

JOURNAL OF THE HOUSE

Fiftieth Legislative Assembly

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SIXTIETH DAY

The House convened at 9:00 a.m., with Speaker Kloubec presiding. Bismarck, April 1, 1987

The prayer was offered by Hensel Hendrickson, Trinity Lutheran Church, Bismarck, North Dakota.

ROLL CALL

The roll was called and all Representatives were present, except Representatives G. Berg, R. Berg, Gerntholz, Gunsch, R. Hausauer, Hill, Hoffner, Kelly, Kent, Kingsbury, Klundt, Kuchera, Meyer, Nicholas, Nowatzki, Opedahl, Payne, Peterson, Rice, Smette, Solberg, Stofferahn, Thompson, Wald, and Winkelman.

A quorum was declared by the Speaker.

ANNOUNCEMENT BY SPEAKER

SPEAKER KLOUBEC ANNOUNCED that the members of the Committee on Appropriations would be excused.

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

On page 2422, line 29, before the word "amended" insert the word "further"

On page 2425, line 8, delete the numerals "1583" and insert in lieu thereof the numerals "1584"

REP. THOMPSON, Chairman

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

SIGNING OF BILLS AND RESOLUTIONS

THE CHIEF CLERK ANNOUNCED that the Speaker signed the following:

SB 2025, SB 2033, SB 2045, SB 2053, SB 2064, SB 2110,
SB 2316, SB 2406, SB 2435, SB 2439, SB 2486, SB 2503,
SCR 4043

ROY GILBREATH, Chief Clerk

MESSAGES TO THE SENATE
HOUSE CHAMBER

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

SB 2025, SB 2033, SB 2045, SB 2053, SB 2064, SB 2110,
SB 2316, SB 2406, SB 2435, SB 2439, SB 2486, SB 2503,
SCR 4043

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 1174, HB 1329, HB 1630, HB 1675, HCR 3057, HCR 3066, HCR 3073, HCR 3080, and HCR 3084 and subsequently passed the same.

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 2294: Reps. Hamerlik, Rydell, J. DeMers

SB 2387: Reps. Sorensen, Shaw, Skjervén

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 2468

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 2351

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

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

SB 2078

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 3014, HCR 3034, HCR 3044, HCR 3064

ROY GILBREATH, Chief Clerk

MESSAGES FROM THE SENATE
SENATE CHAMBER

MR. SPEAKER: I have the honor to return herewith the following which the Senate has failed to pass:

HB 1636, HB 1638, HB 1661, HCR 3082

PERRY GROTERBERG, Secretary

SENATE CHAMBER

MR. SPEAKER: I have the honor to return herewith HB 1547 which the Senate has amended and which the Senate has failed to pass:

On page 1 of the engrossed bill, line 6, delete the words "county or" and delete the words "by resolution or"

On page 1 of the engrossed bill, line 7, delete the words "allow the county or municipal judge to"

On page 1 of the engrossed bill, line 9, delete the words "county or"

On page 1 of the engrossed bill, line 11, delete the words "county or"

On page 1 of the engrossed bill, line 14, delete the words "or resolution"

On page 1 of the engrossed bill, line 15, delete the words "county judge or" and delete the word "may" and insert in lieu thereof the word "shall"

On page 1 of the engrossed bill, line 17, after the word "deferred" insert the words ", unless the defendant is indigent and unable to pay the fee"

On page 1 of the engrossed bill, line 18, delete the words "counties and"

And renumber the lines, sections, and pages accordingly

PERRY GROTERBERG, Secretary

SENATE CHAMBER

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

HB 1338, HCR 3074, HCR 3078, HCR 3079, HCR 3083, HCR 3085,
HCR 3086

PERRY GROTERBERG, Secretary

SENATE CHAMBER

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

HB 1030, HB 1187, HB 1208, HB 1272, HB 1278, HB 1289,
HB 1406, HB 1424, HB 1426, HB 1504, HB 1597

PERRY GROTEBERG, Secretary

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. A. HAUSAUER MOVED that the House do not concur in the Senate amendments to HB 1064 as printed on pages 2446-2452 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 1064:

Reps. Moore, Anderson, Schneider

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. LARSON MOVED that the House do not concur in the Senate amendments to HB 1183 as printed on page 2407 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 1183:

Reps. Larson, D. Olsen, Ulmer

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. A. HAUSAUER MOVED that the House do concur in the Senate amendments to HB 1240 as printed on page 2278 of the House Journal, which motion prevailed.

MOTION

REP. STRINDEN MOVED that the rules be suspended, that HB 1240 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 1240: A BILL for an Act to amend and reenact subdivisions m and n of subsection 1 of section 57-38-01.2, section 57-38-35.1, subsection 2 of section 57-38-38, subsection 2 of section 57-38-40, subsection 3 of section 57-38-42, sections 57-38-64, 57-38-70, 57-38-71, 57-38-72, and 57-38-74 of the North Dakota Century Code, relating to income tax procedures; and to repeal chapter 57-38.2 of the North Dakota Century Code, relating to income averaging.

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 79 YEAS, 0 NAYS, 27 ABSENT AND NOT VOTING.

YEAS: Aas; Almlie; Anderson; Belter; Brokaw; Christman; Cleveland; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Dotzenrod; Enget; Flaagan; Frey; Gates; Goetz; Gorman; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hokana; Knell; Knudson; Koland; Kolbo; Kretschmar; Lang; Larson; Lautenschlager; Linderman; Lindgren; Marks; Martin; Martinson; Melby; Mertens; Moore; Murphy; Myrdal; Nelson, C.; Nelson, J.; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Riehl; Rydell; Scherber; Schindler; Schneider; Shaft; Shaw; Shide; Shockman; Skjerven; Sorensen; Starke; Strinden; Tokach; Tollefson; Tomac; Trautman; Ulmer; Vander Vorst; Watne; Wentz; Whalen; Wilkie; Williams, A.; Williams, C.; Williams, W.; Speaker Kloubec

NAYS: None

ABSENT AND NOT VOTING: Berg, G.; Berg, R.; Gerntholz; Graba; Gunsch; Hausauer, R.; Hill; Hoffner; Kelly; Kent; Kingsbury; Klundt; Kuchera; Laughlin; Meyer; Nicholas; Nowatzki; Opedahl; Payne; Peterson; Rice; Smette; Solberg; Stofferahn; Thompson; Wald; Winkelman

HB 1240 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. KRETSCHMAR MOVED that the House do concur in the Senate amendments to HB 1557 as printed on pages 2410-2412 of the House Journal, which motion prevailed.

MOTION

REP. STRINDEN MOVED that the rules be suspended, that HB 1557 be deemed properly engrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE BILLS

HB 1557: A BILL for an Act to create and enact a new chapter to title 12.1 of the North Dakota Century Code, relating to criminal offenses committed against unborn children; 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 75 YEAS, 5 NAYS, 26 ABSENT AND NOT VOTING.

YEAS: Aas; Almlie; Anderson; Belter; Brokaw; Christman; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Dotzenrod; Flaagan; Frey; Goetz; Gorman; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hokana; Klundt; Knell; Knudson; Koland; Kolbo; Kretschmar; Lang; Larson; Lautenschlager; Linderman; Lindgren; Marks; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Myrdal; Nelson, J.; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Riehl; Scherber; Schindler; Schneider; Shaft; Shaw; Shide; Shockman; Skjerven; Sorensen; Starke; Strinden; Tokach; Tollefson; Tomac; Trautman; Ulmer; Vander Vorst; Watne; Whalen; Wilkie; Williams, A.; Williams, C.; Williams, W.; Speaker Kloubec

NAYS: Cleveland; Enget; Gates; Nelson, C.; Wentz

ABSENT AND NOT VOTING: Berg, G.; Berg, R.; Gerntholz; Graba; Gunsch; Hausauer, R.; Hill; Hoffner; Kelly; Kent; Kingsbury; Kuchera; Laughlin; Nicholas; Nowatzki; Opedahl; Payne; Peterson; Rice; Rydell; Smette; Solberg; Stofferahn; Thompson; Wald; Winkelman

HB 1557 passed and the title was agreed to.

HB 1682: A BILL for an Act to prohibit payment by the state of occupational or professional license fees of state officers and employees.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 57 YEAS, 25 NAYS, 24 ABSENT AND NOT VOTING.

YEAS: Anderson; Belter; Brokaw; Christman; Cleveland; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Dotzenrod; Enget; Flaagan; Frey; Gorman; Halmrast; Hanson, L.; Haugen; Haugland; Hokana; Knell; Knudson; Koland; Kolbo; Larson; Lautenschlager; Linderman; Lindgren; Marks; Melby; Mertens; Meyer; Murphy; Myrdal; Nelson, C.; Nelson, J.; Nicholas; Olsen, D.; Olson, A.; O'Shea; Riehl; Scherber; Schindler; Schneider; Shaw; Shide; Shockman; Skjerven; Starke; Tokach; Tomac; Ulmer; Watne; Whalen; Wilkie; Williams, A.; Williams, W.; Speaker Kloubec

NAYS: Aas; Almlie; Gates; Goetz; Hamerlik; Hanson, O.; Hausauer, A.; Klundt; Kretschmar; Lang; Martin; Martinson; Moore; Oban; O'Connell; Olson, V.; Rydell; Shaft; Sorensen; Strinden; Tollefson; Trautman; Vander Vorst; Wentz; Williams, C.

ABSENT AND NOT VOTING: Berg, G.; Berg, R.; Gerntholz; Graba; Gunsch; Hausauer, R.; Hill; Hoffner; Kelly; Kent; Kingsbury; Kuchera; Laughlin; Nowatzki; Opedahl; Payne; Peterson; Rice; Smette; Solberg; Stofferahn; Thompson; Wald; Winkelman

HB 1682 passed and the title was agreed to.

MOTION

REP. STRINDEN MOVED that the House stand in recess until 11:00 a.m., which motion prevailed.

THE HOUSE RECONVENED pursuant to recess taken, with Speaker Kloubec presiding.

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER: Your Conference Committee to which was referred HB 1167 has had the same under consideration and recommends that the SENATE RECEDE from its amendments as found on pages 1762-1763 of the House Journal and that HB 1167 be amended as follows:

That the Senate recede from its amendments, as printed on pages 1326-1327 of the Senate Journal and pages 1762-1763 of the House Journal and that House bill No. 1167 be amended as follows:

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

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

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

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

1. For more than one person for each office for an office not under party designation.

2. For more than one person for each office for an office under party designation only if all the candidates for whom the person signs a petition for an office are running under the same party designation.

Except for persons allowed to seek nomination to more than one office pursuant to section 16.1-12-03, no person may accept endorsement for nomination by certificate or petition to more than one office. No political party is entitled to endorse for nomination by certificate more than one set of nominees."

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

On page 1, line 15, after the word "no" insert the words "on the general election ballot"

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

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

And renumber the lines, sections, and pages accordingly

For the Senate: Sens. J. Meyer, Stenehjem, Holmberg

For the House: Reps. Lindgren, Shaft, Flaagan

HB 1167 was placed on the Seventh order of business on the calendar for the succeeding legislative day.

MESSAGES FROM THE SENATE

SENATE CHAMBER

MR. SPEAKER: I have the honor to inform you that the Senate has concurred in the House amendments to SB 2040, SB 2072, SB 2076, SB 2304, SB 2451, and SB 2540 and subsequently passed the same but has refused to concur in the House amendments to SB 2128 and the President Pro Tem has appointed as a conference committee to act with a like committee from the House on:

SB 2128: Sens. Schoenwald, Krauter, Todd

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 1615: Sens. Dotzenrodt, Satrom, Lodoen

PERRY GROTEBERG, Secretary

MESSAGES TO THE SENATE
HOUSE CHAMBER

MR. PRESIDENT: have the honor to return herewith the following which the House has adopted the Majority Committee Report amendments, but has rejected the Minority Committee Report amendments, and subsequently failed to pass:

SB 2188

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 2017, SB 2079

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

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

SB 2550

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 1240 and HB 1557 and subsequently passed the same but has refused to concur in the Senate amendments to HB 1064 and HB 1183 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1064: Reps. Moore, Anderson, Schneider

HB 1183: Reps. Larson, D. Olsen, Ulmer

ROY GILBREATH, Chief Clerk

MOTION

REP. STRINDEN MOVED that the House stand in recess until 1:00 p.m., which motion prevailed.

THE HOUSE RECONVENED pursuant to recess taken, with Speaker Kloubec presiding.

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER: Your Conference Committee to which was referred HB 1274 has had the same under consideration and recommends that the SENATE RECEDE from its amendments as found on page 1871 of the House Journal and that HB 1274 be amended as follows:

On page 2, line 16, remove the overstrike over the words "~~but not including~~" and delete the words "Gross receipts"

On page 2, line 17, delete the words "does not include" and delete the words "the sale of"

On page 2, delete line 18

On page 2, line 26, after the second word "government" insert the words "nor does it include any revenue derived from the sale of byproducts as herein defined to a maximum of twenty percent of the gross receipts as defined in this subsection"

On page 3, line 17, delete the word ", and"

On page 3, line 18, delete the words "ending before July 1, 1989, and is thereafter ineffective"

And renumber the lines, sections, and pages accordingly

For the Senate: Sens. Maixner, Richard, Wright
For the House: Reps. Goetz, A. Hausauer, Tomac

HB 1274 was placed on the Seventh order of business on the calendar for the succeeding legislative day.

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER: Your Conference Committee to which was referred Engrossed HB 1596 has had the same under consideration and recommends that the SENATE RECEDE from its amendments as found on page 1733 of the House Journal and that Engrossed HB 1596 be amended as follows:

On page 1 of the engrossed bill, line 23, delete the word "twenty" and insert in lieu thereof the word "forty"

And renumber the lines, sections, and pages accordingly

For the Senate: Sens. Richard, Dotzenrod, Moore
For the House: Reps. Moore, Belter, Schneider

Engrossed HB 1596 was placed on the Seventh order of business on the calendar for the succeeding legislative day.

SIGNING OF BILLS AND RESOLUTIONS

THE CHIEF CLERK ANNOUNCED that the Speaker was about to sign the certification by which HB 1044 failed to pass over the Governor's veto, and the Speaker signed the same in the presence of the House of Representatives.

ROY GILBREATH, Chief Clerk

DELIVERY OF ENROLLED BILLS

THE SPEAKER ANNOUNCED that the following bill was delivered to the Secretary of State for his filing at the hour of 11:00 a.m., April 1, 1987.

HB 1044, which has failed to pass the House of Representatives over the Governor's veto, also a copy of the Governor's objections as well as the certificate of the

presiding officers of the House of Representatives as to the final action of that body with reference to the failure to pass of this bill.

REPORTS OF STANDING COMMITTEE

MR. SPEAKER: Your Committee on Appropriations to which was rereferred SB 2036 has had the same under consideration and recommends by a vote of 15 YEAS, 8 NAYS, 0 ABSENT AND NOT VOTING that the same BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION.

REP. PETERSON, Chairman

SB 2036 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 rereferred SB 2477 has had the same under consideration and recommends by a vote of 16 YEAS, 7 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

REP. PETERSON, Chairman

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

MOTION

REP. STRINDEN MOVED that SB 2496 be placed at the top of the Seventh order on the calendar, which motion prevailed.

RULING BY SPEAKER

SPEAKER KLOUBEC ANNOUNCED that in accordance with House Rule 601(3), the Speaker will entertain a motion that the report of the minority be substituted for the report of the majority.

MOTIONS

REP. J. DEMERS moved that the report of the minority on SB 2496 be substituted for the report of the majority, which motion failed.

REP. MOORE MOVED that the report of the majority on SB 2496 be adopted.

REQUEST

REP. O'SHEA REQUESTED a recorded roll call vote on the motion to adopt the majority committee report on Engrossed SB 2496, which request was granted.

ROLL CALL

The question being on the adoption of the majority committee report on Engrossed SB 2496, the roll was called and there were 58 YEAS, 44 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Aas; Almlie; Anderson; Belter; Berg, R.; Christman; Cleveland; Dalrymple; Dorso; Dotzenrod; Gates; Gertholz; Goetz; Gorman; Gunsch; Hamerlik; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Kent;

Kingsbury; Knell; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Lindgren; Martin; Melby; Moore; Myrdal; Nicholas; Olsen, D.; Olson, A.; Olson, V.; Payne; Rice; Rydell; Schindler; Shaw; Shide; Smette; Sorensen; Strinden; Thompson; Tokach; Tollefson; Trautman; Vander Vorst; Wald; Wentz; Whalen; Winkelman; Speaker Kloubec

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

ABSENT AND NOT VOTING: Kolbo; Martinson; Peterson; Shaft

So the majority report on Engrossed SB 2496 was adopted.

REQUEST

REP. MERTENS REQUESTED a Ruling by the Speaker as to whether or not Engrossed SB 2496 should be rereferred to the Committee on Appropriations.

RULING BY SPEAKER

SPEAKER KLOUBEC RULED that because the Committee Report on SB 2496 carried a DO NOT PASS recommendation, there was no need to rerefer Engrossed SB 2496 to the Committee on Appropriations.

MOTIONS

REP. STRINDEN MOVED that Engrossed SB 2496 be placed at the top of the Fourteenth order on the calendar, which motion prevailed.

REP. MERTENS MOVED that Engrossed SB 2496 be rereferred to the Committee on Appropriations.

REQUEST

REP. MERTENS REQUESTED a recorded roll call vote on the motion to rerefer Engrossed SB 2496 to the Committee on Appropriations, which request was granted.

ROLL CALL

The question being on the motion to rerefer Engrossed SB 2496 to the Committee on Appropriations, the roll was called and there were 44 YEAS, 58 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Berg, G.; Brokaw; DeMers, J.; DeMers, P.; Dotzenrod; Enget; Flaagan; Frey; Graba; Halmrast; Hanson, L.; Hill; Hoffner; Hokana; Kelly; Klundt; Laughlin; Lautenschlager; Linderman; Marks; Mertens; Meyer; Nelson, C.; Nelson, J.; Nowatzki; Oban;

O'Connell; Opedahl; O'Shea; Riehl; Scherber; Schneider; Shockman; Skjerven; Solberg; Starke; Stofferahn; Tomac; Ulmer; Watne; Wilkie; Williams, A.; Williams, C.; Williams, W.

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

ABSENT AND NOT VOTING: Kolbo; Martinson; Peterson; Shaft

So the motion to rerefer Engrossed SB 2496 to the Committee on Appropriations failed.

SECOND READING OF SENATE BILL

SB 2496: A BILL for an Act to create and enact a new section to chapter 57-61 of the North Dakota Century Code, relating to a separate and additional coal severance tax and allocation of revenue from the tax; to amend and reenact sections 57-61-01 and 57-62-02 of the North Dakota Century Code, relating to the rate of the coal severance tax and the allocation of moneys in the coal development fund; to provide an appropriation; and to provide an expiration 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 32 YEAS, 70 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Berg, G.; Brokaw; DeMers, J.; DeMers, P.; Dotzenrod; Flaagan; Frey; Graba; Hanson, L.; Hoffner; Hokana; Knell; Laughlin; Lautenschlager; Linderman; Marks; Mertens; Meyer; Nelson, J.; Oban; Opedahl; O'Shea; Riehl; Scherber; Schneider; Stofferahn; Tomac; Ulmer; Watne; Wilkie; Williams, A.; Williams, W.

NAYS: Aas; Almlie; Anderson; Belter; Berg, R.; Christman; Cleveland; Dalrymple; Dorso; Enget; Gates; Gerntholz; Goetz; Gorman; Gunsch; Halmrast; Hamerlik; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hill; Kelly; Kent; Kingsbury; Klundt; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Lindgren; Martin; Melby; Moore; Murphy; Myrdal; Nelson, C.; Nicholas;

Nowatzki; O'Connell; Olsen, D.; Olson, A.; Olson, V.;
 Payne; Rice; Rydell; Schindler; Shaw; Shide; Shockman;
 Skjervon; Smette; Solberg; Sorensen; Starke; Strinden;
 Thompson; Tokach; Tollefson; Trautman; Vander Vorst;
 Wald; Wentz; Whalen; Williams, C.; Winkelman;
 Speaker Kloubec

ABSENT AND NOT VOTING: Kolbo; Martinson; Peterson; Shaft

SB 2496 was declared lost.

SIGNING OF BILLS AND RESOLUTIONS

THE CHIEF CLERK ANNOUNCED that the Speaker signed the following:

HB 1174, HB 1216, HB 1221, HB 1329, HB 1373, HB 1457,
 HB 1572, HB 1593, HB 1606, HB 1621, HB 1629, HB 1630,
 HB 1648, HB 1675, HCR 3027, HCR 3028, HCR 3035, HCR 3057,
 HCR 3066, HCR 3067, HCR 3068, HCR 3073, HCR 3080, HCR 3084
 ROY GILBREATH, Chief Clerk

MESSAGE 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 1174, HB 1216, HB 1221, HB 1329, HB 1373, HB 1457,
 HB 1572, HB 1593, HB 1606, HB 1621, HB 1629, HB 1630,
 HB 1648, HB 1675, HCR 3027, HCR 3028, HCR 3035, HCR 3057,
 HCR 3066, HCR 3067, HCR 3068, HCR 3073, HCR 3080, HCR 3084
 ROY GILBREATH, Chief Clerk

MOTION

REP. GOETZ MOVED that the House stand in recess until 3:00 p.m., which motion prevailed.

THE HOUSE RECONVENED pursuant to recess taken, with Speaker Kloubec presiding.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on 2303:

Reps. Larson, Dalrymple, Kolbo

MESSAGES FROM THE SENATE SENATE CHAMBER

MR. SPEAKER: I have the honor to inform you that the Senate has reconsidered its action whereby it did not concur with the House amendments to SB 2031, and wishes to inform you that it does now concur in the House amendments to SB 2031, and subsequently

passed the same. Also, the Senate has dissolved the Senate Conference Committee on SB 2031.

PERRY GROTEBERG, Secretary

SENATE CHAMBER

MR. SPEAKER: I have the honor to return herewith HB 1331 and HB 1681 which the Senate has amended, and subsequently passed:

SENATE AMENDMENTS TO ENGROSSED HB 1331

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 section 14 to House Bill No. 1172, section 2 to House Bill No. 1321, section 2 to Senate Bill No. 2047, and section 2 to Senate Bill No. 2458, as approved by the fiftieth legislative assembly, to provide an effective date for those bills, relating to radio communication functions by the director of institutions and telecommunication functions by the office of central data processing, compensation and expenses for witnesses in criminal actions, investigations on Indian reservations by the attorney general, and court costs; and to declare an emergency.

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

SECTION 1. Section 14 to House Bill No. 1172, as approved by the fiftieth legislative assembly, is hereby created and enacted to read as follows:

SECTION 14. EFFECTIVE DATE. Section 6 of this Act becomes effective on January 1, 1988.

SECTION 2. Section 2 to House Bill No. 1321, as approved by the fiftieth legislative assembly, is hereby created and enacted to read as follows:

SECTION 2. EFFECTIVE DATE. This Act becomes effective on January 1, 1988.

SECTION 3. Section 2 to Senate Bill No. 2047, as approved by the fiftieth legislative assembly, is hereby created and enacted to read as follows:

SECTION 2. EFFECTIVE DATE. This Act becomes effective on January 1, 1988.

SECTION 4. Section 2 to Senate Bill No. 2458, as approved by the fiftieth legislative assembly, is hereby created and enacted to read as follows:

SECTION 2. EFFECTIVE DATE. This Act becomes effective on January 1, 1988.

SECTION 5. EMERGENCY. This Act is declared to be an emergency measure."

And renumber the lines, sections, and pages accordingly

SENATE AMENDMENTS TO HB 1681

On page 1, line 16, after the period insert the words "No state official or agency may require reporting of lobbyist expenditures other than is required under this subsection."

And renumber the lines, sections, and pages accordingly

PERRY GROTERBERG, Secretary

SENATE CHAMBER

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

HCR 3091, HCR 3092, HCR 3093, HCR 3094

PERRY GROTERBERG, Secretary

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER: Your Conference Committee to which was referred Engrossed HB 1228 has had the same under consideration and recommends that the SENATE RECEDE from its amendments as found on page 2017 of the House Journal and that Engrossed HB 1228 be amended as follows:

On page 2 of the engrossed bill, line 17, overstrike the words "six months" and insert immediately thereafter the words "one year"

On page 2 of the engrossed bill, line 27, after the period insert the words "A person who is not yet eighteen years of age is not eligible for a license under this chapter until that person has had an instruction permit issued under this chapter for at least three months."

And renumber the lines, sections, and pages accordingly

For the Senate: Sens. Schoenwald, Freborg, Nething

For the House: Reps. O. Hanson, Knell, Hokana

Engrossed HB 1228 was placed on the Seventh order of business on the calendar for the succeeding legislative day.

MOTIONS

REP. MOORE MOVED that the House reconsider its action whereby the House did not concur in the Senate amendments to HB 1337, and that the Conference Committee on HB 1337 be dissolved, which motion prevailed.

SPEAKER KLOUBEC ANNOUNCED that the Conference Committee on HB 1337 was dissolved.

REP. MOORE MOVED that the House do concur in the Senate amendments to HB 1337, which motion prevailed.

HB 1337 was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1337: A BILL for an Act to amend and reenact subsection 3 of section 57-39.2-02.1 of the North Dakota Century Code as contained in section 1 of Senate Bill No. 2901, as approved by the fiftieth legislative assembly, relating to the rate of sales or use tax which applies to contractors; 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, as amended, the roll was called and there were 92 YEAS, 1 NAY, 13 ABSENT AND NOT VOTING.

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

NAYS: Frey

ABSENT AND NOT VOTING: Aas; Dalrymple; Gerntholz; Graba; Gunsch; Kingsbury; Laughlin; Martinson; Myrdal; Riehl; Smette; Solberg; Tokach

HB 1337 passed, the title was agreed to, and the emergency clause carried.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. MARTINSON MOVED that the House do concur in the Senate amendments to HB 1681, which motion prevailed.

MOTION

REP. STRINDEN MOVED that the rules be suspended, that HB 1681 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 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.

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 89 YEAS, 6 NAYS, 11 ABSENT AND NOT VOTING.

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

NAYS: DeMers, P.; Frey; Hill; O'Connell; Stofferahn; Wilkie

ABSENT AND NOT VOTING: Aas; Dalrymple; Cerntholz; Graba; Gunsch; Kingsbury; Laughlin; Payne; Smette; Solberg; Tokach

HB 1681 passed and the title was agreed to.

MOTION

REP. STRINDEN MOVED that SB 2013 and SB 2286 be placed at the bottom of the Fourteenth order on the calendar, which motion prevailed.

SECOND READING OF SENATE BILLS

SB 2007: A BILL for an Act making an appropriation for defraying the expenses of the school for the deaf and the school for the blind of the state of North Dakota.

Which has been read.

ROLL CALL

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

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

NAYS: None

ABSENT AND NOT VOTING: Aas; Gunsch; Kingsbury; Payne; Tokach

SB 2007 passed and the title was agreed to.

SB 2126: A BILL for an Act authorizing the director of institutions, with the approval of the governor and the budget section of the legislative council, to sell, lease, exchange, or transfer title or use to all or part of the properties of San Haven; and to provide an expiration date.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 4 YEAS, 97 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: DeMers, P.; Lautenschlager; Skjerven; Ulmer

NAYS: Almlie; Anderson; Belter; Berg, G.; Berg, R.; Brokaw; Christman; Cleveland; Dalrymple; DeMers, J.; 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; Klundt; Knell; Knudson; Koland; Kolbo; Kretschmar; Kuchera; Lang; Larson; Laughlin; 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; Peterson; Rice; Riehl; Rydell; Scherber; Schindler; Schneider; Shaft; Shaw; Shide; Shockman; Smette; Solberg; Sorensen; Starke; Stofferahn; Strinden; Thompson; Tollefson; Tomac; Trautman; Vander Vorst; Wald; Watne; Wentz; Whalen; Wilkie; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Kloubec

ABSENT AND NOT VOTING: Aas; Gunsch; Kingsbury; Payne; Tokach

SB 2126 was declared lost.

MOTION

REP. STRINDEN MOVED that SB 2183 be placed at the top of the calendar, which motion prevailed.

SECOND READING OF SENATE BILLS

SB 2183: A BILL for an Act to create and enact five new sections to chapter 38-08 of the North Dakota Century Code, relating to the powers, rights, and liabilities of the industrial commission in plugging or replugging abandoned wells and the reclamation of well sites; to amend and reenact sections 38-08-04.4 and 38-08-04.5 of the North Dakota Century Code, relating to the industrial commission entering into contracts for the plugging or replugging of wells and site reclamation and the establishment of an abandoned oil and gas well plugging and site reclamation fund; and to provide an appropriation.

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

NAYS: None

ABSENT AND NOT VOTING: Aas; Gunsch; Kingsbury; Payne; Peterson; Tokach

SB 2183 passed and the title was agreed to.

SB 2181: A BILL for an Act to amend and reenact section 54-12-08 of the North Dakota Century Code, relating to assistant and special assistant attorneys general and to billing arrangements for legal services.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 77 YEAS, 27 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Aas; Anderson; Berg, G.; Berg, R.; Brokaw; Christman; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Dotzenrod; Enget; Flaagan; Frey; Gates; Gerntholz; Gorman; Graba; Halmrast; Hanson, L.; Haugen; Haugland; Hausauer, A.; Hill; Hoffner; Hokana; Kelly; Klundt; Knudson; Kolbo; Kretschmar; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Marks; Melby; Mertens; Meyer; Moore; Murphy; Myrdal; Nelson, C.; Nelson, J.; Nicholas; Nowatzki; Oban; O'Connell; Olson, V.; Opedahl; O'Shea; Payne; Riehl; Scherber; Schindler; Schneider; Shaw; Shockman; Skjerven; Solberg; Starke; Stofferahn; Tollefson; Tomac; Trautman; Ulmer; Vander Vorst; Watne; Wentz; Wilkie; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Kloubec

NAYS: Almlie; Belter; Cleveland; Goetz; Gunsch; Hamerlik; Hanson, O.; Hausauer, R.; Kent; Kingsbury; Knell;

Koland; Kuchera; Martin; Martinson; Olsen, D.;
Olson, A.; Rice; Rydell; Shaft; Shide; Smette;
Sorensen; Strinden; Thompson; Wald; Whalen

ABSENT AND NOT VOTING: Peterson; Tokach

SB 2181 passed and the title was agreed to.

SB 2315: A BILL for an Act to create and enact a new section to title 25 of the North Dakota Century Code, relating to the rights of mentally ill individuals.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 45 YEAS, 57 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Berg, G.; Brokaw; DeMers, J.; DeMers, P.; Enget; Flaagan; Frey; Graba; Halmrast; Hanson, L.; Hill; Hoffner; Hokana; Kelly; Klundt; Kolbo; Kretschmar; Laughlin; Lautenschlager; Linderman; Mertens; Meyer; Murphy; Nelson, C.; Nelson, J.; Nowatzki; Oban; O'Connell; Opedah; O'Shea; Riehl; Scherber; Schneider; Shaw; Shockman; Solberg; Starke; Stofferahn; Tomac; Ulmer; Watne; Wentz; Wilkie; Williams, A.; Williams, W.

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

ABSENT AND NOT VOTING: Aas; Payne; Shaft; Tokach

SB 2315 was declared lost.

MESSAGES FROM THE SENATE SENATE CHAMBER

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

SB 2014, SB 2019, SB 2039, SB 2115, SB 2277, SB 2279,
SB 2336, SB 2409, SB 2546

PERRY GROTEBERG, Secretary

SENATE CHAMBER

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

HB 1174, HB 1216, HB 1221, HB 1329, HB 1373, HB 1457,
HB 1572, HB 1593, HB 1606, HB 1621, HB 1629, HB 1630,
HB 1648, HB 1675, HCR 3027, HCR 3028, HCR 3035, HCR 3057,
HCR 3066, HCR 3067, HCR 3068, HCR 3073, HCR 3080, HCR 3084

PERRY GROTEBERG, Secretary

SENATE CHAMBER

MR. SPEAKER: I have the honor to inform you that the Senate has adopted the conference committee report on SB 2339 and the President Pro Tem has appointed as a new conference committee to act with a like committee from the House on:

SB 2339: Sens. W. Meyer, Axtman, David

PERRY GROTEBERG, Secretary

SECOND READING OF SENATE BILLS

SB 2346: A BILL for an Act to amend and reenact section 38-08-08 of the North Dakota Century Code, relating to the recovery of costs and expenses of drilling and operating a well; and to repeal section 38-08-10 of the North Dakota Century Code, relating to development and operating costs of integrated fractional tracts.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 50 YEAS, 53 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Aas; Almlie; Belter; Berg, R.; Cleveland;
DeMers, J.; Dorso; Dotzenrod; Gates; Gertholz; Goetz;
Gorman; Gunsch; Halmrast; Hamerlik; Haugen;
Hausauer, R.; Hill; Hoffner; Kent; Koland; Kretschmar;
Kuchera; Larson; Laughlin; Lautenschlager; Lindgren;
Mertens; Moore; Myrdal; Nelson, J.; Nowatzki; Oban;
Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea;
Payne; Rice; Rydell; Shide; Smette; Sorensen;
Stofferahn; Strinden; Tollefson; Wald; Watne;
Speaker Kloubec

NAYS: Anderson; Berg, G.; Brokaw; Christman; Dalrymple;
DeMers, P.; Enget; Flaagan; Frey; Graba; Hanson, L.;
Hanson, O.; Haugland; Hausauer, A.; Hokana; Kelly;
Kingsbury; Klundt; Knell; Knudson; Kolbo; Lang;
Linderman; Marks; Martin; Martinson; Melby; Meyer;
Murphy; Nelson, C.; Nicholas; O'Connell; Riehl;

Scherber; Schindler; Schneider; Shaft; Shaw; Shockman; Skjerven; Solberg; Starke; Thompson; Tomac; Trautman; Ulmer; Vander Vorst; Wentz; Wilkie; Williams, A.; Williams, C.; Williams, W.; Winkelman

ABSENT AND NOT VOTING: Peterson; Tokach; Whalen

SB 2346 was declared lost.

SB 2383: A BILL for an Act to amend and reenact section 6-05-06 of the North Dakota Century Code, relating to the number of directors and qualifications of trust companies.

Which has been read.

ROLL CALL

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

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

NAYS: Kuchera; Tomac

ABSENT AND NOT VOTING: Aas; Peterson; Tokach; Whalen

SB 2383 passed and the title was agreed to.

SB 2396: A BILL for an Act to provide for elimination of the office of commissioner of labor; to provide for transfer of powers, duties, and functions of the office of commissioner of labor and the department of labor; to provide for a legislative council study of the elimination or transfer of

powers, duties, and functions of the commissioner of labor and department of labor; 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 25 YEAS, 76 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Anderson; Belter; Berg, R.; Cleveland; Dalrymple; Dorso; Dotzenrod; Gates; Goetz; Hamerlik; Kent; Kuchera; Lang; Larson; Lindgren; Moore; Olsen, D.; Payne; Rydell; Shaft; Shide; Sorensen; Strinden; Thompson; Speaker Kloubec

NAYS: Almlie; Berg, G.; Brokaw; Christman; DeMers, J.; DeMers, P.; Enget; Flaagan; Frey; Gerntholz; Gorman; Graba; Gunsch; Halmrast; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hill; Hoffner; Hokana; Kelly; Kingsbury; Klundt; Knell; Knudson; Koland; Kolbo; Kretschmar; Laughlin; Lautenschlager; Linderman; Marks; Martin; Martinson; Melby; Mertens; Murphy; Myrdal; Nelson, C.; Nelson, J.; Nicholas; Nowatzki; Oban; O'Connell; Olson, A.; Olson, V.; Opedahl; O'Shea; Rice; Riehl; Scherber; Schindler; Schneider; Shaw; Shockman; Skjerven; Smette; Solberg; Starke; Stofferahn; Tollefson; Tomac; Trautman; Ulmer; Vander Vorst; Wald; Watne; Wentz; Whalen; Wilkie; Williams, A.; Williams, C.; Williams, W.; Winkelman

ABSENT AND NOT VOTING: Aas; Hausauer, R.; Meyer; Peterson; Tokach

SB 2396 was declared lost.

SB 2413: A BILL for an Act to amend and reenact subsection 3 of section 26.1-41-13 of the North Dakota Century Code, relating to coordination of no-fault insurance benefits.

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: 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.; Hill; Hoffner; Hokana; Kelly; Kent; Kingsbury; Knell; Knudson; Koland; Kolbo;

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

NAYS: None

ABSENT AND NOT VOTING: Aas; Hausauer, R.; Klundt;
 Peterson; Riehl; Tokach

SB 2413 passed and the title was agreed to.

SB 2418: A BILL for an Act to amend and reenact section 15-10-18.2 of the North Dakota Century Code, relating to the definition of resident veteran.

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: Almlie; Anderson; Belter; Berg, G.; Berg, R.;
 Brokaw; Christman; Cleveland; Dalrymple; DeMers, J.;
 DeMers, P.; Dorso; Dotzenrod; Enget; Flaagan; Frey;
 Gates; Gertholz; Goetz; Gorman; Graba; Gunsch;
 Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugen;
 Haugland; Hausauer, A.; Hill; Hoffner; Hokana; Kelly;
 Kent; Kingsbury; Klundt; Knell; Knudson; Koland; Kolbo;
 Kretschmar; Kuchera; Lang; Larson; Laughlin;
 Lautenschlager; Linderman; Lindgren; Marks; Martin;
 Martinson; Melby; Mertens; Meyer; Moore; 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; Tollefson; Tomac;
 Trautman; Ulmer; Vander Vorst; Wald; Watne; Wentz;
 Whalen; Williams, A.; Williams, W.; Winkelman;
 Speaker Kloubec

NAYS: None

ABSENT AND NOT VOTING: Aas; Hausauer, R.; Peterson;
Tokach; Wilkie; Williams, C.

SB 2418 passed and the title was agreed to.

SB 2427: A BILL for an Act to create and enact a new subsection to section 6-03-02 of the North Dakota Century Code, relating to the power of banks.

Which has been read.

ROLL CALL

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

YEAS: Aas; Almlie; 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.; Haugland; Hausauer, A.; Hausauer, R.; Hoffner; Hokana; Kelly; Kent; Klundt; Knell; Koland; Kolbo; Kretschmar; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Marks; Martinson; Melby; Mertens; Meyer; Moore; Myrdal; Nelson, C.; Nelson, J.; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Riehl; Rydell; Scherber; Schindler; Schneider; Shaft; Shaw; Shide; Shockman; Skjerven; Smette; Solberg; Sorensen; Starke; Stofferahn; Strinden; Thompson; Tollefson; Tomac; Trautman; Ulmer; Vander Vorst; Watne; Wentz; Whalen; Wilkie; Williams, A.; Williams, W.; Winkelman; Speaker Kloubec

NAYS: Anderson; Brokaw; Gunsch; Hanson, O.; Haugen; Hill; Kingsbury; Knudson; Kuchera; Martin; Murphy; Rice; Wald

ABSENT AND NOT VOTING: Peterson; Tokach; Williams, C.

SB 2427 passed and the title was agreed to.

ANNOUNCEMENT BY SPEAKER

SPEAKER KLOUBEC ANNOUNCED that Rep. Klundt would replace Rep. L. Hanson on the Conference Committee on HB 1161.

REQUEST

SPEAKER KLOUBEC REQUESTED that the following "Thank You" letter from Lt. Governor Meiers' family be printed in the Journal, which request was granted.

The family of Ruth Meiers will hold in grateful remembrance your kind expression of sympathy.

Thanks to each of you for your support of Ruth in her illness and your memorials in her death.

The House of Representatives holds Ruth's political roots. She was proud to be among those representing the people of North Dakota. May her memory be an inspiration to each of you, as it is to us.

Glenn Meiers and Family

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 2303: Reps. Larson, Dalrymple, Kolbo
ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

MR. PRESIDENT: I have the honor to inform you that the House has reconsidered its action whereby it did not concur with the Senate amendments to HB 1337, and wishes to inform you that it does now concur in the Senate amendments to HB 1337, and subsequently passed the same. Also, the House has dissolved the House Conference Committee on HB 1337.

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 1681 and subsequently passed the same.

ROY GILBREATH, Chief Clerk

SIGNING OF BILLS AND RESOLUTIONS

THE CHIEF CLERK ANNOUNCED that the Speaker signed the following:

SB 2014, SB 2019, SB 2039, SB 2115, SB 2277, SB 2279,
SB 2336, SB 2409, SB 2546

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 2014, SB 2019, SB 2039, SB 2115, SB 2277, SB 2279,
SB 2336, SB 2409, SB 2546

ROY GILBREATH, Chief Clerk

DELIVERY OF ENROLLED RESOLUTIONS

THE SPEAKER ANNOUNCED that the following resolutions were delivered to the Secretary of State for his filing at the hour of 3:50 p.m., April 1, 1987:

HCR 3027, HCR 3028, HCR 3035, HCR 3057, HCR 3066, HCR 3067,
HCR 3068, HCR 3073, HCR 3080, HCR 3084

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER: Your Conference Committee to which was referred Reengrossed HB 1038 has had the same under consideration and recommends that the HOUSE ACCEDE to the amendments as found on page 2234 of the House Journal:

For the Senate: Sens. J. Meyer, Adams, Nalewaja

For the House: Reps. Aas, Murphy, J. Nelson

Reengrossed HB 1038 was placed on the Seventh order of business on the calendar for the succeeding legislative day.

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER: Your Conference Committee to which was referred Engrossed HB 1192 has had the same under consideration and recommends that the HOUSE ACCEDE to the amendments as found on page 2237 of the House Journal:

For the Senate: Sens. Satrom, Dotzenrod, Wright

For the House: Reps. A. Hausauer, Goetz, Tomac

Engrossed HB 1192 was placed on the Seventh order of business on the calendar for the succeeding legislative day.

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER: Your Conference Committee to which was referred Engrossed SB 2339 has had the same under consideration and recommends that your conference committee, having been unable to agree, be discharged and a new conference committee be appointed:

For the Senate: Sens. D. Meyer, W. Meyer, David

For the House: Reps. Martinson, Melby, Hokana

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

MOTIONS

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

REP. GOETZ MOVED that the House stand adjourned until 9:00 a.m., Thursday, April 2, 1987, which motion prevailed.

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

ROY GILBREATH, Chief Clerk