

JOURNAL OF THE HOUSE

Fiftieth Legislative Assembly

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FORTY-NINTH DAY

Bismarck, March 17, 1987  
The House convened at 12:30 p.m., with Speaker Kloubec presiding.

The prayer was offered by Carol Potratz, Bismarck Baptist Church, Bismarck, North Dakota.

ROLL CALL

The roll was called and all Representatives were present, except Representatives Haugland and Murphy.

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

On page 1905, line 8, delete the words "midnight Friday" and insert in lieu thereof the words "9:00 a.m. Saturday"

REP. THOMPSON, Chairman

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

MESSAGES TO THE SENATE

HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to transmit herewith the following which the House has passed and your favorable consideration is requested on:

HB 1676

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

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

SB 2380

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 2533

ROY GILBREATH, Chief Clerk

## REPORT OF PROCEDURAL COMMITTEE

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

HCR 3086, HCR 3087, HCR 3088

REP. STRINDEN, Chairman

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

## COMMUNICATION TO GOVERNOR

House of Representatives  
STATE OF NORTH DAKOTA  
Bismarck 58505

March 17, 1987

The Honorable George A. Sinner  
Governor of the State of North Dakota  
State Capitol  
Bismarck, ND 58505

Dear Governor Sinner:

Thank you for your letter on March 16, 1987, explaining why your veto message was not received by the House of Representatives within its constitutional time.

In order that the Constitution not be purely an advisory document, we respectfully request that veto messages be presented for consideration to the House of origin within the three day limit.

I would further request that a meeting be arranged between the executive office and leaders of the legislative branch of government to determine a constitutionally acceptable method for the delivery of a veto message within the three day time frame where the third day falls at a time when the legislature is in adjournment. I believe that this meeting should also determine, to their mutual satisfaction, a definition for three days whether it be three 24 hour periods, or three calendar days, or three legislative days.

The House will accede to your request and accept your veto message on HB 1040.

Very respectfully yours,

Richard W. Kloubec  
Speaker of the House

MESSAGES FROM THE SENATE  
SENATE CHAMBER

MR. SPEAKER: I have the honor to return herewith HB 1032, HB 1355, HB 1405, HB 1456, HB 1643, and HCR 3060 which the Senate has amended and subsequently passed:

SENATE AMENDMENTS TO HB 1032

- On page 1, line 18, delete the word "industrial"
- On page 1, line 19, delete the words "may begin on" and insert in lieu thereof the words "shall begin no earlier than"
- On page 1, line 21, delete the words "Any evidences of indebtedness issued pursuant to this"
- On page 1, line 22, delete the words "chapter must be callable five years after issuance."
- On page 1, line 24, delete the word "industrial"
- On page 2, line 5, after the first word "the" insert the word "industrial" and overstrike the words "and the state agencies and institutions"
- On page 2, line 6, overstrike the first comma and insert immediately thereafter the word "and" and after the word "and" insert the words "moneys received by the industrial commission or the state agencies and institutions"
- On page 2, line 12, delete the word "until" and insert in lieu thereof the words "during the biennium beginning July 1, 1987, and ending"
- On page 2, line 13, after the word "for" insert the word "the"
- On page 2, line 14, after the word "authorized" insert the words "and declared to be in the public interest by the fiftieth legislative assembly, with that portion of the project costs associated with the construction payable with proceeds of the evidences of indebtedness in an amount up to but not exceeding the amount approved"

And renumber the lines, sections, and pages accordingly

## SENATE AMENDMENTS TO ENGROSSED HB 1355

- On page 2 of the engrossed bill, line 2, delete the word "forty-five" and insert in lieu thereof the word "sixty"
- On page 2 of the engrossed bill, line 4, delete the word "forty-five-day" and insert in lieu thereof the word "sixty-day"
- On page 2 of the engrossed bill, line 7, delete the word "forty-five-day" and insert in lieu thereof the word "sixty-day"
- On page 2 of the engrossed bill, line 15, delete the word "forty-five" and insert in lieu thereof the word "sixty"
- And renumber the lines, sections, and pages accordingly

## SENATE AMENDMENTS TO HB 1405

- On page 1, line 24, remove the overstrike over the words "~~a health maintenance~~"
- On page 1, line 25, remove the overstrike over the word "~~organization~~" and insert immediately thereafter the words "which has insolvency coverage in force" and remove the overstrike over the comma
- And renumber the lines, sections, and pages accordingly

## SENATE AMENDMENTS TO HB 1456

- On page 1, line 9, delete the words "person whose principal" and insert in lieu thereof the words "professor, instructor, teacher, or assistant at a state institution of higher education must exhibit proficiency in the English language. Any deficiency must be remedied by special training or coursework provided by the institution."
- On page 1, delete lines 10 through 13
- And renumber the lines, sections, and pages accordingly

## SENATE AMENDMENTS TO HB 1643

- On page 1 of the engrossed bill, line 7, delete the words "of not to"
- On page 1 of the engrossed bill, line 8, delete the words "exceed five dollars for each" and insert in lieu thereof the words "for the second and each subsequent"
- On page 1 of the engrossed bill, line 10, delete the word "five" and insert in lieu thereof the word "ten"
- On page 1 of the engrossed bill, line 11, delete the words "one dollar" and insert in lieu thereof the words "two dollars"

And renumber the lines, sections, and pages accordingly

SENATE AMENDMENTS TO HCR 3060

On page 3, after line 7, insert the following:

"BE IT FURTHER RESOLVED, that the Legislative Council review the findings and recommendations of the small schools task force of the Department of Public Instruction; and"

And renumber the lines, sections, and pages accordingly

PERRY GROTEBERG, Secretary

SENATE CHAMBER

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

HB 1122, HB 1172, HB 1180, HB 1185, HB 1397, HB 1673,  
HCR 3025

PERRY GROTEBERG, Secretary

SENATE CHAMBER

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

HB 1044, HB 1077, HB 1086, HB 1118, HB 1193, HB 1214,  
HB 1280, HB 1281, HB 1282, HB 1283, HB 1284, HB 1360,  
HB 1378, HB 1381, HB 1421, HB 1439, HB 1459, HB 1471

PERRY GROTEBERG, Secretary

MESSAGE FROM THE GOVERNOR

THE CHIEF CLERK ANNOUNCED that the Speaker has received the following vetoed House bill with the Governor's objections to same at the hour of 11:46 a.m. on March 17, 1987:

HB 1040

ROY GILBREATH, Chief Clerk

COMMUNICATION FROM GOVERNOR

State of North Dakota  
EXECUTIVE OFFICE  
Bismarck

March 17, 1987

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

Dear Speaker Kloube:

I appreciate your decision to accede to my request and accept my veto message on House Bill 1040. Therefore, attached to this letter is the vetoed bill and my veto message.

My staff and I would be happy to meet with your staff and legislative leaders to determine a constitutionally acceptable method for the delivery of a veto message.

Again, I appreciate your courtesy.

Sincerely,

GEORGE A. SINNER  
Governor

COMMUNICATION FROM GOVERNOR

State of North Dakota  
EXECUTIVE OFFICE  
Bismarck

March 13, 1987

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

Dear Mr. Speaker:

Administrative officers in state agencies are currently required to submit biennial reports. Those reports currently contain most of the information required by this legislation, although perhaps not in the form contemplated. Placing additional paperwork and reporting burdens upon state agencies at a time when we are considering reductions in personnel is counter-productive.

Furthermore, after conferring with several administrative agency heads, I have been informed that the accuracy and utility of such information would be subject to serious question. That is, there are Indians not residing on reservations who receive state services; and there are Indians residing on reservations who do not receive state services.

As a noted legislator said recently, "State government is becoming increasingly bureaucratic with too much paper shuffling and time and money being spent on unnecessary reports and computations." I want to help eliminate such unnecessary reports and computations.

In short, the benefits of this bill are very doubtful.

Therefore, I hereby veto House Bill 1040.

Sincerely,

GEORGE A. SINNER  
Governor

#### POINT OF PERSONAL PRIVILEGE

REP. MERTENS: Mr. Speaker: I rise on a point of personal privilege and request that my remarks be printed in the Journal, which request was granted.

Mr. Speaker, Monday afternoon, shortly before adjournment, you read a letter you sent to Governor Sinner indicating your return of HB 1040 and refusing his veto of this measure. Whether HB 1040 becomes a law may still be debatable.

Your interpretation of the rules of the House of Representatives may have been in order, but debatable. Your sarcasm in your letter to the Governor was in poor taste and reflects badly on the House of Representatives. I quote from your letter: "Apparently typing your veto message and walking down the hall with it took a day and a half." A simple statement of rejection without the sarcasm would have been more appropriate.

Apparently the Governor and his staff worked later than the legislature on Friday. If you and your staff intended to receive messages from the Governor Friday evening or Saturday, the courteous thing would have been to inform the Governor of a number that could reach your staff.

The question still remains as to whether the rules count the day of receipt. The Constitution speaks to three days after it shall be presented to him. If we do not count the day the bill was presented to the Governor, he had until Monday morning at 9:00 a.m. (Sunday excepted).

Mr. Speaker, because the Constitution uses the word after, I agree with your decision to accept the Governor's veto message on HB 1040.

#### POINT OF PERSONAL PRIVILEGE

REP. STRINDEN: Mr. Speaker: I rise on a point of personal privilege and request that my remarks be printed in the Journal, which request was granted.

Mr. Speaker and Members of the Assembly: The majority members of the House support and agree with the communication sent by the Speaker to the Governor. The Constitution of the State of North Dakota sets requirements

for the conduct of the Legislative Branch and also for the Governor on receiving and acting upon bills passed by the Legislature. We must abide by these requirements. The Speaker is right on holding to the Constitutional requirement. He is also acting properly in suggesting a meeting to resolve problems which may now, or could in the future, arise on veto messages.

#### SIXTH ORDER OF BUSINESS

**REP. HAUGLAND MOVED** that the amendments to HCR 3084 as recommended by the **Committee on Human Services and Veterans Affairs** as printed on pages 1906-1907 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

HCR 3084 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

**REP. A. OLSON MOVED** that the amendments to SB 2072 as recommended by the **Committee on Natural Resources** as printed on page 1907 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SB 2072 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

**REP. NICHOLAS MOVED** that the amendments to SB 2110 as recommended by the **Committee on Agriculture** as printed on page 1908 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SB 2110 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

**REP. MOORE MOVED** that the amendments to SB 2115 as recommended by the **Committee on Political Subdivisions** as printed on page 1909 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SB 2115 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 2145 as recommended by the **Committee on Natural Resources** as printed on pages 1910-1911 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SB 2145 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 2183 as recommended by the **Committee on Natural Resources** as printed on page 1912 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.



SB 2183 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

REP. ANDERSON MOVED that the amendments to SB 2279 as recommended by the Committee on Transportation as printed on page 1912 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SB 2279 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

REP. ANDERSON MOVED that the amendments to SB 2280 as recommended by the Committee on Transportation as printed on page 1913 of the House Journal be adopted, and when so adopted, recommends the same BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION, which motion prevailed.

SB 2280 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 2304 as recommended by the Committee on Natural Resources as printed on pages 1913-1914 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SB 2304 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

REP. ANDERSON MOVED that the amendments to SB 2369 as recommended by the Committee on Transportation as printed on page 1914 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SB 2369 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

REP. MOORE MOVED that the amendments to SB 2378 as recommended by the Committee on Political Subdivisions as printed on page 1915 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SB 2378 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

#### MOTIONS

REP. A. OLSON MOVED that the House reconsider its action whereby the committee report was accepted and SB 2409 was placed on the Sixth order of business on the calendar, which motion prevailed.

REP. A. OLSON MOVED that SB 2409 be rereferred to the Committee on Natural Resources, which motion prevailed.

THE SPEAKER ANNOUNCED that SB 2409 was referred to the Committee on Natural Resources.

## SIXTH ORDER OF BUSINESS

REP. A. OLSON MOVED that the amendments to SB 2451 as recommended by the Committee on Natural Resources as printed on page 1916 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SB 2451 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

REP. NICHOLAS MOVED that the amendments to SB 2486 as recommended by the Committee on Agriculture as printed on pages 1916-1917 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SB 2486 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

REP. NICHOLAS MOVED that the amendments to SB 2494 as recommended by the Committee on Agriculture as printed on pages 1917-1918 of the House Journal be adopted, and when so adopted, recommends the same DO NOT PASS, which motion prevailed.

SB 2494 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 2540 as recommended by the Committee on Natural Resources as printed on page 1918 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SB 2540 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

## MOTION

REP. PETERSON MOVED that the House reconsider its action whereby SB 2101 failed to pass, which motion prevailed on a verification vote.

## SECOND READING OF SENATE BILL

SB 2101: A BILL for an Act to adopt the Uniform State Antitrust Act, relating to prohibitions against restraint of trade; to repeal chapter 51-08 of the North Dakota Century Code, relating to the prohibition against certain business pools and trusts; and to provide a penalty.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 77 YEAS, 26 NAYS, 3 ABSENT AND NOT VOTING.

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

Halmrast; Hamerlik; Hanson, L.; Hausauer, A.; Hausauer, R.; Hill; Hoffner; Hokana; Kelly; Kent; Kingsbury; Klundt; Kolbo; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Marks; Martinson; Mertens; Meyer; Moore; Myrdal; Nelson, C.; Nicholas; Nowatzki; Oban; Olson, A.; Opedahl; O'Shea; Payne; Peterson; Riehl; Rydell; Scherber; Schindler; Schneider; Shaw; Shockman; Skjerven; Solberg; Starke; Stofferahn; Thompson; Tokach; Tollefson; Tomac; Trautman; Ulmer; Vander Vorst; Watne; Wentz; Whalen; Wilkie; Williams, A.; Williams, C.; Williams, W.; Winkelman

NAYS: Aas; Belter; Berg, R.; Gerntholz; Goetz; Gorman; Gunsch; Hanson, O.; Haugen; Knell; Knudson; Koland; Kretschmar; Martin; Melby; Nelson, J.; O'Connell; Olsen, D.; Olson, V.; Rice; Shaft; Shide; Smette; Sorensen; Strinden; Wald

ABSENT AND NOT VOTING: Haugland; Murphy; Speaker Kloubec

SB 2101 passed and the title was agreed to.

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#### MOTION

REP. GOETZ MOVED that SB 2056, which is on the Fourteenth order, be laid over one legislative day, which motion prevailed.

#### CONSIDERATION OF MESSAGE FROM THE SENATE

REP. ANDERSON MOVED that the House do not concur in the Senate amendments to HB 1121 as printed on page 1802 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 1121:

Reps. Dorso, Haugen, Klundt

#### CONSIDERATION OF MESSAGE FROM THE SENATE

REP. WHALEN MOVED that the House do not concur in the Senate amendments to HB 1176 as printed on page 1843 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 1176:

Reps. Dorso, Dalrymple, Oban

#### CONSIDERATION OF MESSAGE FROM THE SENATE

REP. A. OLSON MOVED that the House do not concur in the Senate amendments to HB 1257 as printed on pages 1844-1845 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 1257:

Reps. Tollefson, Murphy, Halmrast

#### CONSIDERATION OF MESSAGE FROM THE SENATE

REP. A. OLSON MOVED that the House do not concur in the Senate amendments to HB 1388 as printed on page 1846 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 1388:

Reps. R. Berg, Schindler, L. Hanson

#### CONSIDERATION OF MESSAGE FROM THE SENATE

REP. ANDERSON MOVED that the House do concur in the Senate amendments to HB 1393 as printed on page 1846 of the House Journal, which motion prevailed.

#### MOTION

REP. STRINDEN MOVED that the rules be suspended, that HB 1393 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 1393: A BILL for an Act to amend and reenact sections 39-05-20.1 and 39-05-20.2 of the North Dakota Century Code, relating to issuance and contents of motor vehicle salvage certificates of title.

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 95 YEAS, 2 NAYS, 9 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; Hanson, L.; Hanson, O.; Haugen; Hausauer, A.; Hill; Hoffner; Hokana; Kelly; Kent; Kingsbury; Klundt; Knell; Knudson; Koland; Kolbo; Kretschmar; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Marks; Martinson; Melby; Mertens; Meyer; Moore; Myrdal; Nelson, J.; 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.; Speaker Kloubec

NAYS: Hamerlik; Winkelman

ABSENT AND NOT VOTING: Haugland; Hausauer, R.; Kuchera;  
Martin; Murphy; Nelson, C.; Nicholas; Peterson; Tomac

HB 1393 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 concur in the Senate amendments to HB 1497 as printed on page 1846 of the House Journal, which motion prevailed.

#### MOTION

REP. STRINDEN MOVED that the rules be suspended, that HB 1497 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 1497: A BILL for an Act to create and enact a new section to chapter 20.1-08 of the North Dakota Century Code, relating to the hunting of deer with muzzleloading long guns.

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: 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.; Haugen; Hausauer, A.;  
Hausauer, R.; Hill; Hoffner; Hokana; 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.;  
Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.;  
Olson, V.; 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:** Hanson, O.; Kelly

**ABSENT AND NOT VOTING:** Haugland; Murphy; Nicholas;  
Opedahl; Peterson; Tomac

HB 1497 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 concur in the Senate amendments to HB 1609 as printed on page 1846 of the House Journal, which motion prevailed.

## MOTION

**REP. STRINDEN MOVED** that the rules be suspended, that HB 1609 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 1609:** A BILL for an Act to create and enact a new subsection to section 20.1-02-05 of the North Dakota Century Code, relating to complimentary fishing 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 65 YEAS, 34 NAYS, 7 ABSENT AND NOT VOTING.

**YEAS:** Almlie; Anderson; Belter; Berg, G.; Berg, R.; Christman; Cleveland; Dalrymple; DeMers, J.; Dorso; Dotzenrod; Enget; Gates; Gerntholz; Goetz; Gorman; Gunsch; Hamerlik; Hanson, O.; Haugen; Hausauer, A.; Hausauer, R.; Kelly; Kent; Kingsbury; Knell; Knudson; Koland; Kolbo; Kretschmar; Lang; Larson; Lindgren; Martin; Meyer; Moore; Myrdal; Nicholas; Nowatzki; Olsen, D.; Olson, A.; Rice; Rydell; Scherber; Schindler; Schneider; Shaft; Shaw; Shide; Skjerven; Smette; Solberg; Sorensen; Starke; Thompson; Tokach; Tollefson; Tomac; Ulmer; Vander Vorst; Wald; Whalen; Williams, C.; Winkelman; Speaker Kloubec

**NAYS:** Aas; Brokaw; DeMers, P.; Flaagan; Frey; Graba; Halmrast; Hanson, L.; Hill; Hoffner; Hokana; Klundt; Kuchera; Laughlin; Lautenschlager; Linderman; Marks; Martinson; Melby; Mertens; Nelson, J.; Oban; O'Connell;

O'Shea; Payne; Riehl; Shockman; Stofferahn; Trautman;  
Watne; Wentz; Wilkie; Williams, A.; Williams, W.

ABSENT AND NOT VOTING: Haugland; Murphy; Nelson, C.;  
Olson, V.; Opedahl; Peterson; Strinden

HB 1609 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 HCR 3016 as printed on page 1802 of the House Journal, which motion prevailed.

MOTION

REP. STRINDEN MOVED that the rules be suspended, that HCR 3016 be deemed properly reengrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3016: A concurrent resolution urging the creation of a state centennial band.

Which has been read.

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

HCR 3016 was declared adopted on a voice vote.

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CONSIDERATION OF MESSAGE FROM THE SENATE

REP. MARTINSON MOVED that the House do concur in the Senate amendments to HB 1271 as printed on pages 1870-1871 of the House Journal, which motion prevailed.

MOTION

REP. STRINDEN MOVED that the rules be suspended, that HB 1271 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 1271: A BILL for an Act to create and enact a new section to chapter 16.1-08.1 of the North Dakota Century Code, relating to reporting requirements for contributions for initiative and referral campaigns; and to amend and reenact sections 16.1-08.1-01 and 16.1-08.1-04 of the North Dakota Century Code, relating to campaign contribution statements.

Which has been read.

## ROLL CALL

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

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

HB 1271 passed and the title was agreed to.

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## CONSIDERATION OF MESSAGE FROM THE SENATE

**REP. MOORE MOVED** that the House do concur in the Senate amendments to HB 1297 as printed on page 1871 of the House Journal, which motion prevailed.

## MOTION

**REP. STRINDEN MOVED** that the rules be suspended, that HB 1297 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 1297:** A BILL for an Act to amend and reenact section 40-22-27 of the North Dakota Century Code, relating to rejection of bids on city projects for improvements by special assessment.

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, 12 NAYS, 2 ABSENT AND NOT VOTING.

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

**ABSENT AND NOT VOTING:** Haugland; Murphy

HB 1297 passed and the title was agreed to.

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## MOTION

REP. STRINDEN MOVED that the rules be suspended, that SB 2183, as amended on the Sixth order on today's calendar, not be placed on the Fourteenth order, but be rereferred to the Committee on Appropriations, which motion prevailed.

## SECOND READING OF SENATE BILLS

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

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, 2 NAYS, 3 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Berg, G.; Haugland; Murphy

SB 2064 passed and the title was agreed to.

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SB 2490: A BILL for an Act to authorize court ordered mediation in certain contested child custody, support, or visitation 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, 0 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Aas; 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; 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; 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.; Haugland; Murphy;  
 Shide; Wald

SB 2490 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 2526, which motion prevailed.

#### SECOND READING OF SENATE BILLS

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

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; Gorman; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugen; 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; 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; Shockman;  
 Skjerven; Smette; Solberg; Sorensen; Starke;  
 Stofferahn; Strinden; Thompson; Tokach; Tollefson;  
 Tomac; Trautman; Ulmer; Vander Vorst; Watne; Whalen;  
 Wilkie; Williams, A.; Williams, C.; Williams, W.;  
 Winkelman; Speaker Kloubec

NAYS: None

ABSENT AND NOT VOTING: Haugland; Martinson; Murphy;  
 Wald; Wentz

SB 2526 passed and the title was agreed to.

\*\*\*\*\*

SB 2088: A BILL for an Act to amend and reenact section 40-22-06, subsection 3 of section 61-16.1-09, and section 61-16.1-19 of the North Dakota Century Code, relating to agreements authorized to be entered into by cities and water resource districts for the construction of water projects.

Which has been read.

#### ROLL CALL

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

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

NAYS: None

ABSENT AND NOT VOTING: Haugland; Murphy; Peterson

SB 2088 passed and the title was agreed to.

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MESSAGE FROM THE SENATE  
SENATE CHAMBER

MR. SPEAKER: I have the honor to inform you that the Senate does not concur in the House amendments to SB 2011 and the President Pro Tem has appointed as a conference committee to act with a like committee from the House on:

SB 2011: Sens. Yockim, Stromme, Lips

PERRY GROTEBERG, Secretary

SECOND READING OF SENATE BILL

SB 2160: A BILL for an Act to amend and reenact section 36-09-13 of the North Dakota Century Code, relating to the fee for recording and rerecording of brands.

Which has been read.

ROLL CALL

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

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

NAYS: Frey

ABSENT AND NOT VOTING: Haugland; Murphy; Peterson; Wald

SB 2160 passed and the title was agreed to.

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## MOTIONS

REP. STRINDEN MOVED that SB 2190 be placed at and held at the bottom of the calendar, which motion prevailed.

REP. GOETZ MOVED that the House waive the reading of the title to SB 2248, which motion prevailed.

## SECOND READING OF SENATE BILLS

SB 2248: A BILL for an Act to create and enact a new subsection to section 54-52-01 of the North Dakota Century Code, relating to a definition of investment counselor in the public employees retirement system law; to amend and reenact subsection 6 of section 54-52-04 and sections 54-52-16 and 54-52-25 of the North Dakota Century Code, relating to authority of the public employees retirement system board; and to repeal subsection 6 of section 54-52-01 of the North Dakota Century Code, relating to a definition of funding agent in the public employees retirement system law.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 90 YEAS, 13 NAYS, 3 ABSENT AND NOT VOTING.

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

NAYS: Brokaw; DeMers, J.; Enget; Frey; Graba; Gunsch; Kelly; Kingsbury; Klundt; Mertens; Nelson, J.; Schneider; Ulmer

ABSENT AND NOT VOTING: Haugland; Murphy; Wald

SB 2248 passed and the title was agreed to.

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SB 2268: A BILL for an Act to create and enact section 23-25-03.1 of the North Dakota Century Code, relating to certification of asbestos contractors and their workers; and to amend and reenact section 23-25-01 of the North Dakota Century Code, relating to definitions for purposes of air pollution control.

Which has been read.

#### ROLL CALL

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

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

NAYS: Gunsch; Winkelman

ABSENT AND NOT VOTING: Hanson, O.; Mertens; Murphy; Wald

SB 2268 passed and the title was agreed to.

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SB 2269: A BILL for an Act to amend and reenact subdivision c of subsection 4 and subdivision a of subsection 6 of section 65-13-03, and subsections 2 and 8 of section 65-13-06 of the North Dakota Century Code, relating to awards and limitations of crime victims reparations; and to repeal subsection 7 of section 65-13-06 of the North Dakota Century Code, relating to the minimum economic loss for crime victims reparations awards.

Which has been read.

## ROLL CALL

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

**YEAS:** Aas; Almlie; 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.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hill; Hoffner; Kelly; Kent; Kingsbury; Klundt; Knell; Knudson; Koland; Kolbo; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Marks; Martinson; Melby; Meyer; 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; Tollefson; Trautman; Vander Vorst; Watne; Wentz; Whalen; Wilkie; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Kloubec

**NAYS:** Gunsch; Hanson, O.; Tokach; Tomac

**ABSENT AND NOT VOTING:** Anderson; Hokana; Martin; Mertens; Moore; Murphy; Thompson; Ulmer; Wald

SB 2269 passed and the title was agreed to.

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**SB 2287:** A BILL for an Act to create and enact a new subdivision to subsection 7 of section 26.1-04-03 of the North Dakota Century Code, relating to unfair discrimination practices by insurance companies; and to amend and reenact section 26.1-04-05.1 of the North Dakota Century Code, relating to discrimination by insurance companies relating to the visual acuity of policy applicants.

Which has been read.

## ROLL CALL

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

**YEAS:** Aas; Almlie; Anderson; Belter; Berg, G.; Berg, R.; Brokaw; Christman; Cleveland; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Dotzenrod; Enget; Flaagan; Frey; Gates; Gerntholz; Goetz; Gorman; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hill; Hoffner; Hokana; Kelly; Kent; Kingsbury; Klundt; Knell; Knudson; Koland; Kolbo; Kretschmar; Kuchera; Lang; Larson;



Laughlin; Lautenschlager; Linderman; Lindgren; Marks;  
 Martin; Martinson; Melby; Mertens; Meyer; 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; Vander Vorst; Wald; Watne; Wentz; Whalen;  
 Wilkie; Williams, A.; Williams, C.; Williams, W.;  
 Winkelman; Speaker Kloubec

NAYS: None

ABSENT AND NOT VOTING: Moore; Murphy; Thompson; Ulmer

SB 2287 passed and the title was agreed to.

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SB 2288: A BILL for an Act to amend and reenact sections 51-07-01, 51-07-01.1, and 51-07-03 of the North Dakota Century Code, relating to sales and exchanges between wholesalers, manufacturers, distributors, and retailers.

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

NAYS: Myrdal; Olson, A.

ABSENT AND NOT VOTING: Frey; Moore; Murphy; Peterson;  
 Thompson

SB 2288 passed and the title was agreed to.

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SB 2295: A BILL for an Act to amend and reenact section 11-18-05 and, if House Bill No. 1044 of the fiftieth legislative assembly does not become effective, section 35-08-04 of the North Dakota Century Code, relating to fees of the register of deeds and filing fees for motor fuel liens.

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, 0 NAYS, 7 ABSENT AND NOT VOTING.

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

SB 2295 passed and the title was agreed to.

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SB 2299: A BILL for an Act to create and enact a new section to chapter 57-40.3 of the North Dakota Century Code, relating to a statement of purchase price and trade-in allowance for motor vehicles which must be furnished by a seller of a motor vehicle; and to amend and reenact section 57-40.3-05 of the North Dakota Century Code, relating to the motor vehicle purchaser's certificate which must be furnished to the motor vehicle registrar in transferring title to a motor vehicle.

Which has been read.

### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 93 YEAS, 11 NAYS, 2 ABSENT AND NOT VOTING.

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

NAYS: Goetz; Gunsch; Halmrast; Kretschmar; Kuchera; Lang; Martin; Olson, A.; Shide; Vander Vorst; Wald

ABSENT AND NOT VOTING: Murphy; Peterson

SB 2299 passed and the title was agreed to.

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

Which has been read.

### ROLL CALL

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

YEAS: Aas; Almlie; Anderson; Belter; Berg, G.; Berg, R.; Brokaw; Christman; Cleveland; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Dotzenrod; Enget; Flaagan; Frey; Gates; Gerntholz; Goetz; Gorman; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hill; Hoffner;

Hokana; Kelly; Kent; Kingsbury; Klundt; Knell; Knudson;  
 Koland; Kolbo; Kretschmar; Kuchera; Lang; Larson;  
 Laughlin; Lautenschlager; Linderman; Lindgren; Marks;  
 Martin; Martinson; Melby; Mertens; Meyer; Moore;  
 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; Wilkie; Williams, A.; Williams, C.;  
 Williams, W.; Winkelman; Speaker Kloubec

**NAYS:** None

**ABSENT AND NOT VOTING:** Murphy; Peterson; Whalen

SB 2302 passed and the title was agreed to.

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#### MOTION

**REP. STRINDEN MOVED** that SB 2315 and SB 2346, which are on the Fourteenth order, be laid over one legislative day, which motion prevailed.

#### SECOND READING OF SENATE BILLS

**SB 2350:** A BILL for an Act to create and enact chapter 43-18.2 of the North Dakota Century Code, relating to the installation and repair of sewer and water installations; to provide a continuing appropriation; and to provide a penalty.

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; Cleveland; Dalrymple; DeMers, J.;  
 DeMers, P.; Dorso; Dotzenrod; Enget; Flaagan; Frey;  
 Gates; Gerntholz; Goetz; Gorman; Graba; Halmrast;  
 Hamerlik; Hanson, L.; Haugen; Haugland; Hausauer, A.;  
 Hausauer, R.; Hill; Hoffner; Hokana; Kelly; Kent;  
 Kingsbury; Klundt; Knudson; Koland; Kolbo; Kretschmar;  
 Kuchera; Lang; Laughlin; Lautenschlager; Linderman;  
 Lindgren; Marks; Martin; Martinson; Melby; Mertens;  
 Meyer; Moore; Myrdal; Nelson, C.; Nelson, J.; Nicholas;  
 Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.;  
 Olson, V.; Opedahl; O'Shea; Payne; Rice; Riehl; Rydell;  
 Scherber; Schindler; Schneider; Shaft; Shaw; Shide;  
 Shockman; Skjerven; Smette; Solberg; Sorensen; Starke;

Stofferahn; Thompson; Tokach; Tollefson; Tomac;  
Trautman; Ulmer; Wald; Watne; Wentz; Whalen; Wilkie;  
Williams, A.; Williams, C.; Williams, W.;  
Speaker Kloubec

NAYS: Gunsch; Hanson, O.; Knell; Larson; Vander Vorst;  
Winkelman

ABSENT AND NOT VOTING: Murphy; Peterson; Strinden

SB 2350 passed and the title was agreed to.

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SB 2361: A BILL for an Act to amend and reenact subsections 3 and 5 of section 20.1-03-11 of the North Dakota Century Code, relating to licenses issued to landowners to hunt big game.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 8 YEAS, 96 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Anderson; Hokana; Knudson; Martin; Mertens; Meyer;  
Riehl; Vander Vorst

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

ABSENT AND NOT VOTING: Murphy; Peterson

SB 2361 was declared lost.

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**SB 2366:** A BILL for an Act to create and enact a new subsection to section 27-07.1-17 of the North Dakota Century Code, relating to the jurisdiction of the county court; and to amend and reenact subsection 1 of section 14-07.1-02 and section 14-07.1-08 of the North Dakota Century Code, relating to actions for an adult abuse protection order.

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.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hill; Hoffner; Hokana; Kelly; Kent; Kingsbury; 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; 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; Klundt; Murphy; Wald

SB 2366 passed and the title was agreed to.

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**SB 2367:** A BILL for an Act to amend and reenact sections 14-07.1-06 and 29-06-15 of the North Dakota Century Code, relating to arrest without warrant for domestic assault.

Which has been read.

#### ROLL CALL

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

**YEAS:** Aas; Almlie; Anderson; Belter; Berg, G.; Brokaw; Christman; Cleveland; Dalrymple; DeMers, J.; DeMers, P.; 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; Knudson; Koland; Kolbo; Kretschmar; 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; 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: Gunsch; Knell; Kuchera; Shaft

ABSENT AND NOT VOTING: Berg, R.; Dorso; Klundt; Murphy

SB 2367 passed and the title was agreed to.

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SB 2372: A BILL for an Act to create and enact a new section to chapter 23-06 of the North Dakota Century Code, relating to reversion of title to burial plots after abandonment.

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, 4 NAYS, 3 ABSENT AND NOT VOTING.

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

**ABSENT AND NOT VOTING:** Berg, R.; Dorso; Murphy

SB 2372 passed and the title was agreed to.

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**SB 2394:** A BILL for an Act to amend and reenact section 23-13-15 of the North Dakota Century Code, relating to duties of landlords and tenants with respect to smoke detectors.

Which has been read.

**ROLL CALL**

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

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

**ABSENT AND NOT VOTING:** Berg, R.; Murphy

SB 2394 passed and the title was agreed to.

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**SB 2400:** A BILL for an Act to amend and reenact sections 20.1-10-03 and 20.1-10-04 of the North Dakota Century Code, relating to confiscation of property taken or used during game and fish violations.

Which has been read.



## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 73 YEAS, 29 NAYS, 4 ABSENT AND NOT VOTING.

**YEAS:** Almlie; Anderson; Belter; Christman; Cleveland; Dalrymple; DeMers, P.; Dorso; Dotzenrod; Flaagan; Gates; Gertholz; Gorman; Graba; Halmrast; Hamerlik; Hanson, L.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hill; Hoffner; Kelly; Kent; Klundt; Knudson; Koland; Kolbo; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Marks; Martin; Martinson; Mertens; Meyer; Moore; Nelson, C.; Nicholas; Nowatzki; Oban; O'Connell; Olson, V.; Opedahl; O'Shea; Payne; Peterson; Rice; Rydell; Scherber; Schindler; Shaft; Smette; Solberg; Sorensen; Starke; Stofferahn; Strinden; Thompson; Tollefson; Trautman; Watne; Wentz; Wilkie; Williams, W.; Winkelman; Speaker Kloubec

**NAYS:** Aas; Berg, G.; Brokaw; Enget; Frey; Goetz; Gunsch; Hanson, O.; Hokana; Knell; Melby; Myrdal; Nelson, J.; Olsen, D.; Olson, A.; Riehl; Schneider; Shaw; Shide; Shockman; Skjerven; Tokach; Tomac; Ulmer; Vander Vorst; Wald; Whalen; Williams, A.; Williams, C.

**ABSENT AND NOT VOTING:** Berg, R.; DeMers, J.; Kingsbury; Murphy

SB 2400 passed and the title was agreed to.

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**SB 2402:** A BILL for an Act to amend and reenact section 26.1-03-21 of the North Dakota Century Code, relating to the confidentiality of preliminary data generated by the commissioner of insurance in conducting examinations of insurance companies.

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, 1 NAY, 3 ABSENT AND NOT VOTING.

**YEAS:** Aas; 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; 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; 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, W.;  
 Winkelman; Speaker Kloubec

NAYS: Schneider

ABSENT AND NOT VOTING: Berg, R.; Murphy; Williams, C.

SB 2402 passed and the title was agreed to.

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SB 2437: A BILL for an Act to create and enact a new section to chapter 26.1-05 of the North Dakota Century Code, relating to the authority of domestic insurance companies to participate in clearing corporations and book entry systems.

Which has been read.

#### ROLL CALL

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

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

NAYS: Meyer

ABSENT AND NOT VOTING: Berg, R.; Murphy; Olsen, D.;  
 Peterson

SB 2437 passed and the title was agreed to.

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

Which has been read.

#### ROLL CALL

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

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

**NAYS:** None

**ABSENT AND NOT VOTING:** Mertens; Meyer; Murphy; Peterson

SB 2463 passed and the title was agreed to.

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#### REPORT OF PROCEDURAL COMMITTEE

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

HCR 3089

REP. STRINDEN, Chairman

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

**MESSAGE TO THE SENATE  
HOUSE CHAMBER**

**MADAM PRESIDENT:** I have the honor to inform you that the House has concurred in the Senate amendments to HB 1271, HB 1297, HB 1393, HB 1497, HB 1609, and HCR 3016 and subsequently passed the same but has refused to concur in the Senate amendments to HB 1121, HB 1176, HB 1257, and HB 1388 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1121: Reps. Dorso, Haugen, Klundt  
 HB 1176: Reps. Dorso, Dalrymple, Oban  
 HB 1257: Reps. Tollefson, Murphy, Halmrast  
 HB 1388: Reps. R. Berg, Schindler, L. Hanson

ROY GILBREATH, Chief Clerk

**MOTIONS**

**REP. STRINDEN MOVED** that SB 2465, which is on the Fourteenth order, be laid over one legislative day, which motion prevailed.

**REP. GATES MOVED** that SB 2002 be returned to the House floor from the Committee on Education and be rereferred to the Committee on Appropriations, which motion prevailed.

**ANNOUNCEMENT BY ACTING SPEAKER**

**ACTING SPEAKER KRETSCHMAR ANNOUNCED** that SB 2002 was rereferred to the Committee on Appropriations.

**SECOND READING OF SENATE BILLS**

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

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were 98 YEAS, 0 NAYS, 8 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; Gerntholz; Goetz; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hill; Hoffner; Hokana; Kelly; Kingsbury; Klundt; Knell; Knudson; 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.; O'Shea; Payne; Peterson; Rice; Riehl;

Rydell; Scherber; Schindler; Schneider; Shaft; Shaw;  
 Shide; Shockman; Skjerven; Smette; Solberg; Sorensen;  
 Starke; Stofferahn; Thompson; Tokach; Tollefson; Tomac;  
 Trautman; Ulmer; Vander Vorst; Wald; Watne; Wentz;  
 Whalen; Wilkie; Williams, A.; Williams, C.;  
 Williams, W.; Winkelman; Speaker Kloubec

**NAYS:** None

**ABSENT AND NOT VOTING:** Gates; Gorman; Graba; Kent;  
 Koland; Murphy; Opedahl; Strinden

SB 2472 passed and the title was agreed to.

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

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 68 YEAS, 36 NAYS, 2 ABSENT AND NOT VOTING.

**YEAS:** Aas; Almlie; Belter; Berg, G.; Berg, R.; Christman;  
 Cleveland; Dalrymple; DeMers, J.; Dorso; Dotzenrod;  
 Frey; Gates; Gerntholz; Goetz; Gorman; Graba; Halmrast;  
 Hamerlik; Haugen; Haugland; Hausauer, A.; Hausauer, R.;  
 Hoffner; Hokana; Kelly; Kent; Knudson; Koland; Kolbo;  
 Kretschmar; Kuchera; Larson; Laughlin; Lautenschlager;  
 Lindgren; Martin; Martinson; Mertens; Moore;  
 Nelson, C.; Nicholas; Nowatzki; Oban; Olson, V.; Payne;  
 Peterson; Rice; Rydell; Scherber; Schneider; Shaft;  
 Shaw; Smette; Sorensen; Stofferahn; Strinden;  
 Tollefson; Trautman; Ulmer; Wald; Watne; Wentz;  
 Williams, A.; Williams, C.; Williams, W.; Winkelman;  
 Speaker Kloubec

**NAYS:** Anderson; Brokaw; DeMers, P.; Enget; Flaagan;  
 Gunsch; Hanson, L.; Hanson, O.; Hill; Kingsbury;  
 Klundt; Knell; Lang; Linderman; Marks; Melby; Meyer;  
 Myrdal; Nelson, J.; O'Connell; Olson, A.; Opedahl;  
 O'Shea; Riehl; Schindler; Shide; Shockman; Skjerven;  
 Solberg; Starke; Thompson; Tokach; Tomac; Vander Vorst;  
 Whalen; Wilkie

**ABSENT AND NOT VOTING:** Murphy; Olsen, D.

SB 2476 passed and the title was agreed to.

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

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 101 YEAS, 0 NAYS, 5 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Gunsch; Martin; Murphy;  
Olsen, D.; Ulmer

SB 2483 passed and the title was agreed to.

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

Which has been read.

## ROLL CALL

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

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

SB 2514 passed and the title was agreed to.

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**SB 2519:** A BILL for an Act to amend and reenact sections 61-31-01, 61-31-02, subsection 4 of section 61-31-05, and sections 61-31-08 and 61-31-10 of the North Dakota Century Code, relating to the waterbank program.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 26 YEAS, 79 NAYS, 1 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Berg, R.; Cleveland; DeMers, J.; Dorso; Frey; Gates; Graba; Halmrast; Hamerlik; Hanson, L.; Hoffner; Kretschmar; Kuchera; Lautenschlager; Lindgren; Marks; Oban; Payne; Rydell; Scherber; Schneider; Shaft; Strinden; Wentz; Williams, W.

**NAYS:** Aas; Almlie; Belter; Berg, G.; Brokaw; Christman; Dalrymple; DeMers, P.; Dotzenrod; Enget; Flaagan; Gerntholz; Goetz; Gorman; Gunsch; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hill; Hokana; Kelly; Kent; Kingsbury; Klundt; Knell; Knudson; Koland;

Kolbo; Lang; Larson; Laughlin; Linderman; Martin;  
 Martinson; Melby; Mertens; Meyer; Moore; Myrdal;  
 Nelson, C.; Nelson, J.; Nicholas; Nowatzki; O'Connell;  
 Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea;  
 Peterson; Rice; Riehl; Schindler; Shaw; Shide;  
 Shockman; Skjerven; Smette; Solberg; Sorensen; Starke;  
 Stofferahn; Thompson; Tokach; Tollefson; Tomac;  
 Trautman; Ulmer; Vander Vorst; Wald; Watne; Whalen;  
 Wilkie; Williams, A.; Williams, C.; Winkelman;  
 Speaker Kloubec

ABSENT AND NOT VOTING: Murphy

SB 2519 was declared lost.

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#### REQUEST

REP. ANDERSON REQUESTED that the record show that he intended to vote "nay" on SB 2519, which request was granted.

#### SECOND READING OF SENATE BILLS

SB 2543: A BILL for an Act to create and enact a new subsection to section 20.1-03-11 of the North Dakota Century Code, relating to deer hunting licenses issued to handicapped or permanently disabled persons.

Which has been read.

#### ROLL CALL

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

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

NAYS: None



ABSENT AND NOT VOTING: Dorso; Murphy; Whalen

SB 2543 passed and the title was agreed to.

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SECOND READING OF SENATE CONCURRENT RESOLUTION

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

Which has been read.

The question being on the adoption of the resolution.

SCR 4041 was declared lost on a verification vote.

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MOTION

REP. STRINDEN MOVED that SCR 4051 be removed from the Consent Calendar and be placed on the Fourteenth order on the calendar, which motion prevailed.

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

HCR 3080: A concurrent resolution directing the Legislative Council to study the present and future role and function of the State Hospital in the provision of services to the mentally ill, chronically dependent and its relationship to private and public agencies in the community providing similar services.

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

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.

SCR 4017: A concurrent resolution directing the Legislative Council to study the investigation and prosecution procedures for child abuse and neglect cases and to determine whether state law protects the interests of justice and of all parties involved in such cases.

SCR 4021: A concurrent resolution directing the Legislative Council to study the problems faced by and the funding of the North Dakota emergency medical services system and, in particular, volunteer ambulance services and the Division

of Emergency Health Services of the State Department of Health.

SCR 4042: A concurrent resolution directing the Legislative Council to study the life insurance needs of individuals born with incurable diseases.

SCR 4046: A concurrent resolution directing the Legislative Council to study the state's game and fish laws and rules, with an emphasis on the laws and rules concerning the issuance of game and fish licenses and the role of county auditors in the issuance of game and fish licenses.

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

SCR 4060: A concurrent resolution directing the Legislative Council to study the securities laws of North Dakota, the need for regulation of the various aspects of the securities business, and the desirability of revising the state's securities laws to foster legitimate capital formation in the state.

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

Which have been read.

The question being on the final adoption of the resolutions.

So the resolutions were adopted.

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#### APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2011:

Reps. Payne, Kent, Hill

#### SIGNING OF BILLS AND RESOLUTIONS

THE CHIEF CLERK ANNOUNCED that the Speaker signed the following:

HB 1031, HB 1078, HB 1082, HB 1084, HB 1087, HB 1109, HB 1210, HB 1220, HB 1223, HB 1234, HB 1235, HB 1243, HB 1245, HB 1259, HB 1267, HB 1273, HB 1299, HB 1305, HB 1321, HB 1364, HB 1366, HB 1379, HB 1387, HB 1402, HB 1417, HB 1428, HB 1486, HB 1488, HB 1494, HB 1505, HB 1509, HB 1510, HB 1513, HB 1514, HB 1543, HB 1554, HB 1559, HB 1565, HB 1575, HB 1586, HB 1607, HB 1622, HB 1626, HB 1637, HB 1653, HB 1672, HCR 3001, HCR 3004, HCR 3006, HCR 3018, HCR 3023, HCR 3024, HCR 3031, HCR 3047, HCR 3048,

HCR 3049, HCR 3051, HCR 3053, HCR 3056, HCR 3058, HCR 3059,  
HCR 3077

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 1031, HB 1078, HB 1082, HB 1084, HB 1087, HB 1109,  
HB 1210, HB 1220, HB 1223, HB 1234, HB 1235, HB 1243,  
HB 1245, HB 1259, HB 1267, HB 1273, HB 1299, HB 1305,  
HB 1321, HB 1364, HB 1366, HB 1379, HB 1387, HB 1402,  
HB 1417, HB 1428, HB 1486, HB 1488, HB 1494, HB 1505,  
HB 1509, HB 1510, HB 1513, HB 1514, HB 1543, HB 1554,  
HB 1559, HB 1565, HB 1575, HB 1586, HB 1607, HB 1622,  
HB 1626, HB 1637, HB 1653, HB 1672

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

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

HCR 3001, HCR 3004, HCR 3006, HCR 3018, HCR 3023, HCR 3024,  
HCR 3031, HCR 3047, HCR 3048, HCR 3049, HCR 3051, HCR 3053,  
HCR 3056, HCR 3058, HCR 3059, HCR 3077

ROY GILBREATH, Chief Clerk

COMMUNICATION FROM THE SENATE

SENATE CHAMBER  
North Dakota Legislative Assembly  
Bismarck 58505

March 17, 1987

MR. SPEAKER: The North Dakota Senate would be honored to join with the House of Representatives in the special ceremony honoring Representative Brynhild Haugland. Her dedication and service to the State of North Dakota over the past fifty years is a remarkable accomplishment deserving of this special recognition.

Rolland Redlin  
President Pro Tem

MOTIONS

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

REP. GOETZ MOVED that the House be on the Fifth order of business, and at the conclusion of the Fifth order, the House be

on the Ninth order of business, and at the conclusion of the Ninth order, the House stand adjourned until 12:30 p.m., Wednesday, March 18, 1987, which motion prevailed.

#### REPORTS OF STANDING COMMITTEES

MR. SPEAKER: Your Committee on Education to which was referred Engrossed SB 2044 has had the same under consideration and recommends by a vote of 11 YEAS, 7 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 14, after the first word "school" insert the word "- Transportation"

On page 1 of the engrossed bill, line 16, after the underscored comma insert the words "unless it begins operating an approved elementary or high school prior to July 1, 1989,"

On page 1 of the engrossed bill, line 19, after the first underscored comma insert the words "unless it begins operating an approved elementary or high school prior to July 1, 1989,"

On page 1 of the engrossed bill, line 23, after the word "Act" insert the words ", unless it begins operating an approved elementary or high school prior to July 1, 1989,"

On page 1 of the engrossed bill, line 27, after the word "Act" insert the words ", unless it begins operating an approved elementary or high school prior to July 1, 1989,"

On page 2 of the engrossed bill, line 5, after the word "state" insert the words ", county, or district,"

On page 2 of the engrossed bill, line 6, delete the word "may" and insert in lieu thereof the words "shall be permitted to"

On page 2 of the engrossed bill, line 7, after the word "state" insert the words ", county, or district. The students in any district that is attached by annexation, reorganization, or dissolution pursuant to this Act must be provided transportation in the same manner transportation is provided to students in the school district the nonoperating district is attached to"

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

Engrossed SB 2044 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 2055 has had the same under consideration and recommends by a

vote of 10 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

REP. KRETSCHMAR, Chairman

SB 2055 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Transportation to which was referred SB 2080 has had the same under consideration and recommends by a vote of 15 YEAS, 1 NAY, 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 18, after the word "any" insert the word "existing"

On page 2 of the engrossed bill, line 10, delete the word  
"- Maintenance"

On page 2 of the engrossed bill, line 11, delete the word  
"standards"

On page 2 of the engrossed bill delete lines 18 through 21

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

SB 2080 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 SB 2137 has had the same under consideration and recommends by a vote of 16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

REP. WHALEN, Chairman

SB 2137 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Natural Resources to which was referred SB 2184 has had the same under consideration and recommends by a vote of 12 YEAS, 0 NAYS, 5 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

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 establish a state surface mining and reclamation bond fund.

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

SECTION 1. Definitions. In this chapter:

1. "Bond" means a bond required of a permittee under chapter 38-14.1.
2. "Fund" means the surface coal mining and reclamation bond fund.
3. "Permit" means a surface coal mining and reclamation operation permit approved by the public service commission under chapter 38-14.1.
4. "Permittee" means a person holding a permit.

#### SECTION 2. Surface coal mining and reclamation bond fund.

The industrial commission may establish a surface coal mining and reclamation bond fund to be maintained at the Bank of North Dakota. All moneys collected and received under this Act are appropriated to the commission for the purposes provided for in this Act.

**SECTION 3. Bond coverage available to permittees.** The fund may provide bonds for the faithful performance of all surface coal mining laws, rules, and permit terms and conditions. An application for a bond may be made to the industrial commission, which shall approve or disapprove the application. The decision of the industrial commission may not be appealed. The industrial commission may establish conditions, require information and such guarantee and indemnity by the permittee as the industrial commission deems necessary for the preservation of the fund.

**SECTION 4. Investment of fund.** Investment of the fund is under the supervision of the Bank of North Dakota.

**SECTION 5. Commission may employ staff.** The industrial commission may employ staff and enter into public and private contracts as may be necessary to operate the fund. The salaries of employees and other expenditures for the operation of the fund must be paid out of the fund.

**SECTION 6. Premiums - Amount and to whom paid.** The premium for a bond under this Act must be set by the industrial commission. Premiums must be paid in advance to the industrial commission and deposited in the fund.

**SECTION 7. Reinsurance contracts - Revenue bonds - Guarantees.** The industrial commission shall do all things necessary to preserve the fund and ensure the ability of the fund to pay claims. The industrial commission is granted all powers necessary to effectuate the purposes of this Act, including but not limited to the power to:

1. Contract for reinsurance of any risk against which a bond is issued under this Act. A

contract for reinsurance may be entered into without public bids and must be approved by the commissioner of insurance.

2. Issue evidences of indebtedness. The principal of, and interest on, evidences of indebtedness may be paid only from the fund. The evidences of indebtedness are not a debt of the state of North Dakota or of any officer or agent of the state within the meaning of any statutory or constitutional provision and shall contain a statement to that effect on their face. The evidences of indebtedness may be sold at public or private sale and must contain the terms and provisions set by the industrial commission. Any state department or public fund may invest its funds in the purchase of the evidences of indebtedness. The evidences of indebtedness are not subject to taxation by the state or by any political subdivision of the state.
3. Require, before issuing a bond, that a permittee guarantee and indemnify the fund against any loss and secure the guarantee and indemnity by the pledge or posting of real or personal property under terms and conditions set by the industrial commission. The industrial commission may not require the pledge or posting of property if the fund's reserves are sufficient to ensure the payment of all claims against it. The liability of a permittee under a guarantee or indemnity agreement under this Act is limited to the payment of any claims against the bond issued for the permittee.

**SECTION 8. Claims - How paid.** All claims against bonds provided for by this Act must be paid out of the fund in an amount not exceeding the face amount of the bond.

**SECTION 9. Industrial commission may adopt rules.** The industrial commission may adopt rules necessary to carry out this Act."

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

SB 2184 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

**MR. SPEAKER:** Your Committee on Agriculture to which was referred Engrossed SB 2205 has had the same under consideration and recommends by a vote of 10 YEAS, 1 NAY, 5 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 numeral "8,"

On page 1 of the engrossed bill, line 6, delete the numeral "8,"

On page 1 of the engrossed bill, delete lines 9 through 12

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

Engrossed SB 2205 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 2281 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 2281 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 2344 has had the same under consideration and recommends by a vote of 9 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

REP. KRETSCHMAR, Chairman

SB 2344 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 2413 has had the same under consideration and recommends by a vote of 16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

REP. WHALEN, Chairman

Engrossed SB 2413 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 2427 has had the same under consideration and recommends by a vote of 16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

REP. WHALEN, Chairman

SB 2427 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 2527 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 2527 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 SCR 4016 has had the same under consideration and recommends by a vote of 9 YEAS, 7 NAYS, 0 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. WHALEN, Chairman

Engrossed SCR 4016 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

#### FIRST READING OF HOUSE CONCURRENT RESOLUTIONS

Reps. G. Berg, Mertens, Nicholas and Sens. Axtman, Adams introduced:

(Approved by the Committee on Delayed Bills)

HCR 3086: A concurrent resolution urging the United States Secretary of Agriculture to adopt regulations that exempt agricultural lands cropped in any year between 1981 and 1985 from the swampbuster and sodbuster provisions of the Food Security Act of 1985 and which exempt any land farmed for three consecutive years from the swampbuster provision of the Food Security Act of 1985.

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

Reps. Haugen, Opedahl, Anderson and Sens. Yockim, Bakewell introduced:

(Approved by the Committee on Delayed Bills)

HCR 3088: A concurrent resolution urging the State Game and Fish Department to adopt a more conciliatory posture in dealing with the Lewis and Clark Mutual Aid Association and its members regarding lease from the State Game and Fish Department of certain lands owned by the United States Army Corps of Engineers.

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

Reps. Oban, Scherber, Wentz and Sen. Heinrich introduced:

(Approved by the Committee on Delayed Bills)

HCR 3089: A concurrent resolution directing the Legislative Council to study North Dakota workmen's compensation benefits and premiums, as they compare to those in other states.

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

#### DELIVERY OF ENROLLED BILLS

THE SPEAKER ANNOUNCED that the following bills were delivered to the Governor for his approval at the hour of 4:40 p.m., March 17, 1987:

HB 1093, HB 1163, HB 1119, HB 1164, HB 1175, HB 1205,  
HB 1219, HB 1244, HB 1275, HB 1276, 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

DELIVERY OF ENROLLED RESOLUTIONS

THE SPEAKER ANNOUNCED that the following resolutions were delivered to the Secretary of State for his filing at the hour of 4:45 p.m., March 17, 1987:

HCR 3002, HCR 3008, HCR 3012, HCR 3022

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

ROY GILBREATH, Chief Clerk