

JOURNAL OF THE HOUSE

Fiftieth Legislative Assembly

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FIFTY-THIRD DAY

Bismarck, March 23, 1987

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

The prayer was offered by Father Tim Bushy, Associate Pastor, Church of the Nativity, and Director of Lay Ministry for the Diocese of Fargo.

Lord, Eternal God, we are about to begin another day of session of the House of Representatives of the Fiftieth Legislative Assembly, and we do so with the awareness that without Your Divine presence here at the center of our assembly and also within ourselves, our work will be empty.

Grace us with Your wisdom and vision; gift us with holy humor and humility so that not only this session, but all our lives may be a meeting place for Your kingdom.

We ask that the work of this session and the matters at hand be a vessel for us to serve one another, the people of North Dakota, and You.

May the ritual of the order of bills of legislation before us be a cause for communion among us as we strive to celebrate and build Your reign on earth and in our state.

Guide us who serve the people of our great state in our decisions and actions. Help us to protect the rights of all. We thank You for the gift of life and the gift of love.

We pause to remember the life of Lieutenant Governor Ruth Meiers. We commend her to our loving God.

As Your servants, we pray in the name of our creator and giver of all life, Amen.

ROLL CALL

The roll was called and all Representatives were present, except Representatives Enget, Kelly, Klundt, Mertens, Nowatzki, and Solberg.

A quorum was declared by the Speaker.

MOTION

REP. STRINDEN MOVED that the prayer given by Father Bushy be printed in the Journal, which motion prevailed.

DELEGATION TO FUNERAL SERVICE

REP. STRINDEN MOVED that the following Representatives be designated as the official Delegation representing the House of Representatives at the funeral service for Lt. Governor Ruth Meiers, in Ross, North Dakota:

Rep. Mertens
Rep. Enget
Rep. Kelly
Rep. Klundt
Rep. Solberg

CORRECTION AND REVISION OF THE JOURNAL

MR. SPEAKER: Your Committee on Correction and Revision of the Journal has carefully examined the Journal of the Fifty-second Day and finds the same to be correct.

REP. THOMPSON, Chairman

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

MESSAGE FROM THE SENATE
SENATE CHAMBER

MR. SPEAKER: I have the honor to return herewith HB 1034 and HB 1233 which the Senate has amended, and subsequently passed:

SENATE AMENDMENTS TO ENGROSSED HB 1034

- On page 1 of the engrossed bill, line 3, delete the numerals "25-10-02,"
- On page 1 of the engrossed bill, line 13, delete the word "section" and insert in lieu thereof the words and numerals "sections 25-01-02.1, 25-10-02, and"
- On page 1 of the engrossed bill, line 14, after the word "to" insert the words "the authority of the state health council to investigate the mental health of persons admitted to the state hospital, the state children's psychiatric outpatient clinic, and"
- On page 3 of the engrossed bill, line 27, overstrike the words "state health"
- On page 3 of the engrossed bill, line 28, overstrike the words "officer of the state department of health,"
- On page 3 of the engrossed bill, line 29, overstrike the word "the"
- On page 4 of the engrossed bill, line 7, overstrike the words "mental retardation,"

On page 4 of the engrossed bill, line 13, overstrike the word "welfare" and insert immediately thereafter the words "human service"

On page 4 of the engrossed bill, delete lines 24 through 35

On page 5 of the engrossed bill, delete lines 1 through 8

On page 22 of the engrossed bill, line 34, delete the word "Section" and insert in lieu thereof the words and numerals "Sections 25-01-02.1, 25-10-02, and"

On page 22 of the engrossed bill, line 35, delete the word "is" and insert in lieu thereof the word "are"

And renumber the lines, sections, and pages accordingly

SENATE AMENDMENTS TO ENGROSSED HB 1233

On page 1 of the engrossed bill, line 27, delete the words "industrial commission" and insert in lieu thereof the word "governor" and delete the word "rule" and insert in lieu thereof the words "executive order or proclamation"

On page 2 of the engrossed bill, line 2, delete the word "industrial" and insert in lieu thereof the words "governor's office"

On page 2 of the engrossed bill, line 3, delete the first word "commission" and delete the words "industrial commission" and insert in lieu thereof the word "governor"

On page 2 of the engrossed bill, line 4, delete the words "industrial commission" and insert in lieu thereof the word "governor"

On page 3 of the engrossed bill, line 4, delete the words "industrial commission" and insert in lieu thereof the word "governor"

On page 3 of the engrossed bill, line 8, delete the words "industrial commission" and insert in lieu thereof the word "governor"

On page 3 of the engrossed bill, line 9, delete the word "rule" and insert in lieu thereof the words "executive order or proclamation"

On page 3 of the engrossed bill, line 31, delete the words "industrial commission" and insert in lieu thereof the word "governor"

And renumber the lines, sections, and pages accordingly

PERRY GROTEBERG, Secretary

SIXTH ORDER OF BUSINESS

REP. PETERSON MOVED that the amendments to SB 2019 as recommended by the Committee on Appropriations as printed on page 2065 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SB 2019 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

REP. PETERSON MOVED that the amendments to SB 2024 as recommended by the Committee on Appropriations as printed on pages 2065-2067 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SB 2024 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

REP. KRETSCHMAR MOVED that the amendments to SB 2053 as recommended by the Committee on Judiciary as printed on page 2067 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SB 2053 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 pages 2067-2068 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. ANDERSON MOVED that the amendments to SB 2259 as recommended by the Committee on Transportation as printed on pages 2068-2069 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed on a verification vote.

SB 2259 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

REP. MOORE MOVED that the amendments to SB 2333 as recommended by the Committee on Political Subdivisions as printed on page 2069 of the House Journal be adopted, and when so adopted, recommends the same DO NOT PASS, which motion prevailed.

SB 2333 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

REP. ANDERSON MOVED that the amendments to SB 2368 as recommended by the Committee on Transportation as printed on page 2069 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SB 2368 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MOTION

REP. STRINDEN MOVED that SB 2409 on the Sixth order be laid over one legislative day, which motion prevailed.

SIXTH ORDER OF BUSINESS

REP. MOORE MOVED that the amendments to SB 2435 as recommended by the Committee on Political Subdivisions as printed on pages 2070-2072 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SB 2435 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

REP. GATES MOVED that the amendments to SB 2512 as recommended by the Committee on Education as printed on pages 2072-2080 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

REQUEST

REP. C. NELSON REQUESTED a recorded roll call vote on the motion to adopt the proposed amendments to SB 2512, which request was granted.

ROLL CALL

The question being on the motion to adopt the amendments to SB 2512, the roll was called and there were 17 YEAS, 81 NAYS, 8 ABSENT AND NOT VOTING.

YEAS: Almlie; Frey; Gerntholz; Halmrast; Hanson, L.; Hausauer, A.; Hoffner; Lautenschlager; Linderman; Martinson; Myrdal; Oban; Olson, V.; Rydell; Schindler; Wilkie; Winkelman

NAYS: Aas; Anderson; Belter; Berg, G.; Berg, R.; Brokaw; Christman; Cleveland; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Dotzenrod; Flaagan; Gates; Goetz; Gorman; Graba; Gunsch; Hamerlik; Hanson, O.; Haugen; Haugland; Hausauer, R.; Hill; Hokana; Kent; Kingsbury; Knell; Koland; Kolbo; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lindgren; Marks; Martin; Melby; Meyer; Moore; Murphy; Nelson, C.; Nelson, J.; Nicholas; O'Connell; Olsen, D.; Olson, A.; Opedahl; O'Shea; Payne; Rice; Riehl; Scherber; Schneider; Shaft; Shaw; Shide; Shockman; Skjerven; Smette; Sorensen; Starke; Stofferahn; Strinden; Thompson; Tokach; Tollefson; Tomac; Trautman; Ulmer; Vander Vorst; Wald; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Speaker Kloubec

ABSENT AND NOT VOTING: Enget; Kelly; Klundt; Knudson; Mertens; Nowatzki; Peterson; Solberg

The motion to adopt the amendments to SB 2512 failed to pass.

MOTION

REP. STRINDEN MOVED that SB 2512 be rereferred to the Committee on Appropriations, which motion prevailed.

THE SPEAKER ANNOUNCED that SB 2512 was rereferred to the Committee on Appropriations.

SIXTH ORDER OF BUSINESS

REP. ANDERSON MOVED that the amendments to SB 2542 as recommended by the Committee on Transportation as printed on pages 2080-2082 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SB 2542 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

SIGNING OF BILLS AND RESOLUTIONS

THE CHIEF CLERK ANNOUNCED that the Speaker signed the following:

SB 2026, SB 2032, SB 2052, SB 2054, SB 2057, SB 2058,
SB 2059, SB 2085, SB 2100, SB 2122, SB 2131, SB 2132,
SB 2164, SB 2170, SB 2174, SB 2175, SB 2176, SB 2208,
SB 2215, SB 2229, SB 2231, SB 2232, SB 2262, SB 2263,
SB 2278, SB 2306, SB 2338, SB 2422

ROY GILBREATH, Chief Clerk

MESSAGE TO THE SENATE

HOUSE CHAMBER

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

SB 2026, SB 2032, SB 2052, SB 2054, SB 2057, SB 2058, SB 2059,
SB 2085, SB 2100, SB 2122, SB 2131, SB 2132, SB 2164, SB 2170,
SB 2174, SB 2175, SB 2176, SB 2208, SB 2215, SB 2229, SB 2231,
SB 2232, SB 2262, SB 2263, SB 2278, SB 2306, SB 2338, SB 2422

ROY GILBREATH, Chief Clerk

SIGNING OF BILLS AND RESOLUTIONS

THE CHIEF CLERK ANNOUNCED that the Speaker signed the following:

HB 1154, HB 1452, HB 1549, HB 1563, HB 1579, HB 1582,
HB 1595, HB 1671, HCR 3005, HCR 3010, HCR 3020, HCR 3021,
HCR 3032, HCR 3050, HCR 3069, HCR 3072

ROY GILBREATH, Chief Clerk

MESSAGES TO THE SENATE

HOUSE CHAMBER

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

HB 1154, HB 1452, HB 1549, HB 1563, HB 1579, HB 1582,
HB 1595, HB 1671, HCR 3005, HCR 3010, HCR 3020, HCR 3021,
HCR 3032, HCR 3050, HCR 3069, HCR 3072

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

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

SB 2095, SB 2119, SB 2134, SB 2252, SB 2266, SB 2363

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

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

SB 2056, SB 2072, SB 2110, SB 2279, SB 2304, SB 2378,
SB 2451, SB 2486, SB 2540

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

MR. PRESIDENT: I have the honor to return herewith the following which the House has amended and subsequently failed to pass:

SB 2369

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

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

SB 2185, SB 2205, SCR 4016

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

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

SB 2044, SB 2080, SB 2184

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

MR. 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 2230: Reps. Aas, Shaft, Wilkie

SB 2339: Reps. Martinson, Melby, Hokana

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

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

HCR 3084

ROY GILBREATH, Chief Clerk

COMMUNICATION FROM GOVERNOR

State of North Dakota
EXECUTIVE OFFICE
Bismarck

March 20, 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 19, 1987, I signed the following:

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, HB 1673.

Sincerely,

GEORGE A. SINNER
Governor

COMMUNICATION FROM GOVERNOR

State of North Dakota
EXECUTIVE OFFICE
Bismarck

March 20, 1987

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

Dear Speaker Kloubec:

MONDAY, MARCH 23, 1987

2091

As prepared by the Interim Judicial Process Committee, HB 1044 was appropriate and important legislation. However, according to the Secretary of State, an amendment added to that legislation has created a substantial problem.

The amendment added to section 6 of the bill provides that the social security number is not required for a crop, agricultural processor's or agricultural supplier's lien obtained under the Act.

Upon consultation with the Secretary of State, we have concluded that, because such liens may be filed in the central notice system and because that system requires a social security number in order for the system to be certified under the Food Security Act of 1985, our central filing system will, in all likelihood, be decertified if this Act is adopted.

I would certainly be willing to reconsider this legislation with appropriate modification.

However, without such modification I must veto HB 1044.

Sincerely,

GEORGE A. SINNER
Governor

COMMUNICATION FROM GOVERNOR

State of North Dakota
EXECUTIVE OFFICE
Bismarck

March 23, 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 20, 1987, I signed the following:

HB 1031,	HB 1056,	HB 1077,	HB 1078,	HB 1082,	HB 1084,
HB 1086,	HB 1087,	HB 1109,	HB 1118,	HB 1122,	HB 1172,
HB 1180,	HB 1185,	HB 1193,	HB 1210,	HB 1214,	HB 1220,
HB 1223,	HB 1234,	HB 1235,	HB 1243,	HB 1245,	HB 1259,
HB 1267,	HB 1271,	HB 1273,	HB 1280,	HB 1281,	HB 1282,
HB 1283,	HB 1284,	HB 1297,	HB 1299,	HB 1300,	HB 1305,
HB 1308,	HB 1321,	HB 1360,	HB 1364,	HB 1366,	HB 1378,
HB 1379,	HB 1381,	HB 1387,	HB 1393,	HB 1397,	HB 1402,

HB 1410, HB 1417, HB 1421, HB 1428, HB 1439, HB 1459,
HB 1471, HB 1486, HB 1488, HB 1494, HB 1497, HB 1505,
HB 1509, HB 1510, HB 1513, HB 1514, HB 1543, HB 1554,
HB 1559, HB 1565, HB 1575, HB 1586, HB 1594, HB 1607,
HB 1609, HB 1622, HB 1626, HB 1637, HB 1653, HB 1672

Sincerely,

GEORGE A. SINNER
Governor

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. WHALEN MOVED that the House do concur in the Senate amendments to HB 1079 as printed on pages 1977-1978 of the House Journal, which motion prevailed.

MOTION

REP. STRINDEN MOVED that the rules be suspended, that HB 1079 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 1079: A BILL for an Act to provide immunity from civil liability to directors, officers, and trustees of nonprofit organizations; and to amend and reenact subsection 14 of section 10-24-05 of the North Dakota Century Code, relating to indemnification of directors and officers of nonprofit corporations.

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, 0 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; Flaagan; Frey; Gates;
Gerntholz; Goetz; Gorman; Graba; Gunsch; Halmrast;
Hamerlik; Hanson, L.; Hanson, O.; Haugen; Haugland;
Hausauer, A.; Hausauer, R.; Hill; Hoffner; Hokana;
Kingsbury; Knell; Knudson; Koland; Kolbo; Kretschmar;
Kuchera; Lang; Larson; Laughlin; Lautenschlager;
Linderman; Lindgren; Marks; Martinson; Melby; Meyer;
Moore; Murphy; Myrdal; Nelson, C.; Nelson, J.;
Nicholas; Oban; O'Connell; Olsen, D.; Olson, A.;
Olson, V.; Opedahl; O'Shea; Payne; Peterson; Rice;
Riehl; Rydell; Scherber; Schindler; Schneider; Shaft;
Shaw; Shide; Skjerven; Smette; Sorensen; Starke;
Stofferahn; Strinden; Thompson; Tokach; Tollefson;
Tomic; Trautman; Ulmer; Vander Vorst; Wald; Watne;

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

NAYS: None

ABSENT AND NOT VOTING: Enget; Kelly; Kent; Klundt;
Martin; Mertens; Nowatzki; Shockman; Solberg

HB 1079 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. LARSON MOVED that the House do concur in the Senate amendments to HB 1099 as printed on page 1661 of the House Journal, which motion prevailed.

MOTION

REP. STRINDEN MOVED that the rules be suspended, that HB 1099 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 1099: A BILL for an Act to create and enact a new section to chapter 23-20.1 of the North Dakota Century Code, relating to confidentiality of information regarding ionizing radiation.

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, 0 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; Flaagan; Frey; Gates; Gerntholz; Goetz; Gorman; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hill; Hoffner; Hokana; Kent; Kingsbury; Knell; Knudson; Koland; Kolbo; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Marks; Martinson; Melby; Meyer; Moore; Murphy; Myrdal; Nelson, C.; Nelson, J.; Nicholas; 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; 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: Enget; Kelly; Klundt; Martin;
Mertens; Nowatzki; Peterson; Solberg; Ulmer

HB 1099 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. MOORE MOVED that the House do concur in the Senate amendments to HB 1117 as printed on page 1630 of the House Journal, which motion prevailed.

MOTION

REP. STRINDEN MOVED that the rules be suspended, that HB 1117 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 1117: A BILL for an Act to amend and reenact section 2-06-14, subsection 2 of section 2-06-19, and subsection 2 of section 40-38-02 of the North Dakota Century Code, relating to the responsibility for maintaining airport authority and library funds and records.

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 96 YEAS, 0 NAYS, 10 ABSENT AND NOT VOTING.

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

HB 1117 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. A. OLSON MOVED that the House do not concur in the Senate amendments to HB 1129 as printed on pages 2016-2017 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 1129:

Reps. Koland, Tollefson, Lautenschlager

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. LARSON MOVED that the House do concur in the Senate amendments to HB 1254 as printed on pages 1763-1764 of the House Journal, which motion prevailed.

MOTION

REP. STRINDEN MOVED that the rules be suspended, that HB 1254 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 1254: A BILL for an Act to amend and reenact subsection 5.1 of section 50-25.1-02 of the North Dakota Century Code, relating to the definition of a local child protection team.

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, 0 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; Flaagan; Frey; Gates; Gerntholz; Goetz; Gorman; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hill; Hoffner; Hokana; Kent; Kingsbury; Knell; Knudson; Koland; Kolbo; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Marks; Martin; Martinson; Melby; Meyer; Moore; Murphy; Myrdal; Nelson, C.; Nelson, J.; Nicholas; 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; 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: Enget; Hausauer, R.; Kelly;
 Klundt; Mertens; Nowatzki; Peterson; Solberg; Ulmer

HB 1254 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. A. HAUSAUER MOVED that the House do not concur in the Senate amendments to HB 1274 as printed on page 1871 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 1274:

Reps. Goetz, A. Hausauer, Tomac

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. A. HAUSAUER MOVED that the House do not concur in the Senate amendments to HB 1337 as printed on page 2017 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 1337:

Reps. Moore, A. Olson, J. DeMers

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. WHALEN MOVED that the House do not concur in the Senate amendments to HB 1350 as printed on page 1978 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 1350:

Reps. Dorso, Lang, Frey

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. MOORE MOVED that the House do not concur in the Senate amendments to HB 1369 as printed on page 2017 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 1369:

Reps. A. Hausauer, Gorman, Enget

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. WHALEN MOVED that the House do concur in the Senate amendments to HB 1405 as printed on page 1924 of the House Journal, which motion prevailed.

MOTION

REP. STRINDEN MOVED that the rules be suspended, that HB 1405 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 1405: A BILL for an Act to amend and reenact section 26.1-38-01 of the North Dakota Century Code, relating to the insurance companies that must participate in the life and health insurance guaranty association.

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 96 YEAS, 0 NAYS, 10 ABSENT AND NOT VOTING.

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

HB 1405 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. MOORE MOVED that the House do concur in the Senate amendments to HB 1420 as printed on pages 1871-1873 of the House Journal, which motion prevailed.

MOTION

REP. STRINDEN MOVED that the rules be suspended, that HB 1420 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 1420: A BILL for an Act to create and enact a new section to chapter 11-27, a new section to chapter 40-11, and a new section to chapter 57-28 of the North Dakota Century Code, relating to sale of property by counties or cities; and to amend and reenact sections 11-27-01 and 40-11-04 of the North Dakota Century Code, relating to transfers of property by counties or cities.

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 96 YEAS, 0 NAYS, 10 ABSENT AND NOT VOTING.

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

HB 1420 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. GATES MOVED that the House do concur in the Senate amendments to HB 1456 as printed on page 1924 of the House Journal, which motion prevailed.

MOTION

REP. STRINDEN MOVED that the rules be suspended, that HB 1456 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 1456: A BILL for an Act to create and enact a new section to chapter 15-10 of the North Dakota Century Code, relating to an English language proficiency requirement for faculty of state institutions of higher education.

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 96 YEAS, 3 NAYS, 7 ABSENT AND NOT VOTING.

YEAS: Aas; Almlie; Anderson; Belter; Berg, G.; Berg, R.;
Brokaw; Christman; Cleveland; Dalrymple; DeMers, J.;
DeMers, P.; Dorso; Dotzenrod; Flaagan; Frey; Gates;
Gerntholz; Goetz; Gorman; Graba; Gunsch; Halmrast;
Hamerlik; Hanson, L.; Hanson, O.; Haugen; Haugland;
Hausauer, A.; Hausauer, R.; Hill; Hoffner; Hokana;
Kent; Kingsbury; Knell; Knudson; Koland; Kolbo;
Kretschmar; Kuchera; Lang; Larson; Laughlin;
Lautenschlager; Linderman; Lindgren; Marks; Martin;
Martinson; Melby; Meyer; Moore; Myrdal; Nelson, C.;
Nelson, J.; Nicholas; 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; Sorensen; Starke;
Stofferahn; Strinden; Thompson; Tokach; Tollefson;
Tomas; Trautman; Vander Vorst; Wald; Watne; Wentz;
Whalen; Wilkie; Williams, A.; Williams, W.; Winkelman;
Speaker Kloubec

NAYS: Murphy; Schneider; Ulmer

ABSENT AND NOT VOTING: Enget; Kelly; Klundt; Mertens;
Nowatzki; Solberg; Williams, C.

HB 1456 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. A. OLSON MOVED that the House do concur in the Senate amendments to HB 1460 as printed on page 2017 of the House Journal, which motion prevailed.

MOTION

REP. STRINDEN MOVED that the rules be suspended, that HB 1460 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 1460: A BILL for an Act to amend and reenact subsection 1 of section 38-08-04 of the North Dakota Century Code, relating to the oil and gas bonding authority of the industrial commission; and to declare an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 99 YEAS, 0 NAYS, 7 ABSENT AND NOT VOTING.

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

HB 1460 passed, the title was agreed to, and the emergency clause carried.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. A. OLSON MOVED that the House do concur in the Senate amendments to HB 1491 as printed on page 2018 of the House Journal, which motion prevailed.

MOTION

REP. STRINDEN MOVED that the rules be suspended, that HB 1491 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 1491: A BILL for an Act to create and enact a new section to chapter 49-21.1 of the North Dakota Century Code, relating to work near high voltage overhead lines; and to amend and reenact sections 49-21.1-01, 49-21.1-04, and 49-21.1-05 of the North Dakota Century Code, relating to work near high voltage overhead lines.

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; Flaagan; Frey; Gates; Gerntholz; Goetz; Gorman; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hill; Hoffner; Hokana; Kent; Kingsbury; Knell; Knudson; Koland; Kolbo; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Marks; Martin; Martinson; Melby; Meyer; Moore; Murphy; Myrdal; Nelson, C.; Nelson, J.; Nicholas; 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; 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.; Tomac

ABSENT AND NOT VOTING: Enget; Kelly; Klundt; Mertens; Nowatzki; Solberg

HB 1491 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. ANDERSON MOVED that the House do concur in the Senate amendments to HB 1568 as printed on page 1873 of the House Journal, which motion prevailed.

MOTION

REP. STRINDEN MOVED that the rules be suspended, that HB 1568 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 1568: A BILL for an Act to amend and reenact subsection 2 of section 57-55-11 of the North Dakota Century Code, relating to mobile home moving permits; 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 81 YEAS, 18 NAYS, 7 ABSENT AND NOT VOTING.

YEAS: Aas; Almlie; Anderson; Belter; Berg, G.; Berg, R.; Brokaw; Christman; Cleveland; Dalrymple; DeMers, P.; Dorso; Dotzenrod; Flaagan; Gates; Gertholz; Goetz; Gorman; Gunsch; Hamerlik; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hill; Hokana; Kent; Knell; Koland; Kolbo; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Lindgren; Marks; Martinson; Melby; Meyer; Moore; Myrdal; Nelson, C.; Nelson, J.; Nicholas; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Peterson; Rice; Riehl; Rydell; Scherber; Shaft; Shaw; Shide; Smette; Sorensen; Starke; Stofferahn; Strinden; Thompson; Tokach; Tollefson; Trautman; Vander Vorst; Wald; Watne; Wentz; Whalen; Wilkie; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Kloubec

NAYS: DeMers, J.; Frey; Graba; Halmrast; Hoffner; Kingsbury; Knudson; Linderman; Martin; Murphy; Oban; O'Connell; Schindler; Schneider; Shockman; Skjerven; Tomac; Ulmer

ABSENT AND NOT VOTING: Enget; Kelly; Klundt; Mertens; Nowatzki; Olsen, D.; Solberg

HB 1568 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. A. OLSON MOVED that the House do not concur in the Senate amendments to HB 1601 as printed on page 2019 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 1601:

Reps. Shaw, Lindgren, Meyer

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. MOORE MOVED that the House do concur in the Senate amendments to HB 1608 as printed on page 2020 of the House Journal, which motion prevailed.

MOTION

REP. STRINDEN MOVED that the rules be suspended, that HB 1608 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 1608: A BILL for an Act to amend and reenact sections 40-08-08 and 40-08-09 of the North Dakota Century Code, relating to filling vacancies on city councils and remuneration of city council members who serve as ambulance drivers.

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, 1 NAY, 8 ABSENT AND NOT VOTING.

YEAS: Aas; Almlie; Anderson; Belter; Berg, G.; Berg, R.; Brokaw; Christman; Cleveland; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Dotzenrod; Flaagan; Frey; Gates; Gerntholz; Goetz; Gorman; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hill; Hoffner; Hokana; Kingsbury; Knell; Knudson; Koland; Kolbo; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Marks; Martin; Martinson; Melby; Meyer; Moore; Murphy; Myrdal; Nelson, C.; Nelson, J.; Nicholas; 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; Sorensen; Starke; Strinden; Thompson; Tokach; Tollefson; Tomac; Trautman; Vander Vorst; Wald; Watne; Wentz; Whalen; Wilkie; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Kloubec

NAYS: Ulmer

ABSENT AND NOT VOTING: Enget; Kelly; Kent; Klundt;
Mertens; Nowatzki; Solberg; Stofferahn

HB 1608 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. GATES MOVED that the House do concur in the Senate amendments to HCR 3060 as printed on page 1925 of the House Journal, which motion prevailed.

MOTION

REP. STRINDEN MOVED that the rules be suspended, that HCR 3060 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 3060: A concurrent resolution directing the Legislative Council to study small but necessary schools to determine what needs to be done to capitalize upon the strengths as well as correct the deficiencies of those schools.

Which has been read.

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

HCR 3060 was declared adopted on a voice vote.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. WHALEN MOVED that the House do concur in the Senate amendments to HCR 3063 as printed on page 1980 of the House Journal, which motion prevailed.

MOTION

REP. STRINDEN MOVED that the rules be suspended, that HCR 3063 be deemed properly engrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3063: A concurrent resolution directing the Legislative Council to study the makeup of the advisory councils appointed under the North Dakota unemployment insurance law, to monitor the status of the unemployment insurance trust fund reserve during the interim, and to examine other approaches to the problem of unemployment.

Which has been read.

The question being on the adoption of the resolution, as amended.
HCR 3063 was declared adopted on a voice vote.

POINT OF PERSONAL PRIVILEGE

REP. ALMLIE: Mr. Speaker: I rise on a point of personal privilege and request that my remarks be printed in the Journal.

Representatives Kent and Almlie wish to congratulate the Mayville-Portland Patriots and Coach Del Kessler for winning the North Dakota Class "B" High School Basketball Championship. Also, congratulations go to the cheerleaders and the student body for winning the "Spirit" award at the 1987 State Class "B" Tourney.

After the Patriots' encounter with Glen Ullin and Page, two unbeaten teams coming into the state tourney with combined records of 49-0, the Patriots polished off a distinguished season of 26-0 by defeating Linton in the championship game.

As was indicated by several people, May-Port may not have had the best individual talent, but they did have the best teamwork. This is a lesson that we all can learn for our every day living.

To all the young and old participants alike, we say congratulations for a great performance.

MESSAGES 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 2109 and the President Pro Tem has appointed as a conference committee to act with a like committee from the House on:

SB 2109: Sens. Hilken, Kelsh, Peterson

PERRY GROTEBERG, Secretary

SENATE CHAMBER

MR. SPEAKER: I have the honor to inform you that the Senate has concurred in the House amendments to SB 2093, SB 2141, SB 2273, SB 2293, SB 2404, SB 2412, SB 2415, SB 2450, SB 2455, SB 2467, and SB 2516 and subsequently passed the same.

PERRY GROTEBERG, Secretary

SENATE CHAMBER

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

SCR 4068

PERRY GROTEBERG, Secretary

SENATE CHAMBER

MR. SPEAKER: I have the honor to inform you that the President Pro Tem has appointed as a conference committee to act with a like committee from the House on:

HB 1073: Sens. Schoenwald, Hilken, Mutch

HB 1231: Sens. Keller, Krauter, Reiten

HB 1355: Sens. Schoenwald, Keller, Todd

HB 1643: Sens. Mathern, Kelsh, Kelly

HCR 3007: Sens. D. Meyer, Richard, David

PERRY GROTEBERG, Secretary

MOTIONS

REP. STRINDEN MOVED that that portion of Rule 315(4)(d), which states that "Reconsideration after next legislative day or after previous motion to reconsider, as provided in House Rule 341." be suspended one legislative day, which motion prevailed.

REP. STRINDEN MOVED that SB 2442, SB 2120, SB 2128, SB 2166, SB 2535, SB 2055, SB 2130, SB 2173, SB 2224, SB 2315, SB 2317, SB 2328, SB 2344, SB 2346, SB 2396, SB 2430, SB 2527, SB 2532, SB 2545, and SCR 4050 be placed at the bottom of the calendar, which motion prevailed.

REP. STRINDEN MOVED that HCR 3089 be removed from the Consent Calendar, which motion prevailed.

SECOND READING OF SENATE BILLS

SB 2103: A BILL for an Act to amend and reenact subsection 1 of section 57-36-25, subsections 1 and 2 of section 57-36-26, and subsection 1 of section 57-36-28 of the North Dakota Century Code, relating to the excise tax and consumer's use tax on cigars, snuff, and other tobacco products.

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, 5 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; Flaagan; Frey; Gates; Gerntholz; Goetz; Gorman; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Haugen; Haugland; 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; Murphy;
Myrdal; Nelson, C.; Nelson, J.; Nicholas; 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; Tokach;
Tollefson; Tomac; Trautman; Ulmer; Wald; Watne; Wentz;
Whalen; Wilkie; Williams, A.; Williams, C.;
Williams, W.; Winkelman; Speaker Kloubec

NAYS: Hanson, O.; Kingsbury; Skjerven; Thompson;
Vander Vorst

ABSENT AND NOT VOTING: Enget; Kelly; Klundt; Mertens;
Nowatzki; Solberg

SB 2103 passed and the title was agreed to.

SB 2314: A BILL for an Act to amend and reenact section
50-25.1-13 of the North Dakota Century Code, relating to
false reports of child abuse or neglect.

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, 0 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; Flaagan; Frey; Gates;
Gertholz; Goetz; Graba; Gunsch; Halmrast; Hamerlik;
Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.;
Hausauer, R.; Hill; Hoffner; Hokana; Kent; Kingsbury;
Knell; Knudson; Koland; Kolbo; Kretschmar; Kuchera;
Lang; Larson; Laughlin; Lautenschlager; Linderman;
Lindgren; Marks; Martin; Martinson; Melby; Meyer;
Murphy; Myrdal; Nelson, C.; Nelson, J.; Nicholas; 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; 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: Enget; Gorman; Kelly; Klundt;
Mertens; Moore; Nowatzki; Solberg; Wald

SB 2314 passed and the title was agreed to.

SB 2439: A BILL for an Act to amend and reenact section 21-04-09 of the North Dakota Century Code, relating to financial institutions pledge of investment company shares in place of depository bond.

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 96 YEAS, 2 NAYS, 8 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Brokaw; Enget; Gorman; Kelly; Klundt; Mertens; Nowatzki; Solberg

SB 2439 passed and the title was agreed to.

SB 2484: A BILL for an Act to amend and reenact section 26.1-26-31.1 of the North Dakota Century Code, relating to continuing education requirements of insurance agents.

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 91 YEAS, 4 NAYS, 11 ABSENT AND NOT VOTING.

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

NAYS: Hanson, O.; Myrdal; Olson, A.; Skjerven

ABSENT AND NOT VOTING: Enget; Kelly; Klundt; Mertens; Nelson, C.; Nowatzki; Riehl; Shaw; Solberg; Strinden; Wentz

SB 2484 passed and the title was agreed to.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4026: A concurrent resolution directing the Legislative Council to study the state's role in the establishment and maintenance of programs for assistance to victims of and witnesses to crime.

Which has been read.

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

SCR 4026 was declared adopted on a voice vote.

SECOND READING OF SENATE BILLS

SB 2008: A BILL for an Act making an appropriation for defraying the expenses of the state library of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 94 YEAS, 3 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; Flaagan; Frey; Gates; Gerntholz; Goetz; Gorman; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hausauer, R.; Hill; Hoffner; Hokana; Kent; Kingsbury; Knell; Knudson; Koland; Kolbo; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Marks; Martin; Martinson; Melby; Meyer; Moore; Myrdal; Nelson, C.; Nelson, J.; Nicholas; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Peterson; Rice; Rydell; Scherber; Schindler; Schneider; Shaft; Shaw; Shide; Skjerven; Smette; Sorensen; Starke; Stofferahn; Strinden; Thompson; Tokach; Tollefson; Tomac; Trautman; Vander Vorst; Wald; Watne; Whalen; Wilkie; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Kloubec

NAYS: Murphy; Shockman; Ulmer

ABSENT AND NOT VOTING: Enget; Haugen; Kelly; Klundt; Mertens; Nowatzki; Riehl; Solberg; Wentz

SB 2008 passed and the title was agreed to.

SB 2014: A BILL for an Act making an appropriation for defraying the expenses of the civil air patrol of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 96 YEAS, 0 NAYS, 10 ABSENT AND NOT VOTING.

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

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

NAYS: None

ABSENT AND NOT VOTING: Enget; Kelly; Klundt; Mertens;
Nicholas; Nowatzki; Riehl; Solberg; Tomac; Wentz

SB 2014 passed and the title was agreed to.

SB 2031: A BILL for an Act making an appropriation for defraying
the expenses of the educational broadcasting council of the
state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended,
the roll was called and there were 93 YEAS, 4 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; Flaagan; Gates;
Gertholz; Goetz; Gorman; Graba; Gunsch; Halmrast;
Hamerlik; Hanson, L.; Haugland; Hausauer, A.;
Hausauer, R.; Hill; Hoffner; Hokana; Kent; Kingsbury;
Knell; Knudson; Koland; Kolbo; Kretschmar; Kuchera;
Lang; Larson; Laughlin; Lautenschlager; Linderman;
Lindgren; Marks; Martin; Martinson; Melby; Meyer;
Moore; Myrdal; Nelson, C.; Nelson, J.; Nicholas; Oban;
O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl;
O'Shea; Payne; Peterson; Rice; Rydell; Scherber;
Schneider; Shaft; Shaw; Shide; Shockman; Skjerven;
Smette; 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: Hanson, O.; Haugen; Murphy; Schindler

ABSENT AND NOT VOTING: Enget; Frey; Kelly; Klundt;
Mertens; Nowatzki; Riehl; Solberg; Whalen

SB 2031 passed and the title was agreed to.

SB 2097: A BILL for an Act to create and enact a new subsection to section 26.1-04-03, a new subsection to section 26.1-33-05, and a new subdivision to subsection 1 of section 26.1-36-04 of the North Dakota Century Code, relating to unfair insurance practices and required insurance premium refunds.

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.; Dorso; Dotzenrod; Flaagan; Frey; Gates; Gerntholz; Goetz; Gorman; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hill; Hoffner; Hokana; Kent; Kingsbury; Knell; Knudson; Koland; Kolbo; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Marks; Martin; Martinson; Melby; Meyer; Moore; Murphy; Myrdal; Nelson, C.; Nelson, J.; Nicholas; 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; 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: Enget; Kelly; Klundt; Mertens; Nowatzki; Peterson; Solberg; Wentz

SB 2097 passed and the title was agreed to.

SB 2387: A BILL for an Act to create and enact a new subsection to section 55-10-08 of the North Dakota Century Code, relating to objections by political subdivisions to state historic site designations by the state historical board.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 70 YEAS, 27 NAYS, 9 ABSENT AND NOT VOTING.

YEAS: Aas; Almlie; Anderson; Belter; Berg, G.; Berg, R.; Christman; Cleveland; Dalrymple; DeMers, J.; Dorso; Dotzenrod; Flaagan; Gates; Gerntholz; Goetz; Gorman; Gunsch; Hamerlik; Hanson, L.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hokana; Kent; Kingsbury; Knell; Knudson; Koland; Kolbo; Kretschmar; Lang; Larson; Lindgren; Martin; Martinson; Meyer; Moore; Murphy; Myrdal; Nicholas; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Rice; Riehl; Rydell; Schindler; Shaft; Shaw; Shide; Shockman; Skjerven; Smette; Sorensen; Starke; Stofferahn; Strinden; Thompson; Tokach; Tollefson; Trautman; Ulmer; Vander Vorst; Wilkie; Winkelman; Speaker Kloubec

NAYS: Brokaw; DeMers, P.; Frey; Graba; Halmrast; Hanson, O.; Hill; Hoffner; Kuchera; Laughlin; Lautenschlager; Linderman; Marks; Melby; Nelson, C.; Nelson, J.; Oban; O'Connell; Opedahl; Scherber; Schneider; Tomac; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.

ABSENT AND NOT VOTING: Enget; Kelly; Klundt; Mertens; Nowatzki; Peterson; Solberg; Wald; Whalen

SB 2387 passed and the title was agreed to.

SB 2391: A BILL for an Act to create and enact a new subsection to section 26.1-36-32 of the North Dakota Century Code, relating to standards for medicare supplement policies; and to amend and reenact subsection 4 of section 26.1-36-31 and section 26.1-36-37 of the North Dakota Century Code, relating to the definition of medicare supplement policy and limitations on preexisting conditions in nursing home policies.

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, 1 NAY, 7 ABSENT AND NOT VOTING.

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

Hausauer, A.; Hausauer, R.; Hill; Hoffner; Hokana;
 Kent; Kingsbury; Knell; Knudson; Koland; Kolbo;
 Kretschmar; Kuchera; Lang; Larson; Laughlin;
 Lautenschlager; Linderman; Lindgren; Marks; Martin;
 Martinson; Melby; Meyer; Moore; Murphy; Myrdal;
 Nelson, C.; Nelson, J.; Nicholas; Oban; O'Connell;
 Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea;
 Payne; Rice; Riehl; Rydell; Scherber; Schindler;
 Schneider; Shaft; Shaw; Shide; Skjerven; Smette;
 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: Shockman

ABSENT AND NOT VOTING: Enget; Kelly; Klundt; Mertens;
 Nowatzki; Peterson; Solberg

SB 2391 passed and the title was agreed to.

MOTION

REP. GOETZ MOVED that the House waive the reading of the title
 to SB 2489, which motion prevailed.

SECOND READING OF SENATE BILLS

SB 2489: A BILL for an Act to create and enact a new section to
 chapters 10-13 and 49-21 of the North Dakota Century Code,
 relating to immunity from civil liability of directors,
 trustees, officers, and certain managers of electric
 cooperative corporations and telephone cooperatives; and to
 amend and reenact subsection 10 of section 10-15-03 and
 subsection 1 of section 10-15-31 of the North Dakota
 Century Code, relating to indemnification and immunity from
 civil liability of directors, officers, agents, or certain
 managers of cooperative associations.

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 96 YEAS, 3 NAYS, 7 ABSENT AND
 NOT VOTING.

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

Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Marks; Martin; Martinson; Melby; Meyer; Moore; Murphy; Myrdal; Nelson, C.; Nelson, J.; Nicholas; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Rice; Riehl; Rydell; Scherber; Schindler; Shaft; Shaw; Shide; Shockman; Skjerven; Smette; 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: DeMers, J.; Kuchera; Schneider

ABSENT AND NOT VOTING: Enget; Kelly; Klundt; Mertens; Nowatzki; Peterson; Solberg

SB 2489 passed and the title was agreed to.

SB 2020: A BILL for an Act making an appropriation for the homestead tax credit.

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

SB 2020 passed and the title was agreed to.

SB 2137: A BILL for an Act to amend and reenact subsection 4 of section 52-10-04, subsection 4 of section 52-10-05, and subsection 4 of section 52-10-06 of the North Dakota Century Code, relating to contributions for purposes of administration of social security and old-age survivor insurance, delinquent social security payments, and disbursements for administrative expenses from the social security contribution fund; 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 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; Flaagan; Frey; Gates; Gerntholz; Goetz; Gorman; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hill; Hoffner; Hokana; Kent; Kingsbury; Knell; Knudson; Koland; Kolbo; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Marks; Martin; Martinson; Melby; Meyer; Moore; Murphy; Myrdal; Nelson, C.; Nelson, J.; Nicholas; 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; 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: Enget; Kelly; Klundt; Mertens; Nowatzki; Solberg

SB 2137 passed, the title was agreed to, and the emergency clause carried.

SB 2218: A BILL for an Act to amend and reenact subsections 9, 10, 11, 12, and 13 of section 52-06-02 of the North Dakota Century Code, relating to educational

employee disqualification from unemployment compensation benefits.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 96 YEAS, 0 NAYS, 10 ABSENT AND NOT VOTING.

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

SB 2218 passed and the title was agreed to.

SB 2219: A BILL for an Act to amend and reenact sections 52-07.1-06 and 52-07.1-07 of the North Dakota Century Code, relating to extended unemployment compensation benefit amounts.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 95 YEAS, 0 NAYS, 11 ABSENT AND NOT VOTING.

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

Knudson; Koland; Kolbo; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Marks; Martin; Martinson; Melby; Meyer; Moore; Murphy; Myrdal; Nelson, C.; Nelson, J.; Nicholas; 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; 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: Enget; Hausauer, R.; Kelly; Kent; Klundt; Mertens; Nowatzki; Peterson; Solberg; Thompson; Ulmer

SB 2219 passed and the title was agreed to.

SB 2225: A BILL for an Act to amend and reenact subsection 1 of section 52-06-02 of the North Dakota Century Code, relating to disqualification from unemployment compensation benefits.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 91 YEAS, 5 NAYS, 10 ABSENT AND NOT VOTING.

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

NAYS: DeMers, J.; Graba; Schneider; Ulmer; Williams, W.

ABSENT AND NOT VOTING: Enget; Hausauer, R.; Kelly; Kent;
Klundt; Mertens; Nicholas; Nowatzki; Peterson; Solberg

SB 2225 passed and the title was agreed to.

SB 2235: A BILL for an Act to amend and reenact subsection 3 of section 12.1-20-03 of the North Dakota Century Code, relating to the removal of the "voluntary companion" language as a consideration in the offense grading language of the crime of gross sexual imposition.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 85 YEAS, 11 NAYS, 10 ABSENT AND NOT VOTING.

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

NAYS: Aas; Frey; Gerntholz; Gunsch; Kingsbury; Knell; O'Connell; Schneider; Shaft; Tollefson; Ulmer

ABSENT AND NOT VOTING: Enget; Hausauer, R.; Kelly; Kent; Klundt; Mertens; Nowatzki; Peterson; Shaw; Solberg

SB 2235 passed and the title was agreed to.

SB 2281: A BILL for an Act to amend and reenact sections 16.1-11-08 and 16.1-11-26 of the North Dakota Century Code, relating to the election of the tax commissioner on a party ballot.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 88 YEAS, 7 NAYS, 11 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Enget; Hausauer, R.; Kelly; Kent; Klundt; Mertens; Nowatzki; Opedahl; Peterson; Shaw; Solberg

SB 2281 passed and the title was agreed to.

MOTION

REP. GOETZ MOVED that the House waive the reading of the title to SB 2354, which motion prevailed.

SECOND READING OF SENATE BILLS

SB 2354: A BILL for an Act to require job service North Dakota to conditionally direct the state treasurer to transfer moneys from the federal advance interest repayment fund to the general fund; or, in the alternative, if Senate Bill No. 2127 is approved by the fiftieth legislative assembly, to require job service North Dakota to unconditionally direct the state treasurer to transfer moneys from the federal advance interest repayment fund to the general fund.

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

SB 2354 passed and the title was agreed to.

SB 2376: A BILL for an Act to create and enact chapter 26.1-15.1 of the North Dakota Century Code, relating to fraternal benefit societies; to amend and reenact section 26.1-16-02 of the North Dakota Century Code, relating to application to fraternal benefit societies; to repeal chapter 26.1-15 of the North Dakota Century Code, relating to fraternal benefit societies; to provide a penalty; and to provide an effective date.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 95 YEAS, 0 NAYS, 11 ABSENT AND NOT VOTING.

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

O'Shea; Payne; Rice; Riehl; Rydell; Scherber;
Schindler; Schneider; Shaft; Shaw; Shide; Shockman;
Skjerven; Smette; 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: Enget; Kelly; Klundt; Kuchera;
Mertens; Nowatzki; Olsen, D.; Opedahl; Peterson;
Solberg; Wald

SB 2376 passed and the title was agreed to.

MOTION

REP. GOETZ MOVED that the House waive the reading of the title to SB 2381, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2381: A BILL for an Act to amend and reenact section 51-13-05 of the North Dakota Century Code, relating to prepayment of retail installment contracts.

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, 1 NAY, 8 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Enget; Kelly; Klundt; Kuchera;
Mertens; Nowatzki; Peterson; Solberg

SB 2381 passed and the title was agreed to.

REPORT OF PROCEDURAL COMMITTEE

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

HB 1680, HB 1681

REP. STRINDEN, Chairman

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

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

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.

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.

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.

Which have been read.

The question being on the final adoption of the resolutions.

So the resolutions were adopted.

FIRST READING OF A SENATE CONCURRENT RESOLUTION

SCR 4062: A concurrent resolution congratulating Joan Bonsness on being named the National Special Educator of the Year. Was read the first time.

MOTION

REP. STRINDEN MOVED that the rules be suspended, that SCR 4062 not be printed, not be referred to committee, be read in title only, not be printed in the Journal, and placed on the calendar for second reading and final passage, which motion prevailed.

SECOND READING OF A SENATE CONCURRENT RESOLUTION

SCR 4062: A concurrent resolution congratulating Joan Bonsness on being named the National Special Educator of the Year.

Which has been read.

The question being on the final adoption of the resolution.

SCR 4062 was declared adopted on a voice vote.

FIRST READING OF A SENATE CONCURRENT RESOLUTION

SCR 4068: A concurrent resolution congratulating the North Dakota State University Bison Club hockey team for winning the 1987 National Collegiate Club Hockey Tournament held at Fargo, North Dakota. Was read the first time.

MOTION

REP. STRINDEN MOVED that the rules be suspended, that SCR 4068 not be printed, not be referred to committee, be read in title, not be printed in the Journal, and placed on the calendar for second reading and final passage, which motion prevailed.

SECOND READING OF A SENATE CONCURRENT RESOLUTION

SCR 4068: A concurrent resolution congratulating the North Dakota State University Bison Club hockey team for winning the 1987 National Collegiate Club Hockey Tournament held at Fargo, North Dakota.

Which has been read.

The question being on the final adoption of the resolution.

SCR 4068 was declared adopted on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2109:

Reps. Melby, Knell, Brokaw

MOTIONS

REP. STRINDEN MOVED that that portion of House Rule No. 507 pertaining to when bills must be reported out of committee in the second house be suspended to 5:00 p.m., Wednesday, March 25, 1987.

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

REP. GOETZ MOVED that the House be on the Fifth order of business, and at the conclusion of the Fifth order, the House stand adjourned until 12:30 p.m., Tuesday, March 24, 1987, which motion prevailed.

REPORTS OF STANDING COMMITTEES

MR. SPEAKER: Your Committee on Appropriations to which was referred SB 2003 has had the same under consideration and recommends by a vote of 20 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1 of the engrossed bill, line 17, delete the numerals "375,375" and insert in lieu thereof the numerals "354,171"

On page 1 of the engrossed bill, line 19, delete the numerals "1,704,367" and insert in lieu thereof the numerals "1,683,163"

On page 1 of the engrossed bill, line 21, delete the numerals "530,096" and insert in lieu thereof the numerals "508,892"

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Division of Independent Study

Reduces the general fund operating expense for reuse and resale supplies by \$21,204. Also retains Senate action of reinstatement of the principal's position.

REP. PETERSON, Chairman

SB 2003 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Appropriations to which was referred SB 2027 has had the same under consideration and recommends by a vote of 21 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same BE

AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 2 of the engrossed bill, after line 18, insert the following new section:

"SECTION 4. APPROPRIATION - NONGAME WILDLIFE. There is hereby appropriated out of any moneys in the nongame wildlife fund in the state treasury, not otherwise appropriated, the sum of \$25,000, and from federal funds the sum of \$25,000, or so much thereof as may be necessary, to the game and fish department for the biennium beginning July 1, 1987, and ending June 30, 1989, for the purposes of preservation, inventory, perpetuation, and conservation of nongame wildlife, natural areas, and nature preserves in this state."

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

The amendment adds a new section which appropriates a total of \$50,000, \$25,000 from the nongame wildlife fund and \$25,000 from federal funds, for preserving, inventorying, perpetuating, and conserving nongame wildlife, natural areas, and nature preserves in North Dakota.

REP. PETERSON, Chairman

SB 2027 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 2050 has had the same under consideration and recommends by a vote of 9 YEAS, 6 NAYS, 1 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. WHALEN, Chairman

Engrossed SB 2050 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 2172 has had the same under consideration and recommends by a vote of 9 YEAS, 6 NAYS, 1 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. WHALEN, Chairman

Engrossed SB 2172 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Human Services and Veterans Affairs to which was referred SB 2191 has had the same under consideration and recommends by a vote of 9 YEAS, 6 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

REP. HAUGLAND, Chairman

SB 2191 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 2202 has had the same under consideration and recommends by a vote of 14 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 6, delete the word "and" and insert in lieu thereof a comma
- On page 1, line 7, after the numerals "39-06.1-10" insert the words and numerals", and subdivision f of subsection 1 of section 39-09-02"
- On page 1, line 10, after the word "date" insert the words "; and to declare an emergency"
- On page 2, line 5, delete the words "sixty-five miles per hour" and insert in lieu thereof the words "a speed higher than fifty-five miles [88.51 kilometers] an hour as posted and designated by the commissioner pursuant to section 6 of this Act"
- On page 2, line 8, delete the words "Speed (mph)" and insert in lieu thereof the words "Miles per hour over lawful speed limit"
- On page 2, line 9, delete the numerals "66 - 70" and insert in lieu thereof the numerals "1 - 5" and delete the numeral "65" and insert in lieu thereof the word "limit"
- On page 2, line 10, delete the numerals "71 - 75" and insert in lieu thereof the numerals "6 - 10" and delete the numeral "70" and insert in lieu thereof the numeral and words "5 mph over limit"
- On page 2, line 11, delete the numerals "76 - 80" and insert in lieu thereof the numerals "11 - 15" and delete the numeral "75" and insert in lieu thereof the numeral and words "10 mph over limit"
- On page 2, line 12, delete the numerals "81 - 90" and insert in lieu thereof the numerals "16 - 25" and delete the numeral "80" and insert in lieu thereof the numeral and words "15 mph over limit"
- On page 2, line 13, delete the numerals "91 - 100" and insert in lieu thereof the numerals "26 - 35" and delete the numeral "90" and insert in lieu thereof the numeral and words "25 mph over limit"

On page 2, line 14, delete the numeral and words "101 and over" and insert in lieu thereof the numeral "36 +" and delete the numeral "100" and insert in lieu thereof the numeral and words "35 mph over limit"

On page 2, delete line 26

On page 3, line 1, delete the words "sixty-five miles per hour" and insert in lieu thereof the words "a speed higher than fifty-five miles [88.51 kilometers] an hour as posted and designated by the commissioner pursuant to section 6 of this Act"

On page 3, line 5, delete the words "Speed (mph)" and insert in lieu thereof the words "Miles per hour over lawful speed limit"

On page 3, line 6, delete the numerals "71 - 75" and insert in lieu thereof the numerals "6 - 10"

On page 3, line 7, delete the numerals "76 - 80" and insert in lieu thereof the numerals "11 - 15"

On page 3, line 8, delete the numerals "81 - 90" and insert in lieu thereof the numerals "16 - 25"

On page 3, line 9, delete the numerals "91 - 100" and insert in lieu thereof the numerals "26 - 35"

On page 3, line 10, delete the numeral and words "101 and over" and insert in lieu thereof the numeral. "36 +"

On page 3, after line 10, insert the following new section:

"SECTION 5. AMENDMENT. Subdivision f of subsection 1 of section 39-09-02 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

f. Fifty-five miles [88.51 kilometers] an hour under other circumstances, unless otherwise permitted, restricted, or required by conditions, and except as provided in section 6 of this Act."

On page 3, delete lines 14 through 19 and insert in lieu thereof the words "If a speed higher than fifty-five miles [88.51] kilometers] an hour is permitted under federal law without loss of federal funds to this state, and unless otherwise permitted, restricted, or required by conditions, any higher speed so permitted and so designated and posted by the commissioner."

On page 3, after line 24, insert the following new section:

"SECTION 8. EMERGENCY. This Act is declared to be an emergency measure and is in effect upon its filing with the secretary of state or on a date specified in this Act."

And renumber the lines, sections, and pages accordingly

REP. ANDERSON, Chairman

SB 2202 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 2220 has had the same under consideration and recommends by a vote of 9 YEAS, 6 NAYS, 1 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. WHALEN, Chairman

Engrossed SB 2220 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Human Services and Veterans Affairs to which was referred Engrossed SB 2244 has had the same under consideration and recommends by a vote of 13 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING that the same DO PASS.

REP. HAUGLAND, Chairman

Engrossed SB 2244 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Agriculture to which was referred Engrossed SB 2316 has had the same under consideration and recommends by a vote of 15 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1 of the engrossed bill, line 1, after the words "A BILL" delete the remainder of the bill and insert in lieu thereof the following: "for an Act to create and enact three new sections to chapter 35-17 of the North Dakota Century Code, relating to agister's liens.

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

SECTION 1. A new section to chapter 35-17 of the North Dakota Century Code is hereby created and enacted to read as follows:

Agister's lien by filing - Priority of lien. In addition to sections 35-17-01 and 35-17-02, any person to whom any horses, mules, cattle, or sheep are entrusted by the owner for the purpose of feeding, herding, pasturing, or ranching, upon filing the statement prescribed in section 2 of this Act, is entitled to a lien upon the horses, mules, cattle, or sheep for the amount that may be due for

feeding, herding, pasturing, or ranching, effective from the date the person entitled to the lien comes into possession of the horses, mules, cattle, or sheep. An agister's lien has priority, as to the animals covered by the lien, over all other liens or encumbrances, except agricultural processors' or agricultural suppliers' liens. This section does not apply to stolen stock.

SECTION 2. A new section to chapter 35-17 of the North Dakota Century Code is hereby created and enacted to read as follows:

Procedure to obtain lien - Statement filed - Contents - Waiver. Any person entitled to an agister's lien, within ninety days after taking possession of the horses, mules, cattle, or sheep, may file in the office of the register of deeds of the county in which the owner of the horses, mules, cattle, or sheep resides, a verified statement containing all of the following:

1. The number of and a description of the animals.
2. The name of the person for whom the horses, mules, cattle, or sheep are kept.
3. The price agreed upon for keeping the animals and, if no price was agreed upon, the reasonable value of the services.

If the statement is not filed within ninety days as required by this section, the person entitled to the lien under section 1 of this Act waives the lien.

SECTION 3. A new section to chapter 35-17 of the North Dakota Century Code is hereby created and enacted to read as follows:

Information to be filed by a lienholder with the secretary of state. If the lienholder intends to impose liability for a lien under section 1 of this Act against a livestock buyer, the name of the lienholder must appear on the most current list or lists distributed by the secretary of state pursuant to subsection 4 of section 41-09-46. In order to appear on the list or lists, lienholders must file with the secretary of state a form prescribed by him which contains all of the following information:

1. The name and address of the person for whom the livestock is kept.
2. The county of residence of the person for whom the livestock is kept.

3. The social security number of the person for whom the livestock is kept.
4. The name and address of the lienholder.
5. A description of the livestock and their number, if known, subject to the lien.
6. The county where the livestock are born or growing.
7. The signature of the debtor against whom the lien is filed.
8. The signature of the secured party or lienholder."

And renumber the lines, sections, and pages accordingly

REP. NICHOLAS, Chairman

Engrossed SB 2316 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Human Services and Veterans Affairs to which was referred Engrossed SB 2336 has had the same under consideration and recommends by a vote of 8 YEAS, 7 NAYS, 1 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. HAUGLAND, Chairman

Engrossed SB 2336 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Human Services and Veterans Affairs to which was referred Reengrossed SB 2418 has had the same under consideration and recommends by a vote of 15 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

REP. HAUGLAND, Chairman

Reengrossed SB 2418 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Judiciary to which was referred Engrossed SB 2449 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 NOT PASS.

REP. KRETSCHMAR, Chairman

Engrossed SB 2449 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Judiciary to which was referred Engrossed SB 2461 has had the same under consideration and recommends by a vote of 8 YEAS, 6 NAYS, 1 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. KRETSCHMAR, Chairman

Engrossed SB 2461 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Agriculture to which was referred Reengrossed SB 2477 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 and be rereferred to the Committee on Appropriations:

On page 1 of the reengrossed bill, line 1, delete the word "nine" and insert in lieu thereof the word "six"

On page 1 of the reengrossed bill, line 7, delete the word "Nine" and insert in lieu thereof the word "Six"

On page 1 of the reengrossed bill, line 11, after the word "board" insert the words "and the commissioner of agriculture", after the word "shall" insert the words "hire or", and after the word "more" insert the word "lawyers,"

On page 1 of the reengrossed bill, line 13, after the word "board" insert the words "and the commissioner"

On page 1 of the reengrossed bill, line 16, delete the words "Contracts must be awarded within sixty days after the"

On page 1 of the reengrossed bill, line 17, delete the words "effective date of this Act."

On page 1 of the reengrossed bill, line 18, delete the words "and for good cause" and delete the word "Any"

On page 1 of the reengrossed bill, delete lines 19 through 22

On page 1 of the reengrossed bill, line 23, delete the words "small business persons." and delete the word "is" and insert in lieu thereof the words "and the commissioner of agriculture are"

On page 1 of the reengrossed bill, line 24, delete the words "after consultation with the" and insert in lieu thereof the words "and for selecting appropriate cases among eligible farmers and small business persons."

On page 1 of the reengrossed bill, delete lines 25 through 28

On page 2 of the reengrossed bill, delete lines 1 through 13

- On page 2 of the reengrossed bill, line 14, delete the words "A firm or nonprofit" and insert in lieu thereof the words "Any contract entered into pursuant to this Act"
- On page 2 of the reengrossed bill, delete line 15
- On page 2 of the reengrossed bill, line 16, delete the word "board" and after the second word "to" insert the word "selected"
- On page 2 of the reengrossed bill, line 17, delete the word "shall" and insert in lieu thereof the words "may be awarded for the following purposes"
- On page 2 of the reengrossed bill, line 18, delete the word "Offer" and insert in lieu thereof the words "To offer" and after the word "to" insert the word "selected"
- On page 2 of the reengrossed bill, line 21, delete the word "Offer" and insert in lieu thereof the words "To offer" and after the word "to" insert the word "selected"
- On page 2 of the reengrossed bill, delete lines 23 through 30
- On page 2 of the reengrossed bill, line 31, delete the numeral and word "5. Provide" and insert in lieu thereof the numeral and words "3. To provide"
- On page 2 of the reengrossed bill, line 32, after the word "representing" insert the word "selected"
- On page 3 of the reengrossed bill, delete lines 27 through 30
- On page 3 of the reengrossed bill, line 31, after the word "litigation" insert the words "- Cooperation with other service providers"
- On page 3 of the reengrossed bill, line 32, delete the word "attempt" and insert in lieu thereof a colon and the subsection numeral and word "1. Attempt"
- On page 3 of the reengrossed bill, line 33, after the period and before the last sentence to the section insert the following new subsections:
- "2. Cooperate with the North Dakota state university extension service so that its economic and farm management financial analyst services are utilized by selected eligible farmers.
 3. Cooperate with the farm credit counseling program and existing informational and referral networks among farmers, farmer advocates, small business persons, and others concerned with the economic

crisis in agricultural and small business concern areas."

On page 4 of the reengrossed bill, line 6, delete the numerals "300,000" and insert in lieu thereof the numerals "200,000"

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

Reengrossed SB 2477 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Human Services and Veterans Affairs to which was referred Engrossed SB 2537 has had the same under consideration and recommends by a vote of 8 YEAS, 7 NAYS, 1 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. HAUGLAND, Chairman

Engrossed SB 2537 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Human Services and Veterans Affairs to which was referred SCR 4010 has had the same under consideration and recommends by a vote of 8 YEAS, 6 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS and BE PLACED ON THE CONSENT CALENDAR.

REP. HAUGLAND, Chairman

SCR 4010 was placed on the Tenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Transportation to which was referred Engrossed SCR 4043 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 1, delete the word "the" and insert in lieu thereof the word "a"

On page 1, line 28, delete the word "the" and insert in lieu thereof the word "a"

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

Engrossed SCR 4043 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER: Your Conference Committee to which was referred Reengrossed HB 1068 has had the same under consideration and recommends that the SENATE RECEDE from its amendments as found on page 1661 of the House Journal:

For the Senate: Sens. Schoenwald, Hilken, Freborg (refused to sign)
For the House: Reps. Belter, Knell, O'Connell

Reengrossed HB 1068 was placed on the Seventh order of business on the calendar for the succeeding legislative day.

FIRST READING OF HOUSE BILLS

Rep. Martinson introduced:

(Approved by the Committee on Delayed Bills)

HB 1680: A BILL for an Act to amend and reenact subdivision a of subsection 2 of section 54-35-02.4 of the North Dakota Century Code, relating to payment of costs of actuarial reports to the legislative council's committee on public employees retirement programs.

Was read the first time and referred to the Committee on State and Federal Government.

Reps. Strinden, Mertens, Martinson, Schneider introduced:

(Approved by the Committee on Delayed Bills)

HB 1681: A BILL for an Act to amend and reenact subsection 2 of section 54-05.1-03 of the North Dakota Century Code, relating to reporting of expenditures by lobbyists.

Was read the first time and referred to the Committee on State and Federal Government.

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

ROY GILBREATH, Chief Clerk