

## JOURNAL OF THE HOUSE

## Fiftieth Legislative Assembly

\* \* \* \* \*

## FIFTY-FOURTH DAY

Bismarck, March 24, 1987

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

The prayer was offered by Barry Lee, Church of God of Prophecy, Bismarck, North Dakota.

## ROLL CALL

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

A quorum was declared by the Speaker.

## CORRECTION AND REVISION OF THE JOURNAL

MR. SPEAKER: Your Committee on Correction and Revision of the Journal has carefully examined the Journal of the Fifty-third Day and recommends that the same be corrected as follows and, when so corrected, recommends that the same be approved:

On page 2123, after line 22, insert the following:

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.

On page 2134, delete line 29, and insert in lieu thereof the following:

For the Senate: Sens. Schoenwald, Hilken, Freborg (refused to sign)  
REP. THOMPSON, Chairman

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

## CORRECTION AND REVISION OF THE JOURNAL

MR. SPEAKER: Your Committee on Correction and Revision of the Journal has carefully reexamined the Journal of the Thirty-seventh Day and recommends that the same be corrected as follows and, when so corrected, recommends that the same be approved:

On page 1518, lines 40 and 41, delete the words "State and Federal Government" and insert in lieu thereof the words "Finance and Taxation"

REP. THOMPSON, Chairman

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

#### MOTION

REP. STRINDEN MOVED that the House request the return of SCR 4016, from the Senate.

#### REQUEST

REP. J. DEMERS REQUESTED a recorded roll call vote on the motion to request the return of SCR 4016 from the Senate, which request was granted.

#### ROLL CALL

The question being on the motion to request the return of SCR 4016 from the Senate, the roll was called and there were 65 YEAS, 34 NAYS, 7 ABSENT AND NOT VOTING.

**YEAS:** Aas; Almlie; Anderson; Belter; Berg, G.; Berg, R.; Brokaw; Christman; Dalrymple; Dorso; Dotzenrod; Gates; Gerntholz; Goetz; Gorman; Gunsch; Hamerlik; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hokana; Kent; Kingsbury; Klundt; Knell; Koland; Kretschmar; Kuchera; Lang; Larson; Lindgren; Martin; Melby; Mertens; Moore; Murphy; Myrdal; Nicholas; Nowatzki; Olsen, D.; Olson, A.; Olson, V.; Payne; Peterson; Rice; Schindler; Shaft; Shaw; Shide; Smette; Sorensen; Stofferahn; Strinden; Thompson; Tokach; Tollefson; Trautman; Vander Vorst; Wald; Wentz; Wilkie; Winkelman; Speaker Kloubec

**NAYS:** Cleveland; DeMers, J.; DeMers, P.; Enget; Flaagan; Frey; Graba; Halmrast; Hanson, L.; Hill; Hoffner; Kelly; Kolbo; Laughlin; Lautenschlager; Linderman; Marks; Meyer; Nelson, C.; Nelson, J.; Oban; O'Connell; O'Shea; Riehl; Scherber; Schneider; Skjerven; Solberg; Starke; Ulmer; Watne; Williams, A.; Williams, C.; Williams, W.

**ABSENT AND NOT VOTING:** Knudson; Martinson; Opedahl; Rydell; Shockman; Tomac; Whalen

So the motion to request the return of SCR 4016 from the Senate prevailed.

#### MESSAGE TO THE SENATE HOUSE CHAMBER

MR. PRESIDENT: The House respectfully requests the return of SCR 4016.

ROY GILBREATH, Chief Clerk

## SIXTH ORDER OF BUSINESS

REP. PETERSON MOVED that the amendments to SB 2003 as recommended by the Committee on Appropriations as printed on page 2125 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

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

REP. PETERSON MOVED that the amendments to SB 2027 as recommended by the Committee on Appropriations as printed on pages 2125-2126 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SB 2027 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

REP. ANDERSON MOVED that the amendments to SB 2202 as recommended by the Committee on Transportation as printed on pages 2126-2128 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SB 2202 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

REP. NICHOLAS MOVED that the amendments to SB 2316 as recommended by the Committee on Agriculture as printed on pages 2129-2131 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

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

REP. A. OLSON MOVED that the amendments to SB 2409 as recommended by the Committee on Natural Resources as printed on page 2070 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SB 2409 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

REP. NICHOLAS MOVED that the amendments to SB 2477 as recommended by the Committee on Agriculture as printed on pages 2131-2133 of the House Journal be adopted, and when so adopted, recommends the same DO PASS and be rereferred to the Committee on Appropriations, which motion prevailed.

SB 2477 was rereferred to the Committee on Appropriations.

REP. ANDERSON MOVED that the amendments to SCR 4043 as recommended by the Committee on Transportation as printed on page 2134 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

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

MESSAGES FROM THE SENATE  
SENATE CHAMBER

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

HB 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

PERRY GROTEBERG, Secretary

SENATE CHAMBER

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

HB 1032, HB 1197, HB 1209, HB 1279, HB 1293, HB 1304,  
HB 1310, HB 1333, HB 1363, HB 1433, HB 1449, HB 1468,  
HB 1538, HB 1545, HB 1552, HB 1613

PERRY GROTEBERG, Secretary

SENATE CHAMBER

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

SB 2088, SB 2101, SB 2160, SB 2248, SB 2268, SB 2269,  
SB 2287, SB 2288, SB 2295, SB 2299, SB 2302, SB 2350,  
SB 2366, SB 2367, SB 2372, SB 2394, SB 2400, SB 2402,  
SB 2437, SB 2463, SB 2472, SB 2476, SB 2483, SB 2514,  
SB 2543, SCR 4017, SCR 4021, SCR 4042, SCR 4046, SCR 4057,  
SCR 4060, SCR 4065

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:

SB 2546

PERRY GROTEBERG, Secretary

SENATE CHAMBER

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

HB 1652

PERRY GROTEBERG, Secretary

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. LARSON MOVED that the House do concur in the Senate amendments to HB 1034 as printed on page 2084 of the House Journal, which motion prevailed.

## MOTION

REP. STRINDEN MOVED that the rules be suspended, that HB 1034 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 1034: A BILL for an Act to amend and reenact subsection 4 of section 14-09-09.8, sections 14-13-03, 23-16-08, 25-01-01, 25-10-01, 25-11-02, 25-15-03, 25-15-08, subsection 2 of section 25-16-01, sections 25-16-02, 25-16-03, 25-16-04, 25-16-06, 25-16-08, 25-16-09, 25-16-10, 25-16-12, 50-06-01.4, subsection 1 of section 50-19-01, sections 50-19-02, 50-19-03, 50-19-03.1, 50-19-04, 50-19-06, 50-19-07, 50-19-09, 50-19-10, 50-19-12, 50-19-13, 50-19-14, 50-20-01, 50-20-02, subsections 3 and 7 of section 50-25.1-02, sections 50-25.1-03, 50-25.1-03.1, 50-25.1-04, 50-25.1-04.1, 50-25.1-05, subsection 2 of section 50-25.1-05.2, sections 50-25.1-05.3, 50-25.1-06, 50-25.1-07, 50-25.1-11, and 54-38-01 of the North Dakota Century Code, relating to the structure of the department of human services; and to repeal sections 25-01-02.1, 25-10-02, and 54-38-02 of the North Dakota Century Code, relating to 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 the alcoholism and drug abuse division.

Which has been read.

## ROLL CALL

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

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

NAYS: Kingsbury; O'Connell; Olsen, D.; Shide

ABSENT AND NOT VOTING: Hanson, O.; Hausauer, R.;  
Knudson; Wentz

HB 1034 passed and the title was agreed to.

\*\*\*\*\*

#### CONSIDERATION OF MESSAGE FROM THE SENATE

REP. MOORE MOVED that the House do not concur in the Senate amendments to HB 1233 as printed on page 2085 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 1233:

Reps. Wentz, Sorensen, Wilkie

#### CONSIDERATION OF MESSAGE FROM THE SENATE

REP. LARSON MOVED that the House do concur in the Senate amendments to HB 1330 as printed on page 1845 of the House Journal, which motion prevailed.

#### MOTION

REP. STRINDEN MOVED that the rules be suspended, that HB 1330 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 1330: A BILL for an Act to provide for the establishment of a registry of traumatic head injuries and to require the attending physician to report such injuries.

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 88 YEAS, 16 NAYS, 2 ABSENT AND NOT VOTING.

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

Rice; Riehl; Rydell; Scherber; Schindler; Schneider;  
Shaft; Shaw; Shockman; Solberg; Sorensen; Starke;  
Stofferahn; Strinden; Tollefson; Trautman; Ulmer;  
Vander Vorst; Watne; Wentz; Whalen; Wilkie;  
Williams, A.; Williams, C.; Williams, W.;  
Speaker Kloubec

NAYS: Gunsch; Hanson, O.; Kingsbury; Knell; Kuchera;  
Melby; Murphy; Olsen, D.; Shide; Skjerven; Smette;  
Thompson; Tokach; Tomac; Wald; Winkelman

ABSENT AND NOT VOTING: Hausauer, R.; Knudson

HB 1330 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 1533 as printed on page 1873 of the House Journal, which motion prevailed.

#### MOTION

REP. STRINDEN MOVED that the rules be suspended, that HB 1533 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 1533: A BILL for an Act to amend and reenact section 5-01-08 of the North Dakota Century Code, relating to minors in possession of certain alcoholic beverages.

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, 6 NAYS, 2 ABSENT AND NOT VOTING.

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

Starke; Stofferahn; Strinden; Thompson; Tokach;  
Tollefson; Trautman; Ulmer; Vander Vorst; Wald; Watne;  
Wentz; Whalen; Wilkie; Williams, A.; Williams, C.;  
Williams, W.; Winkelman; Speaker Kloubec

**NAYS:** Gunsch; Hamerlik; Hanson, O.; Knell; Shaw; Tomac

**ABSENT AND NOT VOTING:** Hausauer, R.; Knudson

HB 1533 passed and the title was agreed to.

\*\*\*\*\*

#### MOTIONS

**REP. STRINDEN MOVED** that action on HCR 3089 be delayed pending distribution of HCR 3089, which motion prevailed.

**REP. PETERSON MOVED** that the House reconsider its action whereby SB 2494 failed to pass for want of a Constitutional majority.

**REP. D. OLSEN MOVED** that the House delay the reconsideration vote on SB 2494 to a time certain, of 2:00 p.m., Wednesday, March 25, 1987, which motion failed on a verification vote.

**REP. HAMERLIK MOVED** the previous question, which motion prevailed.

#### REQUEST

**REP. BROKAW REQUESTED** a recorded roll call vote on the motion to reconsider the action whereby SB 2494 failed to pass for want of a Constitutional majority, which request was granted.

#### ROLL CALL

The question being on the motion to reconsider the action whereby SB 2494, failed to pass for want of a Constitutional majority, the roll was called and there were 52 YEAS, 52 NAYS, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Brokaw; DeMers, J.; DeMers, P.; Enget; Flaagan; Frey; Gerntholz; Graba; Halmrast; Hanson, L.; Haugland; Hill; Hoffner; Hokana; Kelly; Kingsbury; Klundt; Kolbo; Kretschmar; Kuchera; Laughlin; Lautenschlager; Linderman; Marks; Martin; Mertens; Murphy; Nelson, C.; Nelson, J.; Oban; O'Connell; Opedahl; O'Shea; Peterson; Riehl; Scherber; Schindler; Schneider; Shaw; Shockman; Skjerven; Solberg; Starke; Stofferahn; Ulmer; Watne; Wentz; Wilkie; Williams, A.; Williams, C.; Williams, W.

**NAYS:** Aas; Almlie; Belter; Berg, G.; Berg, R.; Christman; Cleveland; Dalrymple; Dorso; Dotzenrod; Gates; Goetz; Gorman; Gunsch; Hamerlik; Hanson, O.; Haugen; Hausauer, A.; Hausauer, R.; Kent; Knell; Koland; Lang; Larson; Lindgren; Martinson; Melby; Moore; Myrdal;



Nicholas; Nowatzki; Olsen, D.; Olson, A.; Olson, V.;  
Payne; Rice; Rydell; Shaft; Shide; Smette; Sorensen;  
Strinden; Thompson; Tokach; Tollefson; Tomac; Trautman;  
Vander Vorst; Wald; Whalen; Winkelman; Speaker Kloubec

**ABSENT AND NOT VOTING:** Knudson; Meyer

So the motion to reconsider action whereby SB 2494 failed to pass for want of a Constitutional majority failed.

#### SECOND READING OF SENATE BILL

**SB 2442:** A BILL for an Act to amend and reenact section 49-05-06 of the North Dakota Century Code, relating to hearings by the public service commission on proposed rate changes.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 70 YEAS, 33 NAYS, 3 ABSENT AND NOT VOTING.

**YEAS:** Aas; Almlie; Anderson; Belter; Berg, G.; Berg, R.; Christman; Cleveland; Dalrymple; Dorso; Dotzenrod; Gates; Gerntholz; Goetz; Gorman; Gunsch; Hamerlik; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Kent; Kingsbury; Knell; Koland; Kretschmar; Kuchera; Larson; Laughlin; Lindgren; Marks; Martinson; Melby; Meyer; Moore; Myrdal; Nelson, C.; Nicholas; Nowatzki; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Payne; Peterson; Rice; Rydell; Schindler; Schneider; Shaw; Shide; Smette; Sorensen; Strinden; Thompson; Tokach; Tollefson; Tomac; Trautman; Ulmer; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Kloubec

**NAYS:** Brokaw; DeMers, J.; DeMers, P.; Enget; Flaagan; Graba; Halmrast; Hill; Hoffner; Hokana; Kelly; Klundt; Kolbo; Lautenschlager; Linderman; Martin; Mertens; Murphy; Nelson, J.; Oban; Opedahl; O'Shea; Riehl; Scherber; Shaft; Shockman; Skjerven; Solberg; Starke; Stofferahn; Vander Vorst; Wald; Wilkie

**ABSENT AND NOT VOTING:** Frey; Knudson; Lang

SB 2442 passed and the title was agreed to.

\*\*\*\*\*

#### REQUEST

**REP. WALD REQUESTED** that the record show that he intended to vote "yea" on SB 2442, which request was granted.

## SECOND READING OF SENATE BILLS

SB 2120: A BILL for an Act to create and enact section 26.1-22-07.1 of the North Dakota Century Code, relating to the insurability of property of the Bank of North Dakota and the board of university and school lands under the state fire and tornado fund; and to amend and reenact section 26.1-22-07 of the North Dakota Century Code, relating to property of the state which is uninsurable under the state fire and tornado fund.

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 15 YEAS, 89 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Brokaw; DeMers, J.; Flaagan; Frey; Graba; Hanson, L.; Laughlin; Linderman; Martinson; Mertens; Nelson, J.; O'Shea; Schneider; Shockman; Vander Vorst

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

ABSENT AND NOT VOTING: Hausauer, R.; Knudson

SB 2120 was declared lost.

\*\*\*\*\*

SB 2128: A BILL for an Act to create and enact a new section to chapter 52-04 of the North Dakota Century Code, relating to incremental bonding of impact projects for unemployment compensation purposes.

Which has been read.

## ROLL CALL

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

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

NAYS: None

ABSENT AND NOT VOTING: Knudson; Lang; Peterson

SB 2128 passed and the title was agreed to.

\*\*\*\*\*

SB 2166: A BILL for an Act to amend and reenact section 23-16-03 of the North Dakota Century Code, relating to fees for licensure of hospitals.

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

YEAS: Berg, G.; Brokaw; Dalrymple; DeMers, J.; DeMers, P.; Dotzenrod; Frey; Gates; Graba; Hanson, L.; Hill; Hoffner; Hokana; Kelly; Kolbo; Kretschmar; Kuchera; Lang; Laughlin; Lautenschlager; Linderman; Marks; Mertens; Meyer; Nelson, C.; Nelson, J.; Nowatzki; Oban; O'Connell; Opedahl; O'Shea; Riehl; Scherber; Schindler; Schneider; Shaw; Shockman; Starke; Stofferahn; Strinden; Ulmer; Watne; Wilkie; Williams, A.; Williams, W.; Winkelman

**NAYS:** Aas; Almlie; Anderson; Belter; Berg, R.; Christman; Cleveland; Dorso; Enget; Flaagan; Gerntholz; Goetz; Gorman; Gunsch; Halmrast; Hamerlik; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Kent; Kingsbury; Knell; Koland; Larson; Lindgren; Martin; Martinson; Melby; Moore; Murphy; Myrdal; Nicholas; Olsen, D.; Olson, A.; Olson, V.; Payne; Peterson; Rice; Shaft; Shide; Skjerven; Smette; Solberg; Sorensen; Thompson; Tokach; Tollefson; Trautman; Vander Vorst; Wald; Wentz; Whalen; Speaker Kloubec

**ABSENT AND NOT VOTING:** Klundt; Knudson; Rydell; Tomac; Williams, C.

SB 2166 was declared lost.

\*\*\*\*\*

**MESSAGES TO THE SENATE  
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 2109:** Reps. Melby, Knell, Brokaw

**ROY GILBREATH, Chief Clerk**

**HOUSE CHAMBER**

**MR. PRESIDENT:** I have the honor to inform you that the House has concurred in the Senate amendments to HB 1079, HB 1099, HB 1117, HB 1254, HB 1405, HB 1420, HB 1456, HB 1460, HB 1491, HB 1568, HB 1608, HCR 3060, and HCR 3063 and subsequently passed the same but has refused to concur in the Senate amendments to HB 1129, HB 1274, HB 1337, HB 1350, HB 1369, and HB 1601 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

**HB 1129:** Reps. Koland, Tollefson, Lautenschlager

**HB 1274:** Reps. Goetz, A. Hausauer, Tomac

**HB 1337:** Reps. Moore, A. Olson, J. DeMers

**HB 1350:** Reps. Dorso, Lang, Frey

**HB 1369:** Reps. A. Hausauer, Gorman, Enget

**HB 1601:** Reps. Shaw, Lindgren, Meyer

**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 3086, HCR 3088**

**ROY GILBREATH, Chief Clerk**

## SIGNING OF BILLS AND RESOLUTIONS

THE CHIEF CLERK ANNOUNCED that the Speaker signed the following:

HB 1079, HB 1099, HB 1117, HB 1254, HB 1405, HB 1420,  
HB 1456, HB 1460, HB 1491, HB 1568, HB 1608, HCR 3060,  
HCR 3063

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 1079, HB 1099, HB 1117, HB 1254, HB 1405, HB 1420,  
HB 1456, HB 1460, HB 1491, HB 1568, HB 1608, HCR 3060,  
HCR 3063

ROY GILBREATH, Chief Clerk

## HOUSE CHAMBER

MR. PRESIDENT: I have the honor to inform you that the House has concurred in the Senate amendments to HB 1034, HB 1330, and HB 1533 and subsequently passed the same but has refused to concur in the Senate amendments to HB 1233 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1233: Reps. Wentz, Sorensen, Wilkie

ROY GILBREATH, Chief Clerk

## SECOND READING OF SENATE BILLS

SB 2535: A BILL for an Act to establish a health care data committee as a standing committee of the state health council for the collection, analysis, and public distribution of information regarding the costs and prices charged for health care services in North Dakota, to ensure that health care purchases by state agencies are made in a more cost effective manner, and to provide for the collection of fees; and to provide for a judicial remedy.

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 19 YEAS, 85 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Cleveland; Gunsch; Hanson, O.; Hausauer, A.; Knell;  
Kolbo; Kretschmar; Kuchera; Martinson; Myrdal;  
Olson, A.; Rydell; Schindler; Shaft; Shaw; Strinden;  
Tokach; Vander Vorst; Winkelman

**NAYS:** Aas; Almlie; Anderson; Belter; Berg, G.; Berg, R.; Brokaw; Christman; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Dotzenrod; Enget; Flaagan; Frey; Gates; Gerntholz; Goetz; Gorman; Graba; Halmrast; Hamerlik; Hanson, L.; Haugen; Haugland; Hausauer, R.; Hill; Hoffner; Hokana; Kelly; Kent; Kingsbury; Klundt; Koland; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Marks; Martin; Melby; Mertens; Meyer; Moore; Murphy; Nelson, C.; Nelson, J.; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, V.; Opedahl; O'Shea; Payne; Peterson; Rice; Riehl; Scherber; Schneider; Shide; Shockman; Skjerven; Smette; Solberg; Sorensen; Starke; Stofferahn; Thompson; Tollefson; Trautman; Ulmer; Wald; Watne; Wentz; Whalen; Wilkie; Williams, A.; Williams, C.; Williams, W.; Speaker Kloubec

**ABSENT AND NOT VOTING:** Knudson; Tomac

SB 2535 was declared lost.

\*\*\*\*\*

**SB 2019:** A BILL for an Act making an appropriation for insurance premium tax payments distribution to fire departments.

Which has been read.

#### ROLL CALL

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

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

**NAYS:** None

ABSENT AND NOT VOTING: Knudson; Nelson, C.; Stofferahn; Thompson; Tomac

SB 2019 passed and the title was agreed to.

\*\*\*\*\*

#### MOTION

REP. GOETZ MOVED that the House waive the reading of the title to SB 2024, which motion prevailed.

#### SECOND READING OF SENATE BILLS

SB 2024: A BILL for an Act making an appropriation for defraying the expenses of the various divisions under the supervision of the commissioner of insurance of the state of North Dakota; to create and enact three new sections to chapter 26.1-01 and a new subsection to section 26.1-01-07 of the North Dakota Century Code, relating to the establishment of an insurance regulatory trust fund; to amend and reenact subsections 2 and 11 of section 26.1-01-07 and section 26.1-03-20 of the North Dakota Century Code, relating to fees charged by the commissioner of insurance; to provide for transfers from the unsatisfied judgment and state bonding funds; and to provide an effective date.

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

NAYS: None

ABSENT AND NOT VOTING: Dorso;  
Nelson, C.; Thompson; Tomac

Knudson;

Melby;

SB 2024 passed and the title was agreed to.

\*\*\*\*\*

SB 2053: A BILL for an Act to amend and reenact sections 26.1-33-36 and 28-22-03.1 of the North Dakota Century Code, relating to the exemption of rights in life insurance policies and pensions from executions of judgments.

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

NAYS: None

ABSENT AND NOT VOTING: Brokaw; Dorso; Knudson; Kuchera; Mertens; Nelson, C.; Peterson; Tomac; Whalen; Williams, C.

SB 2053 passed and the title was agreed to.

\*\*\*\*\*

#### MOTION

REP. GOETZ MOVED that the House waive the reading of the title to SB 2115, which motion prevailed.



## SECOND READING OF SENATE BILLS

SB 2115: A BILL for an Act to create and enact a new section to chapter 11-11, a new section to chapter 40-05, a new subsection to section 57-15-06.7, a new subsection to section 57-15-10, and a new section to chapter 57-15 of the North Dakota Century Code, relating to authorization and funding of county, city, and park district programs and activities for handicapped persons.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 93 YEAS, 6 NAYS, 7 ABSENT AND NOT VOTING.

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

NAYS: Gunsch; Hanson, O.; Kingsbury; Melby; Murphy; O'Connell

ABSENT AND NOT VOTING: Brokaw; Knudson; Kuchera; Mertens; Nelson, C.; Peterson; Tomac

SB 2115 passed and the title was agreed to.

\*\*\*\*\*

SB 2259: A BILL for an Act to amend and reenact section 39-04-19 of the North Dakota Century Code, relating to vehicle registration fees.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 92 YEAS, 11 NAYS, 3 ABSENT AND NOT VOTING.

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

NAYS: Berg, R.; Brokaw; Gunsch; Hamerlik; Hanson, O.; Kretschmar; Melby; Skjerven; Solberg; Vander Vorst; Wilkie

ABSENT AND NOT VOTING: Knudson; Lang; O'Shea

SB 2259 passed and the title was agreed to.

\*\*\*\*\*

SB 2333: A BILL for an Act to amend and reenact section 57-55-10 of the North Dakota Century Code, relating to exemptions from the mobile home tax and providing for assessment of certain mobile homes as real property.

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 8 YEAS, 94 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Dotzenrod; Gunsch; Hanson, O.; Haugen; Knell; Kretschmar; Laughlin; Murphy

NAYS: Aas; Almlie; Anderson; Belter; Berg, G.; Berg, R.; Brokaw; Christman; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Enget; Flaagan; Frey; Gates; Gerntholz; Goetz; Gorman; Graba; Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer, A.; Hausauer, R.; Hill; Hoffner; Hokana; Kelly; Kent; Kingsbury; Klundt; Koland; Kolbo;

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

ABSENT AND NOT VOTING: Cleveland; Knudson; Meyer; Whalen

SB 2333 was declared lost.

\*\*\*\*\*

SB 2368: A BILL for an Act to amend and reenact section 39-16-03 of the North Dakota Century Code, relating to notification of requests for an abstract of a driver's operating record.

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 48 YEAS, 56 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Almlie; Berg, G.; Brokaw; Cleveland; Dalrymple;  
DeMers, J.; DeMers, P.; Dotzenrod; Enget; Flaagan;  
Frey; Gates; Graba; Halmrast; Hanson, L.; Hill;  
Hoffner; Hokana; Kelly; Klundt; Kolbo; Kuchera;  
Laughlin; Lautenschlager; Linderman; Lindgren; Marks;  
Mertens; Nelson, J.; Nowatzki; Oban; Olsen, D.;  
Opedahl; O'Shea; Scherber; Schneider; Shaft; Shaw;  
Shockman; Solberg; Starke; Stofferahn; Strinden; Tomac;  
Ulmer; Watne; Wilkie; Williams, W.

NAYS: Aas; Anderson; Belter; Berg, R.; Christman; Dorso;  
Gerntholz; Goetz; Gorman; Gunsch; Hamerlik; Hanson, O.;  
Haugen; Haugland; Hausauer, A.; Hausauer, R.; Kent;  
Kingsbury; Knell; Koland; Kretschmar; Lang; Larson;  
Martin; Martinson; Melby; Meyer; Moore; Murphy; Myrdal;  
Nelson, C.; Nicholas; O'Connell; Olson, A.; Olson, V.;  
Payne; Rice; Riehl; Rydell; Schindler; Shide; Skjerven;  
Smette; Sorensen; Thompson; Tokach; Tollefson;  
Trautman; Vander Vorst; Wald; Wentz; Whalen;  
Williams, A.; Williams, C.; Winkelman; Speaker Kloubec

ABSENT AND NOT VOTING: Knudson; Peterson

SB 2368 was declared lost.

\*\*\*\*\*

**SB 2435:** A BILL for an Act to amend and reenact section 15-55-02.1, subdivision c of subsection 7 of section 21-03-06, section 40-27-13, and subsection 3 of section 40-36-13 of the North Dakota Century Code, relating to the refunding of bonds by the state board of higher education, counties, cities, townships, school districts, park districts, recreation service districts, and rural fire protection districts.

Which has been read.

#### ROLL CALL

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

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

**NAYS:** None

**ABSENT AND NOT VOTING:** Kent; Knudson; Nicholas; Peterson; Ulmer; Williams, C.

SB 2435 passed and the title was agreed to.

\*\*\*\*\*

**SB 2542:** A BILL for an Act to amend and reenact section 39-01-15 of the North Dakota Century Code, relating to parking privileges for mobility impaired persons.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 93 YEAS, 8 NAYS, 5 ABSENT AND NOT VOTING.

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

NAYS: Gunsch; Klundt; Knell; Lang; Olsen, D.; Rice; Schindler; Shide

ABSENT AND NOT VOTING: Knudson; Mertens; Peterson; Wald; Whalen

SB 2542 passed and the title was agreed to.

\*\*\*\*\*

SB 2055: A BILL for an Act to amend and reenact section 28-01-22.1 of the North Dakota Century Code, relating to the statute of limitations for actions against the state; 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 93 YEAS, 9 NAYS, 4 ABSENT AND NOT VOTING.

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

Nelson, C.; Nelson, J.; Nicholas; Nowatzki; Oban;  
 O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl;  
 O'Shea; Payne; Rice; Riehl; Rydell; Scherber;  
 Schindler; Shaw; Shide; Skjerven; Smette; Solberg;  
 Sorensen; Starke; Stofferahn; Strinden; Thompson;  
 Tokach; Tollefson; Tomac; Trautman; Wald; Watne; Wentz;  
 Wilkie; Williams, A.; Williams, C.; Williams, W.;  
 Winkelman; Speaker Kloubec

NAYS: Cleveland; DeMers, P.; Kretschmar; Lindgren;  
 Schneider; Shaft; Shockman; Ulmer; Vander Vorst

ABSENT AND NOT VOTING: Knudson; Mertens; Peterson;  
 Whalen

SB 2055 passed and the title was agreed to.

\*\*\*\*\*

SB 2130: A BILL for an Act to amend and reenact section 52-06-32  
 of the North Dakota Century Code, relating to unemployment  
 compensation claimant attorney fees.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was  
 called and there were 63 YEAS, 41 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Aas; Almlie; Anderson; Belter; Berg, R.; Christman;  
 Dalrymple; Dorso; Dotzenrod; Gates; Gerntholz; Goetz;  
 Gorman; Gunsch; Hamerlik; Hanson, O.; Haugen; Haugland;  
 Hausauer, A.; Hausauer, R.; Kent; Kingsbury; Knell;  
 Koland; Kretschmar; Lang; Larson; Lindgren; Marks;  
 Martin; Martinson; Melby; Meyer; Moore; Myrdal;  
 Nicholas; Olsen, D.; Olson, A.; Olson, V.; Payne; Rice;  
 Rydell; Schindler; Shaw; Shide; Skjerven; Smette;  
 Solberg; Sorensen; Strinden; Thompson; Tokach;  
 Tollefson; Trautman; Vander Vorst; Wald; Wentz; Whalen;  
 Wilkie; Williams, A.; Williams, C.; Winkelman;  
 Speaker Kloubec

NAYS: Berg, G.; Brokaw; Cleveland; DeMers, J.;  
 DeMers, P.; Enget; Flaagan; Frey; Graba; Halmrast;  
 Hanson, L.; Hill; Hoffner; Hokana; Kelly; Klundt;  
 Kolbo; Kuchera; Laughlin; Lautenschlager; Linderman;  
 Mertens; Murphy; Nelson, C.; Nelson, J.; Nowatzki;  
 Oban; O'Connell; Opedahl; O'Shea; Riehl; Scherber;  
 Schneider; Shaft; Shockman; Starke; Stofferahn; Tomac;  
 Ulmer; Watne; Williams, W.

ABSENT AND NOT VOTING: Knudson; Peterson

SB 2130 passed and the title was agreed to.

\*\*\*\*\*

## MOTION

REP. GOETZ MOVED that SB 2469 be placed at the top of the calendar, which motion prevailed.

## SECOND READING OF SENATE BILL

SB 2469: A BILL for an Act to provide farmers the right to redeem separate known lots or parcels of property, including a known lot or parcel containing the farmer's home, separately from the remaining property; to amend and reenact section 15-07-04 of the North Dakota Century Code, relating to sale of land by the board of university and school lands; to provide an expiration date; and to declare an emergency.

Which has been read.

## ROLL CALL

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

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

SB 2469 passed, the title was agreed to, and the emergency clause was declared carried.

\*\*\*\*\*

## SIGNING OF BILLS AND RESOLUTIONS

THE CHIEF CLERK ANNOUNCED that the Speaker signed the following:

SB 2088, SB 2101, SB 2160, SB 2248, SB 2268, SB 2269,  
SB 2287, SB 2288, SB 2295, SB 2299, SB 2302, SB 2350,  
SB 2366, SB 2367, SB 2372, SB 2394, SB 2400, SB 2402,  
SB 2437, SB 2463, SB 2472, SB 2476, SB 2483, SB 2514,  
SB 2543, SCR 4017, SCR 4021, SCR 4042, SCR 4046, SCR 4057,  
SCR 4060, SCR 4065

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 2088, SB 2101, SB 2160, SB 2248, SB 2268, SB 2269,  
SB 2287, SB 2288, SB 2295, SB 2299, SB 2302, SB 2350,  
SB 2366, SB 2367, SB 2372, SB 2394, SB 2400, SB 2402,  
SB 2437, SB 2463, SB 2472, SB 2476, SB 2483, SB 2514,  
SB 2543, SCR 4017, SCR 4021, SCR 4042, SCR 4046, SCR 4057,  
SCR 4060, SCR 4065

ROY GILBREATH, Chief Clerk

## MOTIONS

REP. STRINDEN MOVED that the House reconsider its action whereby the committee report was accepted and SB 2336 was placed on the Fourteenth order of business on the calendar, which motion prevailed.

REP. STRINDEN MOVED that SB 2336 be rereferred to the Committee on Human Services and Veterans Affairs, which motion prevailed.

SPEAKER KLOUBEC ANNOUNCED that SB 2336 was referred to the Committee on Human Services and Veterans Affairs.

REP. KRETSCHMAR MOVED that the House reconsider its action whereby the committee report was accepted and SB 2449 was placed on the Fourteenth order of business on the calendar, which motion prevailed.

REP. KRETSCHMAR MOVED that SB 2449 be rereferred to the Committee on Judiciary, which motion prevailed.

SPEAKER KLOUBEC ANNOUNCED that SB 2449 was referred to the Committee on Judiciary.

REP. STRINDEN MOVED that House Rule 341 be suspended whereby SCR 4016 can be reconsidered by a simple majority vote, which motion prevailed.

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



REP. GOETZ MOVED that the House be on the Fifth order of business, and at the conclusion of the Fifth order, the House be on the Thirteenth order of business, and at the conclusion of the Thirteenth order, the House stand adjourned until 10:00 a.m., Wednesday, March 25, 1987, which motion prevailed.

## REPORTS OF STANDING COMMITTEES

MR. SPEAKER: Your Committee on State and Federal Government to which was referred HB 1680 has had the same under consideration and recommends by a vote of 12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

REP. MARTINSON, Chairman

HB 1680 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on State and Federal Government to which was referred HB 1681 has had the same under consideration and recommends by a vote of 12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

REP. MARTINSON, Chairman

HB 1681 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Appropriations to which was referred SB 2007 has had the same under consideration and recommends by a vote of 20 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

REP. PETERSON, Chairman

SB 2007 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 2040 has had the same under consideration and recommends by a vote of 7 YEAS, 6 NAYS, 2 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 6 of the engrossed bill, line 20, delete the underscored hyphen and insert in lieu thereof an underscored period

On page 6 of the engrossed bill, delete line 21

On page 6 of the engrossed bill, line 22, delete the words "unless otherwise agreed. The" and insert in lieu thereof the words "With the agreement of the governing body of the county, or the counties of the multicounty agreement area pursuant to section 27-07.1-02, the"

On page 6 of the engrossed bill, delete lines 26 through 35

On page 7 of the engrossed bill, delete lines 1 through 4

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

Engrossed SB 2040 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 2068 has had the same under consideration and recommends by a vote of 14 YEAS, 7 NAYS, 2 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. PETERSON, Chairman

SB 2068 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Appropriations to which was referred SB 2126 has had the same under consideration and recommends by a vote of 15 YEAS, 7 NAYS, 1 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. PETERSON, Chairman

SB 2126 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 2127 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 2 of the engrossed bill, line 9, after the word "from" insert the word "certain"

On page 2 of the engrossed bill, line 10, delete the words "is authorized to" and insert in lieu thereof the word "may"

On page 2 of the engrossed bill, line 11, delete the words "sources other than" and insert in lieu thereof the words "the Bank of North Dakota. Job service North Dakota may also receive"

On page 2 of the engrossed bill, line 12, after the word "fund" insert the words: ". However, the borrowings and advances may" and delete the word "to"

On page 2 of the engrossed bill, delete line 15 and insert in lieu thereof the word "and"

On page 2 of the engrossed bill, line 16, delete the words "advances from the federal unemployment trust fund,"

On page 2 of the engrossed bill, line 18, delete the words ", and payment of interest on funds borrowed from sources other"

- On page 2 of the engrossed bill, line 19, delete the words "than Title XII advances from the federal unemployment trust fund"
- On page 2 of the engrossed bill, line 20, delete the words "sources other than Title XII advances from the" and insert in lieu thereof the words "the Bank of North Dakota"
- On page 2 of the engrossed bill, line 21, delete the words "from the federal unemployment trust fund"
- On page 2 of the engrossed bill, line 23, delete the words "sources other than Title XII advances from the" and insert in lieu thereof the words "the Bank of North Dakota"
- On page 2 of the engrossed bill, line 24, delete the words "federal unemployment trust fund"
- On page 2 of the engrossed bill, line 30, delete the underscored comma and insert in lieu thereof the word "and"
- On page 2 of the engrossed bill, line 31, delete the words ", and to"
- On page 2 of the engrossed bill, delete line 32
- On page 2 of the engrossed bill, line 33, delete the words "the federal unemployment trust fund"
- On page 2 of the engrossed bill, line 35, delete the word "and" and insert in lieu thereof an underscored period
- On page 3 of the engrossed bill, delete lines 1 and 2
- On page 3 of the engrossed bill, line 3, delete the words "is authorized to" and insert in lieu thereof the word "may"
- On page 3 of the engrossed bill, line 4, delete the words "sources other than Title XII advances from the federal" and insert in lieu thereof the words "the Bank of North Dakota"
- On page 3 of the engrossed bill, line 5, delete the words "unemployment trust fund"
- On page 3 of the engrossed bill, line 7, delete the word "is" and insert in lieu thereof the word "may" and delete the words "authorized to"
- On page 3 of the engrossed bill, line 8, delete the words "sources other than Title XII advances from" and insert in lieu thereof the words "the Bank of North Dakota"

On page 3 of the engrossed bill, line 9, delete the words "the federal unemployment trust fund,"

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

Engrossed SB 2127 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Judiciary to which was referred Engrossed SB 2181 has had the same under consideration and recommends by a vote of 8 YEAS, 7 NAYS, 0 ABSENT AND NOT VOTING that the same BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION.

REP. KRETSCHMAR, Chairman

Engrossed SB 2181 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: A majority of your Committee on Natural Resources to which was referred Engrossed SB 2188 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO NOT PASS:

On page 1 of the engrossed bill, line 28, delete the words "energy research" and insert in lieu thereof the words "school of engineering and mines"

On page 2 of the engrossed bill, line 1, delete the word "center"

And renumber the lines, sections, and pages accordingly

Rep. A. Olson  
Rep. Murphy  
Rep. Goetz  
Rep. Koland  
Rep. Kretschmar  
Rep. Martin  
Rep. Tollefson  
Rep. Halmrast  
Rep. Nelson

MR. SPEAKER: A minority of your Committee on Natural Resources to which was referred Engrossed SB 2188 has had the same under consideration and recommends 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 word "commission" insert the words "; to provide an appropriation; and to provide an effective date"

On page 3 of the engrossed bill, after line 6, insert the following new sections:

"SECTION 5. APPROPRIATION. There is hereby appropriated out of any moneys in the coal severance tax trust fund, not otherwise appropriated, the sum of \$1,000,000, or so much thereof as may be necessary, subject to approval of the emergency commission, to the commissioner of university and school lands for the purpose of promoting the expanded development of the state's lignite resources, products, and byproducts for the biennium beginning July 1, 1987, and ending June 30, 1989. However, from this appropriation, the commissioner shall transfer \$250,000, or so much thereof as may be necessary, to the general fund in the state treasury for repayment of the general fund appropriations for coal research and the coalition on international electric power trade contained in House Bill No. 1019.

SECTION 6. EFFECTIVE DATE. Section 5 of this Act becomes effective on the date that the proposed amendment to Section 21 of Article X of the Constitution of the State of North Dakota as contained in Senate Concurrent Resolution No. 4037, as agreed to by the fiftieth legislative assembly, having been submitted to the electors, is approved at the primary election in 1988."

And renumber the lines, sections, and pages accordingly

Rep. Murphy  
Rep. Halmrast  
Rep. Hanson  
Rep. Lautenschlager  
Rep. Tomac  
Rep. W. Williams

REP. A. OLSON, Chairman

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

MR. SPEAKER: Your Committee on State and Federal Government to which was referred SB 2503 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

REP. MARTINSON, Chairman

SB 2503 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

#### FIRST READING OF SENATE BILL

SB 2546: A BILL for an Act to create and enact a new section to chapter 11-11 and a new section to chapter 40-05 of the North Dakota Century Code, relating to the authority of counties and cities to establish centennial coordinating committees.

Was read the first time and referred to the Committee on Political Subdivisions.

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

ROY GILBREATH, Chief Clerk