476 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 4031 has had the same under consideration and recommends by a vote of 11 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING that the same DO PASS and BE PLACED ON THE CONSENT CALENDAR.

REP. KRETSCHMAR, Chairman

SCR 4031 was placed on the Tenth order of business on the calendar for the succeeding legislative day.

**MR. SPEAKER:** Your Committee on Education to which was referred SCR 4032 has had the same under consideration and recommends by a vote of 16 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS and BE PLACED ON THE CONSENT CALENDAR.

REP. GATES, Chairman

SCR 4032 was placed on the Tenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Education to which was referred SCR 4033 has had the same under consideration and recommends by a vote of 16 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS and BE PLACED ON THE CONSENT CALENDAR.

REP. GATES, Chairman

SCR 4033 was placed on the Tenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Education to which was referred SCR 4034 has had the same under consideration and recommends by a vote of 16 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS and BE PLACED ON THE CONSENT CALENDAR.

REP. GATES, Chairman

SCR 4034 was placed on the Tenth order of business on the calendar for the succeeding legislative day.

#### FIRST READING OF HOUSE CONCURRENT RESOLUTION

Rep. Watne introduced:

(Approved by the Committee on Delayed Bills)

HCR 3085: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of requiring a history of pesticides applied to agricultural property to be provided to owners, tenants, and purchasers of the property.

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

#### FIRST READING OF HOUSE BILL

Rep. Strinden introduced:

(Approved by the Committee on Delayed Bills)

HB 1678: A BILL for an Act to amend and reenact section 54-27-23 of the North Dakota Century Code, relating to office of management and budget cash flow financing.

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

#### FIRST READING OF SENATE CONCURRENT RESOLUTION

SCR 4065: A concurrent resolution directing the Legislative Council to study remedial action on two inactive uranium processing facilities in North Dakota.

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

#### FIRST READING OF SENATE BILL

SB 2550: A BILL for an Act to rescind legislative approval of mandatory income tax withholding, as approved by the fiftieth legislative assembly; to create and enact section 57-38-58.1 of the North Dakota Century Code, relating to definitions for purposes of withholding from wages of

nonresident employees; to amend and reenact sections 57-38-59, 57-38-60, 57-38-60.1, 57-38-61, and 57-38-62 of the North Dakota Century Code, as contained in sections 3 through 7 of House Bill No. 1901, as approved by the fiftieth legislative assembly, relating to income tax withholding, and payment of estimated tax for income tax purposes; create and enact a new section to chapter 57-38 and a new chapter 57-38.4 of the North Dakota Century Code, relating to income tax on individuals, estates, and trusts; and to provide an effective date.

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

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

ROY GILBREATH, Chief Clerk