

WEDNESDAY, MARCH 18, 1987

1971

JOURNAL OF THE HOUSE

Fiftieth Legislative Assembly

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FIFTIETH DAY

Bismarck, March 18, 1987

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

The prayer was offered by Bob Schultz, Church of Christ, Bismarck, North Dakota.

ROLL CALL

The roll was called and all Representatives were present, except Representatives R. Berg 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-ninth Day and recommends that the same be corrected as follows and, when so corrected, recommends that the same be approved:

On page 1926, line 2, delete the word "you" and insert in lieu thereof the word "your"

REP. THOMPSON, Chairman

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

REPORT OF PROCEDURAL COMMITTEE

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

HCR 3090

REP. STRINDEN, Chairman

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

DELIVERY OF ENROLLED RESOLUTION

THE SPEAKER ANNOUNCED that the following resolution was delivered to the Secretary of State for his filing at the hour of 9:45 a.m., March 18, 1987:

HCR 3025

## COMMUNICATION FROM GOVERNOR

State of North Dakota  
EXECUTIVE OFFICE  
Bismarck

March 17, 1987

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

Dear Speaker Kloubec:

This is to inform you that on March 17, 1987, I signed the following:

HB 1253, HB 1269, HB 1270

Sincerely,

GEORGE A. SINNER  
Governor

**FIRST READING OF A HOUSE CONCURRENT RESOLUTION**

Reps. Strinden, Mertens and Sens. Heigaard, Olson introduced:  
(Approved by the Committee on Delayed Bills)

HCR 3087: A concurrent resolution commending Representative Brynhild Haugland for her service to the Legislative Assembly and to the people of the state of North Dakota, and designating March 18, 1987, as Brynhild Haugland Day.  
Was read the first time.

**MOTION**

REP. STRINDEN MOVED that the rules be suspended, that HCR 3087 not be printed, not be referred to committee, not be read in its entirety at this time, be printed in the Journal, and placed on the calendar for second reading and final passage, which motion prevailed.

Reps. Strinden, Mertens and Sens. Heigaard, Olson introduced:

**HOUSE CONCURRENT RESOLUTION NO. 3087**

A concurrent resolution commending Representative Brynhild Haugland for her service to the Legislative Assembly and to the people of the state of North Dakota, and designating March 18, 1987, as Brynhild Haugland Day.

WHEREAS, Brynhild Haugland was first elected to the North Dakota House of Representatives in 1938 and has served since that time as a state representative, which is the longest service as a

state representative of anyone currently serving in that capacity in the United States; and

WHEREAS, Representative Haugland has served as chairman of the House Committee on Human Services and Veterans Affairs during 20 of her 25 legislative sessions of service; and

WHEREAS, her many legislative accomplishments include enabling legislation for multicounty health units, establishment of the North Central Experiment Station, child abuse reporting requirements, authority to parole eligible Industrial School students to foster homes, and enabling legislation for opening San Haven to patients from the Grafton State School; and

WHEREAS, her accomplishments outside the legislative arena include service as a member of the board of directors of the International Peace Garden since 1953, membership on the board of the State University of North Dakota-Minot Alumni Association and College Foundation, charter membership in the Eureka Homemakers Club, and membership in the Quota Club, Minot Business and Professional Women's Club, Delta Kappa Gamma, Farm Bureau, and Farmers Union and membership on the Ward County Zoning Commission and on the Minot Planning Commission; and

WHEREAS, recognition for her accomplishments include Minot State College Alumni Golden Award for Outstanding Service, Sertoma's Service to Mankind Award, the North Dakota Public Health Association's Merit Award for Outstanding Service to Public Health, the State Bar Association's Liberty Bell Award, and the North Dakota Mental Health Association's Distinguished Service Award; and

WHEREAS, her achievements are self-described as "any good thing can be accomplished if you aren't particular about who gets the credit";

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Fiftieth Legislative Assembly commends Representative Brynhild Haugland for her service to the Legislative Assembly and to the people of the state over the years; and

BE IT FURTHER RESOLVED, that March 18, 1987, be designated as Brynhild Haugland Day in recognition of her achievements and her dedication to the public welfare; and

BE IT FURTHER RESOLVED, that the Secretary of State present a copy of this resolution to Representative Haugland.

## SECOND READING OF A HOUSE CONCURRENT RESOLUTION

HCR 3087: A concurrent resolution commending Representative Brynhild Haugland for her service to the Legislative Assembly and to the people of the state of North Dakota, and designating March 18, 1987, as Brynhild Haugland Day.

Which has been read.

The question being on the final adoption of the resolution.

HCR 3087 was declared adopted on a voice vote.

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## FIRST READING OF A HOUSE CONCURRENT RESOLUTION

Reps. Strinden, Mertens, Kloubec, Peterson and Sens. Heigaard, Olson introduced:

(Approved by the Committee on Delayed Bills)

HCR 3090: A concurrent resolution designating the Dakota Room as the Brynhild Haugland Room.

Was read the first time.

## MOTION

REP. STRINDEN MOVED that the rules be suspended, that HCR 3090 not be printed, not be referred to committee, not be read in its entirety at this time, be printed in the Journal, and placed on the calendar for second reading and final passage, which motion prevailed.

Reps. Strinden, Mertens, Kloubec, Peterson and Sens. Heigaard, Olson introduced:

## HOUSE CONCURRENT RESOLUTION NO. 3090

A concurrent resolution designating the Dakota Room as the Brynhild Haugland Room.

WHEREAS, the Legislative Assembly has a tradition of recognizing former or current members for extraordinary public service; and

WHEREAS, Representative Brynhild Haugland was first elected to the North Dakota House of Representatives in 1938 and has the longest continuous service as a state representative of anyone currently serving in that capacity in the United States; and

WHEREAS, among her many legislative accomplishments are establishment of the North Central Experiment Station, authority to parole Industrial School students to foster homes, and child abuse reporting requirements, as well as enabling legislation for multicounty health units and opening San Haven to patients from the Grafton State School; and

WHEREAS, her public service includes being a member of the Ward County Zoning Commission, Minot Planning Commission, Board of Directors of the International Peace Garden, Quota Club, Business and Professional Women's Club, Board of Directors of the State University of North Dakota-Minot Alumni Association and College Foundation, Delta Kappa Gamma, Farm Bureau, Farmers Union, and the National Retired Teachers Association, as well as being a charter member of the Eureka Homemakers Club and the vice president of the International Peace Garden, Inc., and being named an honorary member of the Uniformed Fire Fighters of North Dakota in 1976; and

WHEREAS, recognition for her accomplishments include receiving Minot's Woman of the Year for 1956 and 1971, the Minot State College Alumni Gold Award for Outstanding Service 1968, the North Dakota Outstanding "Woman in Law" in 1973 from the North Dakota Women's Coalition and the North Dakota Commission on the Status of Women, the Milky Way Award in 1977 in recognition of outstanding contributions to the dairy industry of the state, the Distinguished Service Award 1977-1978 from the Western North Dakota Health Systems Agency, the North Dakota Water Wheel Award in 1981 from the North Dakota Water Users Association and the North Dakota Water Management Districts Association, Sertoma's Service to Mankind Award in 1983, the Merit Award for Outstanding Service to Public Health in 1983 from the Public Health Association of North Dakota, the Liberty Bell Award in 1983 from the State Bar Association, the Distinguished Service Award in 1983 from the Mental Health Association of North Dakota, the Honorary Recognition Award in 1983 from the State Nurses Association of North Dakota, the Minot Association of Homebuilders Award for Outstanding Contributions to the Building Industry in 1984, and induction into the Scandinavian Hall of Fame in 1984; and

WHEREAS, her accomplishments need to be recognized in an appropriate manner so as to inform the citizens of the state of her dedication to public service; and

WHEREAS, public meeting rooms in the State Capitol have been named in recognition of personages having important roles in this state's history;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Fiftieth Legislative Assembly designates the Dakota Room as the Brynhild Haugland Room in recognition of Representative Haugland's service to the Legislative Assembly and to the people of the state over the years; and

BE IT FURTHER RESOLVED, that the appropriate public officers and employees take the action necessary to rename the Dakota Room the Brynhild Haugland Room, including informing other

public agencies, replacing room designation plaques, and taking any other action necessary to ensure designation of and reference to the room as the Brynhild Haugland Room; and

BE IT FURTHER RESOLVED, that the Secretary of State present a copy of this resolution to Representative Haugland and forward a copy of this resolution to the Director of Institutions.

#### SECOND READING OF A HOUSE CONCURRENT RESOLUTION

HCR 3090: A concurrent resolution designating the Dakota Room as the Brynhild Haugland Room.

Which has been read.

The question being on the final adoption of the resolution.

HCR 3090 was declared adopted on a voice vote.

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#### MOTION

REP. STRINDEN MOVED that the rules be suspended and that HCR 3087 and HCR 3090 be messaged to the Senate immediately, which motion prevailed.

#### SIXTH ORDER OF BUSINESS

REP. GATES MOVED that the amendments to SB 2044 as recommended by the Committee on Education as printed on page 1964 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SB 2044 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

REP. ANDERSON MOVED that the amendments to SB 2080 as recommended by the Committee on Transportation as printed on page 1965 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SB 2080 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 2184 as recommended by the Committee on Natural Resources as printed on pages 1965-1967 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

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

REP. NICHOLAS MOVED that the amendments to SB 2205 as recommended by the Committee on Agriculture as printed on page 1968

of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion failed.

SB 2205 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MESSAGES FROM THE SENATE  
SENATE CHAMBER

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

HB 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

PERRY GROTBERG, Secretary

SENATE CHAMBER

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

SCR 4063

PERRY GROTBERG, Secretary

SENATE CHAMBER

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

SB 2551, SCR 4031, SCR 4032, SCR 4033, SCR 4034, SCR 4038

PERRY GROTBERG, Secretary

SENATE CHAMBER

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

HB 1197, HB 1209, HB 1279, HB 1304, HB 1310, HB 1333,  
HB 1363, HB 1410, HB 1433, HB 1449, HB 1468, HB 1538,  
HB 1545, HB 1552, HB 1613

PERRY GROTBERG, Secretary

SENATE CHAMBER

MR. SPEAKER: I have the honor to return herewith HB 1079, HB 1350, HB 1535, HB 1582, and HCR 3063 which the Senate has amended and subsequently passed the same:

SENATE AMENDMENTS TO ENGROSSED HB 1079

On page 1 of the engrossed bill, line 26, delete the word "one" and insert in lieu thereof the word "two" and delete the words "two hundred"

And renumber the lines, sections, and pages accordingly

SENATE AMENDMENTS TO ENGROSSED HB 1350

On page 4 of the engrossed bill, line 16, delete the words "Except as otherwise" and insert in lieu thereof the words "Before it may offer insurance in any state, each risk retention group shall also submit for approval to the insurance commissioner of this state a plan of operation or a feasibility study and revisions of such plan or study if the group intends to offer any additional lines of liability insurance. Immediately upon receipt of an application for charter in this state the risk retention group shall provide summary information concerning the filing to the national association of insurance commissioners including the name of the risk retention group, the identity of the initial members of the group, the identity of those individuals who organized the group or who will provide administrative services or otherwise influence or control the activities of the group, the amount and nature of initial capitalization, the coverages to be afforded, and the states in which the group intends to operate. Providing notification to the national association of insurance commissioners is in addition to and is not sufficient to satisfy the requirements of this Act."

On page 4 of the engrossed bill, delete lines 17 through 19

On page 5 of the engrossed bill, after line 2, insert the following new subdivision:

- "b. A copy of its plan of operation or a feasibility study and revisions of such plan or study submitted to its state of domicile; provided, however, that the provision relating to the submission of a plan of operation or a feasibility study does not apply with respect to any line or classification of liability insurance which was defined in the Product Liability Risk Retention Act of 1981 before October 27, 1986, and was offered before such date by any risk retention group which had been chartered and operating for not less than three years before such date."

On page 5 of the engrossed bill, after line 24, insert the following new subsection:

"3. Taxation.

- a. All premiums paid for coverages within this state to risk retention groups are subject to taxation at the same rate and subject to the



same interest, fines, and penalties for nonpayment that are applicable to foreign-admitted insurers.

- b. To the extent agents or brokers are utilized, they shall report and pay the taxes for the premiums for risks which they have placed with or on behalf of a risk retention group not chartered in this state.
- c. To the extent the agents or brokers are not utilized or fail to pay the tax, each risk retention group shall pay the tax for risks insured within the state. Further, each risk retention group shall report all premiums paid to it for risks insured within the state."

On page 9 of the engrossed bill, after line 12, insert the following new section:

"SECTION 11. Duty of agents or brokers to obtain license.

Any person acting, or offering to act, as an agent or broker for a risk retention group or purchasing group, which solicits members, sells insurance coverage, purchases coverage for its members located within the state, or otherwise does business in this state, shall, before commencing any such activity, obtain a license from the commissioner."

And renumber the lines, sections, and pages accordingly

SENATE AMENDMENTS TO HB 1535

On page 1, line 28, delete the words "unless the report or any"

On page 2, delete line 1

On page 2, line 2, delete the words "not available pursuant to section 50-25.1-11"

On page 2, line 6, delete the words "unless the"

On page 2, delete lines 7 through 12

On page 2, line 13, delete the words "or federal law"

And renumber the lines, sections, and pages accordingly

SENATE AMENDMENTS TO HB 1582

On page 1, line 2, delete the word ", price"

On page 1, line 3, delete the words "discount, or price premium"

On page 2, line 3, delete the words ", price discount, or price premium"

On page 2, line 18, delete the words ", price discount, or price premium factor" and insert in lieu thereof the word "factors"

On page 2, line 20, delete the words "is binding on each party" and insert in lieu thereof the words "shall be used in the settlement of the dispute"

And renumber the lines, sections, and pages accordingly

#### SENATE AMENDMENTS TO HCR 3063

On page 2, line 4, after the word "programs" insert the words "and day care centers"

On page 2, line 14, after the word "programs" insert the words "and day care centers"

And renumber the lines, sections, and pages accordingly

PERRY GROTEBERG, Secretary

#### CONSIDERATION OF MESSAGE FROM THE SENATE

REP. PETERSON MOVED that the House do concur in the Senate amendments to HB 1032 as printed on page 1923 of the House Journal, which motion prevailed.

#### MOTION

REP. STRINDEN MOVED that the rules be suspended, that HB 1032 be deemed properly engrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

#### SECOND READING OF HOUSE BILL

HB 1032: A BILL for an Act to authorize the industrial commission to issue evidences of indebtedness for projects authorized by the fiftieth legislative assembly; to create and enact a new section to chapter 54-17.2 of the North Dakota Century Code, relating to evidences of indebtedness issued by the industrial commission and continued authority of the commission as the North Dakota building authority; to amend and reenact section 22 of chapter 571 of the 1985 Session Laws of North Dakota, relating to the continuing appropriation of moneys related to the projects; and to repeal section 21 of chapter 571 of the 1985 Session Laws of North Dakota, relating to projects authorized by the forty-ninth legislative assembly.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 84 YEAS, 16 NAYS, 6 ABSENT AND NOT VOTING.

**YEAS:** Aas; Almlie; Belter; Berg, G.; Brokaw; Christman; Cleveland; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Dotzenrod; Enget; Gates; Gertholz; Goetz; Gorman; Graba; Halmrast; Hamerlik; Hanson, L.; Haugen; Hausauer, R.; Hill; Hoffner; Hokana; Kelly; Kent; Kingsbury; Kolbo; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Marks; Martinson; 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; Smette; Sorensen; Starke; Stofferahn; Strinden; Tollefson; Trautman; Ulmer; Vander Vorst; Wald; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Kloubec

**NAYS:** Anderson; Gunsch; Hanson, O.; Klundt; Knell; Knudson; Koland; Martin; Melby; Skjerven; Solberg; Thompson; Tokach; Tomac; Whalen; Wilkie

**ABSENT AND NOT VOTING:** Berg, R.; Flaagan; Frey; Haugland; Hausauer, A.; Murphy

HB 1032 passed and the title was agreed to.

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## CONSIDERATION OF MESSAGE FROM THE SENATE

REP. ANDERSON MOVED that the House do not concur in the Senate amendments to HB 1073 as printed on page 1870 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 1073:

Reps. Almlie, Shaft, Marks

## CONSIDERATION OF MESSAGE FROM THE SENATE

REP. MOORE MOVED that the House do concur in the Senate amendments to HB 1293 as printed on page 1845 of the House Journal, which motion prevailed.

## MOTION

REP. STRINDEN MOVED that the rules be suspended, that HB 1293 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 1293: A BILL for an Act to amend and reenact section 15-12-12 of the North Dakota Century Code, relating to the publication by the county commission and county extension agent of services and publications available through North Dakota state university.

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, 3 NAYS, 5 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; Hoffner; Hokana; Kelly; Kent; Kingsbury; Klundt; Knell; Knudson; Koland; Kolbo; Kretschmar; Kuchera; Lang; Larson; Lautenschlager; Linderman; Lindgren; Marks; Martin; Martinson; Melby; Mertens; Meyer; Moore; Myrdal; Nelson, C.; Nelson, J.; Nicholas; Nowatzki; Oban; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Rice; Riehl; Rydell; Scherber; Schindler; Schneider; Shaft; Shaw; Shide; Skjerven; Smette; Solberg; Sorensen; Starke; Stofferahn; Strinden; Thompson; Tokach; Tollefson; Tomac; Trautman; Ulmer; Vander Vorst; Wald; Watne; Wentz; Whalen; Wilkie; Williams, A.; Williams, W.; Winkelman; Speaker Kloubec

NAYS: Laughlin; O'Connell; Shockman

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

HB 1293 passed and the title was agreed to.

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## CONSIDERATION OF MESSAGE FROM THE SENATE

REP. A. OLSON MOVED that the House do not concur in the Senate amendments to HCR 3007 as printed on pages 1873-1875 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 HCR 3007:

Reps. Murphy, Schindler, G. Berg

## SECOND READING OF SENATE BILL

SB 2056: A BILL for an Act to amend and reenact section 9-10-07 of the North Dakota Century Code, relating to a political subdivision's liability for an uncollectible judgment.

Which has been read.

## ROLL CALL

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

YEAS: Aas; Almlie; Anderson; Belter; Berg, G.; Brokaw; Christman; 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; 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; 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: Cleveland; Kuchera; Schneider; Shaft

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

SB 2056 passed and the title was agreed to.

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## MOTIONS

REP. A. OLSON MOVED that SB 2072 be placed at the bottom of the calendar, which motion prevailed.

REP. GOETZ MOVED that the House waive the reading of the title to SB 2110, which motion prevailed.

## SECOND READING OF SENATE BILL

SB 2110: A BILL for an Act to create and enact a new subsection to section 4-09-01 and a new subsection to section 4-09-10 of the North Dakota Century Code, relating to definitions of labeler and disease test; to amend and reenact subsections 6, 17, and 18 of section 4-09-01, subsection 1 of section 4-09-03, sections 4-09-05, 4-09-08, 4-09-14.1,

4-09-14.2, 4-09-14.3, 4-09-14.4, subsections 2, 3, and 5 of section 4-09-15, sections 4-09-22, 4-09-23, and 4-09-24 of the North Dakota Century Code, relating to rulemaking authority, free seed tests, seed labeling fee permits, reports, offenses, and enforcement; and to provide a penalty.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 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; Hausauer, A.; Hausauer, R.; Hill; Hoffner; Hokana; Kelly; 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; Whalen; Wilkie; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Kloubec

NAYS: None

ABSENT AND NOT VOTING: Haugland; Kent; Murphy

SB 2110 passed and the title was agreed to.

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#### MOTIONS

REP. MOORE MOVED that the House reconsider its action whereby the amendments to SB 2115 were adopted and SB 2115 was placed on the Fourteenth order of business on the calendar, which motion prevailed.

REP. MOORE MOVED that SB 2115 be rereferred to the Committee on Political Subdivisions, which motion prevailed.

SPEAKER KLOUBEC ANNOUNCED that SB 2115 was referred to the Committee on Political Subdivisions.

REP. A. OLSON MOVED that SB 2072 be placed at the top of the calendar, which motion prevailed.

### SECOND READING OF SENATE BILL

SB 2072: A BILL for an Act to amend and reenact subsection 7 of section 38-11.1-03 and section 38-11.1-04 of the North Dakota Century Code, relating to the definition of surface owner and surface damage payments with respect to oil and gas production damage.

Which has been read.

### ROLL CALL

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

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

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

SB 2072 passed and the title was agreed to.

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### MOTION

REP. MARTINSON MOVED that SB 2145 be placed at the bottom of the calendar, which motion prevailed.

### SECOND READING OF SENATE BILL

SB 2279: A BILL for an Act to amend and reenact subsection 2 of section 39-04-18 of the North Dakota Century Code, relating to exemptions from motor vehicle registration.

Which has been read.

### ROLL CALL

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

YEAS: Aas; Almlie; Anderson; Belter; Berg, G.; Berg, R.; Brokaw; Christman; Cleveland; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Dotzenrod; Enget; Flaagan; Frey; Gates; Gerntholz; Goetz; Gorman; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugen; 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 2279 passed and the title was agreed to.

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### MOTION

REP. GOETZ MOVED that SB 2280, which is on the Fourteenth order, be laid over one legislative day, which motion prevailed.

### SECOND READING OF SENATE BILL

SB 2304: A BILL for an Act to create and enact a new section to chapter 61-04 of the North Dakota Century Code, relating to damages awarded by a court for a diminution in quantity or quality of a water supply; and to amend and reenact section 38-11.1-06 of the North Dakota Century Code, relating to the protection of water wells and surface and ground water sources from damage caused by oil and gas exploration.

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, 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; 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; 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: Klundt; Starke

ABSENT AND NOT VOTING: Haugland; Murphy; Peterson

SB 2304 passed and the title was agreed to.

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## DELIVERY OF ENROLLED BILL

THE SPEAKER ANNOUNCED that the following bill was delivered to the Governor for his approval at the hour of 1:07 p.m., March 18, 1987:

HB 1673

MESSAGES TO THE SENATE  
HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to inform you that the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

SB 2011: Reps. Payne, Kent, Hill

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 2025, SB 2045, SB 2090, SB 2109, SB 2143, SB 2403,  
SB 2406, SB 2444, SB 2445, SB 2458, SB 2510, SB 2520

ROY GILBREATH, Chief Clerk

## HOUSE CHAMBER

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

SB 2026, SB 2032, SB 2052, SB 2054, SB 2057, SB 2058,  
SB 2059, SB 2100, SB 2122, SB 2131, SB 2132, SB 2170,  
SB 2174, SB 2175, SB 2176, SB 2229, SB 2231, SB 2232

ROY GILBREATH, Chief Clerk

## HOUSE CHAMBER

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

SB 2102, SB 2179

ROY GILBREATH, Chief Clerk

## SIGNING OF BILLS AND RESOLUTIONS

THE CHIEF CLERK ANNOUNCED that the Speaker signed the following:

HB 1044, HB 1077, HB 1086, HB 1118, HB 1193, HB 1214,  
HB 1271, HB 1280, HB 1281, HB 1282, HB 1283, HB 1284,  
HB 1297, HB 1360, HB 1378, HB 1381, HB 1393, HB 1421,  
HB 1439, HB 1459, HB 1471, HB 1497, HB 1609, HCR 3016

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 1044, HB 1077, HB 1086, HB 1118, HB 1193, HB 1214,  
HB 1271, HB 1280, HB 1281, HB 1282, HB 1283, HB 1284,  
HB 1297, HB 1360, HB 1378, HB 1381, HB 1393, HB 1421,  
HB 1439, HB 1459, HB 1471, HB 1497, HB 1609, HCR 3016

ROY GILBREATH, Chief Clerk

## 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:

HCR 3087, HCR 3090

ROY GILBREATH, Chief Clerk

## HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to inform you that the House has concurred in the Senate amendments to HB 1032 and HB 1293 and subsequently passed the same but has refused to concur in the Senate amendments to HB 1073 and HCR 3007 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1073: Reps. Almlie, Shaft, Marks

HCR 3007: Reps. Murphy, Schindler, G. Berg

ROY GILBREATH, Chief Clerk

## SIGNING OF BILLS AND RESOLUTIONS

THE CHIEF CLERK ANNOUNCED that the Speaker signed the following:

SB 2551, SCR 4031, SCR 4032, SCR 4033, SCR 4034, SCR 4038

ROY GILBREATH, Chief Clerk

## MESSAGE TO THE SENATE

## HOUSE CHAMBER

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

SB 2551, SCR 4031, SCR 4032, SCR 4033, SCR 4034, SCR 4038

ROY GILBREATH, Chief Clerk

## MESSAGE FROM THE SENATE

## SENATE CHAMBER

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

HCR 3087, HCR 3090

PERRY GROTEBERG, Secretary

## SECOND READING OF SENATE BILL

SB 2369: A BILL for an Act to create and enact a new section to chapter 39-04 of the North Dakota Century Code, relating to issuance of distinctive motor vehicle number plates to national guard members.

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 55 YEAS, 46 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Almlie; Belter; Berg, G.; Berg, R.; Brokaw;  
Dalrymple; Dotzenrod; Gertholz; Gorman; Halmrast;  
Hanson, L.; Hanson, O.; Haugen; Haugland; Hoffner;  
Hokana; Kent; Klundt; Knell; Knudson; Kolbo;  
Kretschmar; Lang; Larson; Laughlin; Marks; Martin;  
Martinson; Melby; Mertens; Meyer; Moore; Myrdal;

Nelson, C.; Nelson, J.; Oban; Olson, A.; Olson, V.;  
Payne; Rice; Riehl; Rydell; Schindler; Shaft; Shaw;  
Shide; Shockman; Smette; Thompson; Ulmer; Vander Vorst;  
Williams, A.; Williams, C.; Winkelman; Speaker Kloubec

**NAYS:** Aas; Anderson; Christman; Cleveland; DeMers, J.;  
DeMers, P.; Dorso; Enget; Flaagan; Gates; Goetz; Graba;  
Gunsch; Hamerlik; Hausauer, R.; Hill; Kelly; Kingsbury;  
Koland; Kuchera; Lautenschlager; Linderman; Lindgren;  
Nicholas; Nowatzki; O'Connell; Olsen, D.; Opedahl;  
O'Shea; Scherber; Schneider; Skjerven; Solberg;  
Sorensen; Starke; Stofferahn; Strinden; Tokach;  
Tollefson; Tomac; Trautman; Wald; Watne; Wentz; Wilkie;  
Williams, W.

**ABSENT AND NOT VOTING:** Frey; Hausauer, A.; Murphy;  
Peterson; Whalen

SB 2369 passed and the title was agreed to.

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#### REQUEST

**REP. ULMER REQUESTED** that the record show that he intended to vote "nay" on SB 2369, which request was granted.

#### MOTION

**REP. ULMER MOVED** that the House reconsider its action whereby SB 2369 passed, which motion prevailed on a verification vote.

#### SECOND READING OF SENATE BILL

**SB 2369:** A BILL for an Act to create and enact a new section to chapter 39-04 of the North Dakota Century Code, relating to issuance of distinctive motor vehicle number plates to national guard members.

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 52 YEAS, 48 NAYS, 6 ABSENT AND NOT VOTING.

**YEAS:** Almlie; Belter; Berg, G.; Berg, R.; Brokaw;  
Dalrymple; Dotzenrod; Gerntholz; Gorman; Halmrast;  
Hanson, L.; Hanson, O.; Haugen; Hoffner; Hokana; Kent;  
Klundt; Knell; Knudson; Kolbo; Lang; Larson; Laughlin;  
Marks; Martin; Martinson; Melby; Mertens; Meyer; Moore;  
Myrdal; Nelson, C.; Oban; Olson, A.; Olson, V.; Payne;  
Rice; Riehl; Rydell; Schindler; Shaft; Shaw; Shide;  
Shockman; Smette; Sorensen; Thompson; Vander Vorst;  
Williams, A.; Williams, C.; Winkelman; Speaker Kloubec

**NAYS:** Aas; Anderson; Christman; Cleveland; DeMers, J.; DeMers, P.; Dorso; Enget; Flaagan; Gates; Goetz; Graba; Gunsch; Hamerlik; Hausauer, R.; Hill; Kelly; Kingsbury; Koland; Kretschmar; Kuchera; Lautenschlager; Linderman; Lindgren; Nelson, J.; Nicholas; Nowatzki; O'Connell; Olsen, D.; Opedahl; O'Shea; Scherber; Schneider; Skjerven; Solberg; Starke; Stofferahn; Strinden; Tokach; Tollefson; Tomac; Trautman; Ulmer; Wald; Watne; Wentz; Wilkie; Williams, W.

**ABSENT AND NOT VOTING:** Frey; Haugland; Hausauer, A.; Murphy; Peterson; Whalen

SB 2369 was declared lost for want of a Constitutional majority.

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## SECOND READING OF SENATE BILLS

**SB 2378:** A BILL for an Act to create and enact two new sections to chapter 43-07 of the North Dakota Century Code, relating to display of contractor's license number on certain building permits and a public awareness program of contractors' responsibilities.

Which has been read.

## ROLL CALL

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

**YEAS:** Aas; Almlie; Anderson; Belter; Berg, G.; Berg, R.; Christman; Cleveland; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Dotzenrod; Enget; Flaagan; Frey; Gates; Goetz; Gorman; Graba; Gunsch; Halmrast; Hamerlik; Hanson, O.; Haugen; Hausauer, A.; Hausauer, R.; 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.; Opedahl; Payne; Rice; Riehl; Rydell; Scherber; Schneider; Shaft; Shaw; Shide; Shockman; 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 Kloubeck

**NAYS:** Brokaw; Gerntholz; Hill; Olson, V.; O'Shea; Schindler; Skjerven; Ulmer

**ABSENT AND NOT VOTING:** Hanson, L.; Haugland; Murphy; Peterson

SB 2378 passed and the title was agreed to.

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**SB 2451:** A BILL for an Act to create and enact a new section to chapter 20.1-05 of the North Dakota Century Code, relating to the taking of big game by blind persons.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were 99 YEAS, 0 NAYS, 7 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; Marks; Martinson; Melby; Mertens; Meyer; Moore; Myrdal; Nelson, C.; 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; Tomac; Trautman; Ulmer; Vander Vorst; Wald; Watne; Wentz; Whalen; Wilkie; Williams, A.; Williams, W.; Winkelman; Speaker Kloubec

**NAYS:** None

**ABSENT AND NOT VOTING:** Dorso; Lindgren; Martin; Murphy; Nicholas; Peterson; Williams, C.

SB 2451 passed and the title was agreed to.

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**SB 2486:** A BILL for an Act to create and enact a new section to chapter 36-05 of the North Dakota Century Code, relating to the establishment of a livestock auction marketing grievance committee; and to amend and reenact section 36-05-11 of the North Dakota Century Code, relating to the inspection and treatment of livestock before removal from an auction market.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 97 YEAS, 4 NAYS, 5 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; Kelly; 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; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Peterson; Rice; Riehl; Rydell; Scherber; Schindler; Shaft; Shaw; Shide; Skjerven; Smette; Solberg; Sorensen; Starke; Strinden; Thompson; Tokach; Tollefson; Tomac; Trautman; Ulmer; Vander Vorst; Wald; Watne; Wentz; Whalen; Wilkie; Williams, A.; Williams, W.; Winkelman; Speaker Kloubec

NAYS: Hokana; Schneider; Shockman; Stofferahn

ABSENT AND NOT VOTING: Dorso; Kent; Martin; Murphy; Williams, C.

SB 2486 passed and the title was agreed to.

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#### MOTION

REP. GOETZ MOVED that SB 2494, which is on the Fourteenth order, be laid over one legislative day, which motion prevailed.

#### SECOND READING OF SENATE BILLS

SB 2540: A BILL for an Act to create and enact a new section to chapter 61-16.1 of the North Dakota Century Code, relating to maintenance assessments for federally constructed projects.

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, 0 NAYS, 8 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.; Haugland;  
 Hausauer, A.; Hausauer, R.; Hill; Hoffner; Hokana;  
 Kelly; Kingsbury; Klundt; Knell; Koland; Kolbo;  
 Kretschmar; Kuchera; Lang; Larson; Laughlin;  
 Lautenschlager; Linderman; Lindgren; Marks; Martin;  
 Martinson; Melby; Mertens; Meyer; Moore; Myrdal;  
 Nelson, C.; Nelson, J.; 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; Ulmer;  
 Vander Vorst; Wald; Watne; Whalen; Wilkie;  
 Williams, A.; Williams, C.; Williams, W.; Winkelman;  
 Speaker Kloubec

**NAYS:** None

**ABSENT AND NOT VOTING:** Dorso; Haugen; Kent; Knudson;  
 Murphy; Nicholas; Olsen, D.; Wentz

SB 2540 passed and the title was agreed to.

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**SB 2095:** A BILL for an Act to amend and reenact section 26.1-25-04.1 of the North Dakota Century Code, relating to discounts from certain motor vehicle insurance premiums and disclosure of the amounts of the discounts.

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:** Aas; Almlie; Anderson; Belter; Berg, G.; Berg, R.;  
 Christman; Cleveland; Dalrymple; DeMers, J.;  
 DeMers, P.; Dotzenrod; Enget; Flaagan; Frey; Gates;  
 Goetz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.;  
 Haugland; Hausauer, A.; Hausauer, R.; Hoffner; Hokana;  
 Kelly; Klundt; Knell; Koland; Kolbo; Kuchera; Lang;  
 Larson; Laughlin; Lautenschlager; Linderman; Lindgren;  
 Marks; Martin; Martinson; Mertens; Meyer; Nelson, C.;  
 Nelson, J.; Nicholas; Nowatzki; Oban; O'Connell;  
 Olson, V.; Payne; Riehl; Rydell; Scherber; Schindler;  
 Schneider; Shaft; Shaw; Shide; Shockman; Smette;  
 Solberg; Sorensen; Starke; Strinden; Thompson; Tokach;  
 Tollefson; Tomac; Trautman; Ulmer; Watne; Whalen;  
 Wilkie; Williams, W.; Speaker Kloubec



NAYS: Brokaw; Dorso; Gerntholz; Gorman; Hanson, O.;  
Haugen; Hill; Kingsbury; Kretschmar; Melby; Moore;  
Myrdal; Olsen, D.; Olson, A.; Opedahl; O'Shea;  
Peterson; Rice; Skjerven; Stofferahn; Vander Vorst;  
Wald; Wentz; Williams, A.; Williams, C.; Winkelman

ABSENT AND NOT VOTING: Kent; Knudson; Murphy

SB 2095 passed and the title was agreed to.

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#### RECOGNITION

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

#### SECOND READING OF SENATE BILL

SB 2119: A BILL for an Act to amend and reenact section 6-09-26.1 of the North Dakota Century Code, relating to the execution of instruments on behalf of the Bank of North Dakota.

Which has been read.

#### ROLL CALL

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

YEAS: Almlie; Anderson; Belter; Berg, G.; Berg, R.;  
Brokaw; Christman; Cleveland; Dalrymple; DeMers, J.;  
DeMers, P.; Dorso; Dotzenrod; Enget; Flaagan; Frey;  
Gates; Gerntholz; Goetz; Gorman; Graba; Gunsch;  
Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugen;  
Haugland; Hausauer, A.; Hausauer, R.; Hill; Hoffner;  
Hokana; Kelly; 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; Whalen; Wilkie; Williams, A.; Williams, C.;  
Williams, W.; Winkelman; Speaker Kloubec

NAYS: None

ABSENT AND NOT VOTING: Aas; Kent; Murphy

SB 2119 passed and the title was agreed to.

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#### MOTION

REP. GOETZ MOVED that SB 2127, which is on the Fourteenth order, be laid over one legislative day, which motion prevailed.

#### SECOND READING OF SENATE BILL

SB 2134: A BILL for an Act to amend and reenact subsection 4 of section 6-01-04.2 of the North Dakota Century Code, relating to the appeal of cease and desist orders served upon financial corporations or institutions.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 100 YEAS, 0 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Aas; Almlie; Anderson; Belter; Berg, G.; Berg, R.; Brokaw; Christman; Cleveland; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Dotzenrod; Enget; Flaagan; Frey; Gates; Gerntholz; Goetz; Gorman; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hill; Hoffner; Hokana; Kelly; 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; 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: None

ABSENT AND NOT VOTING: Hanson, O.; Kent; Kuchera; Murphy; Peterson; Wald

SB 2134 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 2252, which motion prevailed.

## SECOND READING OF SENATE BILLS

SB 2252: A BILL for an Act to create and enact a new subsection to section 52-09-07 of the North Dakota Century Code, relating to moneys paid or deposited into the old-age survivors' fund; to amend and reenact sections 52-09-06 and 52-09-09 of the North Dakota Century Code, relating to investing and disbursing money in the old-age survivors' fund and rates of contributions for purposes of old-age and survivor insurance; to provide an effective date; and to declare an emergency.

Which has been read.

## ROLL CALL

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

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

NAYS: None

ABSENT AND NOT VOTING: Kent; Murphy; Peterson; Strinden; Winkelman

SB 2252 passed, the title was agreed to, and the emergency clause carried.

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SB 2266: A BILL for an Act to amend and reenact sections 15-39.1-10.3, 39-03.1-14.1, and 54-52-17.2 of the North Dakota Century Code, relating to eligibility for accrual of benefits between retirement systems and purchase of prior service credit for members of certain public retirement systems.

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

NAYS: None

ABSENT AND NOT VOTING: Kent; Kuchera; Murphy

SB 2266 passed and the title was agreed to.

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#### MOTION

REP. GOETZ MOVED that SB 2354, which is on the Fourteenth order, be laid over one legislative day, which motion prevailed.

#### SECOND READING OF SENATE BILL

SB 2363: A BILL for an Act to create and enact a new subdivision to subsection 13 of section 15-10-17 of the North Dakota Century Code, relating to transfer of contributions from the public employees retirement system to the alternate retirement program for employees at institutions under the control of the state board of higher education; to provide for limited retroactive effect of this Act; and to declare an emergency.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 100 YEAS, 0 NAYS, 6 ABSENT AND NOT VOTING.

**YEAS:** Aas; Almlie; Anderson; Belter; Berg, G.; Berg, R.; Brokaw; Christman; Dalrymple; DeMers, J.; DeMers, P.; 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; Kingsbury; Klundt; Knell; Knudson; 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; 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:** None

**ABSENT AND NOT VOTING:** Cleveland; Kent; Koland; Kuchera; Murphy; Williams, C.

SB 2363 passed, the title was agreed to, and the emergency clause carried.

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#### MESSAGES FROM THE SENATE SENATE CHAMBER

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

SB 2380

**PERRY GROTEBERG, Secretary**

#### SENATE CHAMBER

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

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

**PERRY GROTEBERG, Secretary**

#### SIGNING OF BILLS AND RESOLUTIONS

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

SB 2380

**ROY GILBREATH, Chief Clerk**

MESSAGE TO THE SENATE  
HOUSE CHAMBER

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

SB 2380

ROY GILBREATH, Chief Clerk

## 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 2:20 p.m., March 18, 1987:

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

## SIGNING OF BILLS AND RESOLUTIONS

THE CHIEF CLERK ANNOUNCED that the Speaker signed the following:

HB 1410, HCR 3087, HCR 3090

ROY GILBREATH, Chief Clerk

MESSAGE TO THE SENATE  
HOUSE CHAMBER

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

HB 1410, HCR 3087, HCR 3090

ROY GILBREATH, Chief Clerk

MESSAGE FROM THE SENATE  
SENATE CHAMBER

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

HB 1044, HB 1077, HB 1086, HB 1118, HB 1193, HB 1214,  
HB 1271, HB 1280, HB 1281, HB 1282, HB 1283, HB 1284,  
HB 1297, HB 1360, HB 1378, HB 1381, HB 1393, HB 1421,  
HB 1439, HB 1459, HB 1471, HB 1497, HB 1609, HCR 3016

PERRY GROTEBERG, Secretary

SPECIAL ORDER OF BUSINESS  
JOINT SESSION  
BRYNHILD HAUGLAND DAY

MOTIONS

REP. STRINDEN MOVED that a committee of two be appointed to escort President Pro Tempore Redlin to the rostrum, which motion prevailed. Speaker Kloubec appointed Reps. Lautenschlager and Tollefson to such committee and President Pro Tempore Redlin was escorted to the rostrum.

REP. GOETZ MOVED that a committee of two be appointed to escort Rev. F. J. McKanna to the rostrum, which motion prevailed. Speaker Kloubec appointed Reps. Strinden and Mertens to such committee and Rev. F. J. McKanna was escorted to the rostrum.

REP. MERTENS MOVED that a committee of two be appointed to escort Mr. and Mrs. Emil Knoepfle, and Mr. and Mrs. Gary Price and Melissa Price to the rostrum. Speaker Kloubec appointed Rep. Wentz and Sen. Reiten to such committee and Mr. and Mrs. Knoepfle and Mr. and Mrs. Price and Melissa were escorted to the rostrum.

REP. STRINDEN MOVED that a committee of two be appointed to escort members of the Peace Garden Board of Directors to the rostrum. Speaker Kloubec appointed Sen. Richard and Rep. P. DeMers to such committee and the members of the Peace Garden Board of Directors were escorted to the rostrum.

REP. MERTENS MOVED that the Speaker appoint a committee of two to escort the former Governors to the rostrum. Speaker Kloubec appointed members of the National Guard to such committee and former Governors John Davis, William Guy, and Arthur Link were escorted to the rostrum.

REP. STRINDEN MOVED that the Speaker appoint a committee of two to escort elected State Officials to the rostrum. Speaker Kloubec appointed Reps. Goetz and Hoffner to such committee and the elected State Officials were escorted to the rostrum.

REP. MERTENS MOVED that the Speaker appoint a committee of two to escort Associate Justices to the rostrum. Speaker Kloubec appointed Reps. Kretschmar and Schneider to such committee and the Associate Justices were escorted to the rostrum.

REP. STRINDEN MOVED that the Speaker appoint a committee of two to escort Chief Justice Ralph J. Erickstad to the rostrum. Speaker Kloubec appointed Reps. A. Olson and G. Berg to such committee and Chief Justice Erickstad was escorted to the rostrum.

REP. MERTENS MOVED that the Speaker appoint a committee of two to escort the Honorable George A. Sinner, Governor, and Mrs. Sinner to the rostrum. Speaker Kloubec appointed Reps. Lang

and Opedahl to such committee and Governor and Mrs. Sinner were escorted to the rostrum.

**REP. STRINDEN MOVED** that the Speaker appoint a special committee consisting of former Speakers to escort the Honorable Brynhild Haugland to the rostrum.

**THE SPEAKER ANNOUNCED** that former Speakers Rep. James Peterson, Rep. Roy Hausauer, Rep. Vern Wagner, Rep. Tish Kelly, Rep. Stanley Saugstad, and former Democratic Floor Leader Rep. Richard Backes escorted the Honorable Brynhild Haugland to the rostrum.

The Joint Session was called to order by Speaker Kloubec.

The Invocation was offered by Rev. F. J. McKanna, Minot, North Dakota.

Musical selections were provided by City Lights, State University of North Dakota, Minot, under the direction of Gary Walth.

#### INTRODUCTION OF RESOLUTION

**REP. STRINDEN REQUESTED** that HCR 3087 be read, which request was granted.

#### REMARKS BY GOVERNOR GEORGE A. SINNER

My distinguished colleague Brynhild, Mr. Speaker, Mr. President Pro Tem, Governors Link and Guy and Davis, distinguished members of the Senate and the House, distinguished public officials, ladies and gentlemen:

I am extremely honored to be here today to honor this outstanding woman of North Dakota.

There is so much to say today about Brynhild Haugland that is typical of North Dakota. As I prepared to come here to speak about Brynhild, I could not help but think that just a few short days ago we honored another distinguished woman of North Dakota who now lies dying at Medcenter One and I was struck by the fact that here are two women who have served us in such unique ways.

There were so many great things said about Ruth the other night that should be said today about Brynhild. But, Brynhild, I can not recount them all and I can not say them over. Just let me say thank you for who you are, for what you stand for. Thank you for teaching all of us that true leadership is a host of things, but it is most of all the things that you are symbolic of.

Brynhild, I have always admired you for your intelligence. You have perceived the truth much more quickly than most of us. Intuitively almost, you have seen fraud and phony and fictitious fanfare for what it was. You have always, with your intelligence, seen clearly and spoken clearly.



I have always admired you for your humility, too. Someone described humility as the awareness of what one knows and the awareness, as well, that others know things, too. You have done both.

Brynhild, I have admired you, as well, for your courage. You have never feared to speak your mind, to act, knowing always as all people of action know, that you could err, that you could even be thought a fool, but you have humbly trusted your intelligence and you have spoken and you have acted and you have done much for all of us.

Finally, Brynhild, I have admired your patriotism. You have never put person nor party nor profit ahead of public good. You have worked for the people at every turn. You have been the true patriot who has been willing to say over and over again that it is the people that count, not the party or person. Brynhild Haugland, you are a model for all of us and, on behalf of all the people of this state, I thank you.

I would like to present to you an engraved copy of the proclamation which states, in proclamation form, the wonderful things that the resolution you have just heard says about you. I hope it reminds you that the people of the state are grateful and they always will be. Thank you very much.

#### MOTION

REP. STRINDEN MOVED that the remarks of Governor George A. Sinner be printed in the Journal, which motion prevailed.

#### REMARKS BY CHIEF JUSTICE RALPH J. ERICKSTAD

I thank you, President Pro Tempore Rolland Redlin, Speaker of the House Richard W. Kloubec, Governor George Sinner, former Governors John Davis, William Guy, Arthur Link, and Allen Olson, leaders of the Republican and Democrat caucuses of the House and Senate, committee chairpersons, other members and staff of the Fiftieth Legislative Assembly, my colleagues on the Supreme Court and other state officials, other distinguished guests, colleagues and friends of our honored guest and good friends of state Representative Brynhild Haugland, ladies and gentlemen.

It is a great privilege and pleasure for me to be asked to participate in this much deserved recognition of our friend Brynhild Haugland. It is my understanding that her tenure as a current legislator is unmatched in this country today, but more than that it is highly unlikely that her contributions as a member of this House of Representatives to the people of our state for almost fifty years will ever be matched.

In preparation for my small part in today's ceremonies, I asked my law clerk to check the legislative journals and bill books to find representative pieces of legislation that Brynhild sponsored in each of the legislative sessions that she has served since 1939. Although I will not attempt to summarize what he has

compiled for me which is contained in this notebook, I thought it might be appropriate to present this notebook and its contents to Brynhild today so that she might use it when she feels inclined to think back over her long and illustrious career. It will serve only as a sample of her contribution to the law of this state for the benefit of the people of this state, many of whom may have lost their cause without Brynhild Haugland.

Brynhild, at the close of my remarks I will present this notebook to you with the hope that a perusal of its content might bring to mind many of your successful endeavors as a legislator for almost half a century.

In addition to this effort to learn more about Brynhild, I read copies of the numerous newspaper articles filed with the Legislative Council which tell of the many occasions at which Brynhild Haugland has been recognized and honored for her numerous contributions and accomplishments over the many years. Because I believe that most of you are cognizant of those honors and it is likely that other speakers here today may refer to them, I shall not enumerate them, notwithstanding that they are numerous and significant.

What I have decided to do for my part here today is to reminisce just briefly with you over my experiences and contacts with Brynhild Haugland while I served in the Legislature over a quarter of a century ago.

I came to the Senate in 1957, and, to the best of my knowledge, there is not one person left in the Senate today who was there in 1957. It is also my impression that there is not anyone left in the House other than Brynhild Haugland who was there in 1957. I realize that our friend Bryce Streibel started in the House in 1957, took a sabbatical, and then was elected to the Senate and is there today.

In any case, I was fortunate to be appointed to the Legislative Council which was then called the Legislative Research Committee, and, in conjunction with that appointment, I was named the chairman of the Legislative Organization and Procedure Committee which was established to make a complete study of all aspects of legislative organization and procedure in the language of the resolution, and I quote: "a result of the growth of modern government and the increasingly complex problems with which the Legislative Assembly must deal in the hundreds of bills placed before it at every session."

Just to give you a flavor of the members of the committee who are no longer members of the Legislature, let me read to you the names of the other members of the committee, namely: Senators Ralph Dewing, Gail Hernet, Donald C. Holand, and Frank A. Wenstrom, and Representatives Howard F. Doherty, Louis Leet, Norbert Muggli, and Gorden Paulson.

The report of our committee is included in the report of the Legislative Research Committee to the Legislature in 1959. If you will read that report some time at your leisure for historic reasons, you will find that you have come a long way since then in improving the legislative processes.

Back in 1959, our problems then involved, among other things, the sixty-day limitation in the Constitution for legislative sessions. At that time, pursuant to custom, Sundays were counted as work days although no work was done on Sundays, and thus the session was only about fifty-one days in duration. The committee recommended, and the Legislature ultimately embraced, the idea of not counting Sundays as working days and, accordingly, about nine additional days were secured thereby.

In order to gain some additional time for legislation, the committee also recommended that the members of the Legislature convene in December of the year preceding the regular session of the Legislature for a three-day pre-session informal organizational session. The concept was contained in Senate Bill 51. It passed the Senate, but died in the House when Brynhild moved adoption of the report of the State and Federal Government Committee that it be indefinitely postponed. Brynhild opposed it, believing it to be a political gimmick designed to provide for political activity at state expense.

Ultimately, we were able to convince Brynhild and others that it should be given a chance and the concept was first tried out through legislation and, of course, you know today it is a part of our Constitution, having been approved by the people.

Another instance in which I learned the quiet strength of Brynhild was in conjunction with an appropriation bill affecting the State Industrial School then known as the State Training School.

Brynhild has always been a great supporter of projects and bills that would help the underprivileged and less fortunate people and, of course, that means that she has always had a soft spot in her heart for the children at the State Industrial School.

Before I relate to you this incident--which further convinced me of Brynhild's strength, determination, and effectiveness as a legislator--I should point out that in the summer of 1959, there had occurred an incident at the State Industrial School wherein it was alleged that four boys had been shackled together in a room in old "Brown Cottage" for a number of days under trying circumstances for having run away. The incident resulted in an investigation by the State Board of Administration, which in those days had the responsibility for administering the Industrial School and the appointment of its superintendent.

Following the hearing, and in conjunction with the appropriation for the Industrial School in the 1961 Legislative Assembly, some

concerned persons, including Brynhild, were convinced that one of the things that was needed on the campus was a chapel which the students could utilize for prayer and meditation. Funds for a chapel were included in House Bill 507 by amendment of the Industrial School Bill in the House and the bill was sent to the Senate. When this bill reached the Senate Appropriations Committee, of which I was a member, I suggested, having attended the hearings in conjunction with the investigation of the incident involving the shackling, that we eliminate the chapel and use the funds for the replacement of old "Brown Cottage," which some said was a firetrap and where the boys had been shackled together, with a new dormitory which would have better security and which would permit the containment of students without shackling. Accordingly, the Senate took out the funds for the chapel and put in the funds for the replacement of "Brown Cottage." That resulted in a conference committee, which did not include Brynhild by name but was influenced by her feeling of a need for a chapel for the children.

After one or two meetings of the conference committee, I could see that the House members were not going to budge on the chapel so I suggested that perhaps the State could afford both the replacement of "Brown Cottage" for \$100,000 and the construction of a chapel for \$70,000. This was agreed to and we signed and sent a report to that effect to our respective houses. Both houses agreed to the conference committee report, and, as a result, the Industrial School and its children benefited through Brynhild Haugland's low key, but forceful, influence.

I am sure that there are many other instances we could relate that would show how Brynhild Haugland's determination and courage have resulted in legislation benefiting the people of our State.

Although I have related a couple of incidents in which you were a formidable adversary while I served in the Legislature, Brynhild, there are many occasions which I could point to since I have been in the Judiciary when you have been an ally and a supporter in our efforts to improve the judicial system and for that I thank you on behalf of the entire Judiciary.

I hope that you will be able to continue to serve as a State Legislator for years to come. At the very least, I hope you will continue to serve as long as it is my duty to serve in my present capacity for, without your help, I know that my task would be made much more difficult. I thank you, Brynhild, for what you are and for all that you have done for all of us.

#### MOTION

REP. STRINDEN MOVED that the remarks of Chief Justice Ralph J. Erickstad be printed in the Journal, which motion prevailed.

## REMARKS BY PRESIDENT PRO TEMPORE REDLIN

Representative Haugland, Governor Sinner, legislative colleagues, and distinguished guests all:

We are assembled to pay tribute to a legislator whose record of service to state and county is unequalled in legislative history. My privilege has been one of serving eleven sessions with Representative Haugland, and in eight of those we have represented the same district. This experience has developed a constantly escalating respect for her dedication to the processes of democracy and her determination to improve the quality of life for all people. Representative Haugland lives on a farm adjacent to our city of Minot. The fine bypass and beltline highway around Minot crosses her land, not by accident but by her cooperation. We know her as a neighbor who has done so much to fashion rural and urban understanding into a relationship of mutual concern for each other.

Representative Haugland, your advisory committee work for a community hospital has contributed much to better health for all people when combined with your legislative zeal in the areas of public health, both mental and physical.

Your work on the planning commission has strengthened the bonds of common interest between town and country people.

The concept of human service centers, which adds so much to the effectiveness of our human service programs, owes much to your perseverance in these legislative halls. We laud your concern for persons whose hardships are beyond their capacity to cope and need assistance.

No greater supporter of education than Representative Haugland walks these halls. The vision of a quality education for all children wherever they may reside in our state is constantly before her: a vision of an educational opportunity limited only by capacity to learn and willingness to expend the study effort necessary. The opportunity to pursue a higher education you believe in preserving as a possibility for everyone who seeks it. Minot's State University, and all of higher education, owes much to the leadership of Representative Haugland.

Remarks on your splendid career are not complete without reference to your superb political acumen. You have given all of us political lessons and you have helped our young people to admire the field of politics and recognize the importance of political action to an effective democracy.

This legislature and all of North Dakota says thank you, Representative Haugland, and extends to you our best wishes.

## MOTION

REP. STRINDEN MOVED that the remarks of President Pro Tempore Redlin be printed in the Journal, which motion prevailed.

## INTRODUCTION OF RESOLUTION

REP. MERTENS REQUESTED that HCR 3090 be read, which request was granted.

## PRESENTATION OF GIFTS

Gifts were presented to Rep. Haugland from the North Dakota House of Representatives, the employees of the Fiftieth Legislative Assembly, and the Democratic Caucus.

## REMARKS BY REPRESENTATIVE BRYNHILD HAUGLAND

Mr. Speaker, Governor Sinner, Chief Justice Erickstad, elected officials, members of the judiciary, fellow legislators, distinguished guests, and friends all:

Time has passed swiftly since 1939. I have been privileged to serve under eight governors - John Moses, Fred Aandahl, Norman Brunsdale, John Davis, William Guy, Arthur Link, Allen Olson, and George Sinner. It is interesting to note that I have served with three generations of the Williams family and three generations of the Belter family and also with many of the sons and grandsons of former legislators.

Legislative procedures and facilities have been greatly changed and improved, making it possible for us to say that we have one of the most open and democratic legislatures in the United States. Because of our sparse population, Politics and Government are on a very personal basis in our state. North Dakota people are close to their legislature. Serving in the legislature is a privilege. To me, it has been a rewarding part of my life. Here, warm and enduring friendships have been formed.

I am proud of the fine women who serve with distinction in the House and Senate and I look forward to an increasing number of women serving in our North Dakota Legislature.

People are being elected to the legislature at a much younger age. These young people contribute much to the enactment of good legislation.

To me, the legislative process has been most gratifying when we have been able to factor out the irrelevant and find that common ground which yields the legislation which best serves the people of North Dakota. Obviously, this is not an individual effort but a cooperative effort enhanced by leadership in both parties.

Although this has been an occasion where we have enjoyed looking back, it is equally important that we look to the future--to the 100th anniversary of statehood and to continued progress.

Thank you all very much, Governor Sinner, Chief Justice Erickstad, Senator Redlin, Father McKanna, Peace Garden Board of Directors, and all who planned and participated in this program. Thank you for this honor.

## MOTION

REP. STRINDEN MOVED that the remarks of Rep. Haugland be printed in the Journal, which motion prevailed.

A musical selection was presented by City Lights, State University of North Dakota, Minot.

The Benediction was offered by Rev. F. J. McKanna, Minot.

Rep. Haugland and honored guests were escorted out of the Chambers to a reception held in Memorial Hall.

## MOTIONS

REP. STRINDEN MOVED that the Special Order of Business and the Joint Session be dissolved, which motion prevailed.

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

REP. STRINDEN MOVED that the House be on the Fifth order of business, and at the conclusion of the Fifth order, the House be on the Thirteenth order of business, and at the conclusion of the Thirteenth order, the House stand adjourned until 12:30 p.m., Thursday, March 19, 1987, which motion prevailed.

## REPORTS OF STANDING COMMITTEES

MR. SPEAKER: Your Committee on Judiciary to which was referred HB 1677 has had the same under consideration and recommends by a vote of 13 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING that the same DO PASS and be rereferred to the Committee on Appropriations.

REP. KRETSCHMAR, Chairman

HB 1677 was rereferred to the Committee on Appropriations.

MR. SPEAKER: Your Committee on Constitutional Revision to which was referred HCR 3052 has had the same under consideration and recommends by a vote of 10 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. MARTIN, Chairman

HCR 3052 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: A majority of your Committee on Finance and Taxation to which was referred Reengrossed SB 2103 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

In addition to the amendment to Reengrossed SB 2103 adopted by the House as printed on page 1853 of the House Journal, Reengrossed SB 2103 is amended as follows:

On page 1 of the reengrossed bill, line 1, delete the word "subsections" and insert in lieu thereof the word "subsection" and delete the word and numeral "and 3"

On page 1 of the reengrossed bill, line 5, delete the words "; and to provide an appropriation"

On page 1 of the reengrossed bill, line 8, delete the word "Subsections" and insert in lieu thereof the word "Subsection" and delete the word and numeral "and 3"

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

On page 2 of the reengrossed bill, delete lines 3 through 18

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

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

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

And renumber the lines, sections, and pages accordingly

Rep. A. Hausauer

Rep. Goetz

Rep. Anderson

Rep. Belter

Rep. Haugen

Rep. Martin

Rep. A. Olson

Rep. Riehl

Rep. Schneider

Rep. Tomac

Rep. Tollefson

Rep. W. Williams

MR. SPEAKER: A minority of your Committee on Finance and Taxation to which was referred Reengrossed SB 2103 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

In addition to the amendment to Reengrossed SB 2103 adopted by the House as printed on page 1853 of the House Journal, Reengrossed SB 2103 is amended as follows:

On page 1 of the reengrossed bill, line 1, delete the word "subsections" and insert in lieu thereof the word "subsection" and delete the word and numeral "and 3"



On page 1 of the reengrossed bill, line 5, delete the words "; and to provide an appropriation"

On page 1 of the reengrossed bill, line 8, delete the word "Subsections" and insert in lieu thereof the word "Subsection" and delete the word and numeral "and 3"

On page 2 of the reengrossed bill, delete lines 3 through 18

And renumber the lines, sections, and pages accordingly

Rep. J. DeMers

Rep. Watne

Rep. Linderman

REP. A. HAUSAUER, Chairman

The reports of the majority and the minority were placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Natural Resources to which was referred SB 2185 has had the same under consideration and recommends by a vote of 12 YEAS, 0 NAYS, 5 ABSENT AND NOT VOTING that the same DO PASS.

REP. A. OLSON, Chairman

SB 2185 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on State and Federal Government to which was rereferred SB 2120 has had the same under consideration and recommends by a vote of 8 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 3, after the word "Dakota" insert the words "and the board of university and school lands"

On page 1, line 19, after the word "Dakota" insert the words "and board of university and school lands"

On page 1, line 21, delete the word "also" and insert in lieu thereof the words "property of the board of university and school lands,"

On page 1, line 22, delete the word "it" and insert in lieu thereof the word "either"

And renumber the lines, sections, and pages accordingly

REP. MARTINSON, Chairman

SB 2120 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 2235 has had the same under consideration and recommends by a vote of 11 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

REP. KRETSCHMAR, Chairman

SB 2235 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 2314 has had the same under consideration and recommends by a vote of 13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 16, delete the letter "B" and insert in lieu thereof the letter "A"

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

SB 2314 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 2317 has had the same under consideration and recommends by a vote of 11 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. WHALEN, Chairman

SB 2317 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on State and Federal Government to which was referred SB 2396 has had the same under consideration and recommends by a vote of 13 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. MARTINSON, Chairman

SB 2396 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 2439 has had the same under consideration and recommends by a vote of 16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 20, after the word "indebtedness" insert the words ", insured certificates of deposit"

On page 1, line 27, after the word "States" insert the words "or such other securities approved by the banking board"

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

SB 2439 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Industry, Business and Labor to which was referred Engrossed SB 2442 has had the same under consideration and recommends by a vote of 10 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

REP. WHALEN, Chairman

Engrossed SB 2442 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 2484 has had the same under consideration and recommends by a vote of 16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS.

On page 1 of the engrossed bill, line 23, delete the words "except that the requirement shall be six" and insert in lieu thereof the words "as described in section 26.1-26-11"

On page 1 of the engrossed bill, delete line 24

On page 1 of the engrossed bill, line 25, delete the words "credit life insurance"

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

Engrossed SB 2484 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 Engrossed SCR 4026 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1 of the engrossed resolution, line 1, after the word "study" insert the words "the state's role in the establishment and maintenance of"

On page 1 of the engrossed resolution, after line 2, insert the following:

"WHEREAS, victims of and witnesses to crime, especially children and the elderly, are often unfamiliar with the criminal justice process and with their roles in that process; and"

On page 1 of the engrossed resolution, line 3, delete the words "to crime should be" and insert in lieu thereof the words "who are not"

On page 1 of the engrossed resolution, after line 8, insert the following:

"WHEREAS, victim/witness assistance units have been created in seven jurisdictions in this state, but funding for these projects was on a short-term basis; and

WHEREAS, other local victim and witness advocacy and assistance programs, including those involved with child and spouse abuse, domestic violence, rape victims, and elderly victims, are chronically short of funding; and

WHEREAS, our criminal justice system provides multiple forms of assistance to defendants, but less assistance to victims and witnesses involved in the criminal justice process; and"

On page 1 of the engrossed resolution, delete line 16 and insert in lieu thereof the words "establishment and maintenance of programs for assistance to victims of and witnesses to crime, with emphasis on methods of funding and the feasibility and desirability of expanding, enhancing, and coordinating the system of services for victims of and witnesses to crime in this state; and"

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

Engrossed SCR 4026 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

#### FIRST READING OF SENATE CONCURRENT RESOLUTION

SCR 4063: A concurrent resolution urging the Secretary of the United States Department of Agriculture to adopt regulations under the Food Security Act of 1985 which are consistent with the rapidly changing world market conditions.

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

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

ROY GILBREATH, Chief Clerk