

JOURNAL OF THE HOUSE

Fiftieth Legislative Assembly

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FIFTY-FIRST DAY

Bismarck, March 19, 1987

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

The prayer was offered by Dave Ewing, Century Baptist Church, Bismarck, North Dakota.

ROLL CALL

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

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 Fiftieth Day and finds the same to be correct.

REP. THOMPSON, Chairman

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

REPORT OF PROCEDURAL COMMITTEE

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

HB 1679

REP. STRINDEN, Chairman

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

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 1410, HCR 3087, HCR 3090

PERRY GROTEBERG, Secretary

SENATE CHAMBER

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

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

PERRY GROTBERG, Secretary

SENATE CHAMBER

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

HB 1181, HB 1407

PERRY GROTBERG, Secretary

SENATE CHAMBER

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

SB 2549, SCR 4062

PERRY GROTBERG, Secretary

SENATE CHAMBER

MR. SPEAKER: I have the honor to return herewith HB 1129, HB 1228, HB 1241, HB 1337, HB 1369, HB 1460, HB 1481, HB 1491, HB 1598, HB 1601, and HB 1608 which the Senate has amended and subsequently passed:

SENATE AMENDMENTS TO HB 1129

In lieu of the amendments to House Bill No. 1129 adopted by the Senate as printed on pages 1512 and 1513 of the Senate Journal, House Bill No. 1129 is amended as follows:

On page 1, line 17, delete the word "following" and remove the overstrike over the words "~~that the~~"

On page 1, line 18, remove the overstrike over the words "~~commission prescribes by rule~~" and delete the underscored colon and insert in lieu thereof the words ". The rules must require notification of royalty owners by certified mail if deductions have been made for transportation or processing. The rules must also require that upon written request of the royalty owner, the royalty owner will be provided the amount, if any, of the deductions for transportation, any deductions for processing, and the posted price, if applicable. The rules of the commission must also require that the statement provide information concerning the amount of gas stored or removed from storage to any royalty owner who has an interest in gas stored off the leasehold"

On page 1, delete lines 19 through 28

On page 2, delete lines 1 through 16

On page 2, line 17, delete the words "mail within thirty days of receipt of the request"

And renumber the lines, sections, and pages accordingly

SENATE AMENDMENTS TO ENGROSSED HB 1228

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 six months."

And renumber the lines, sections, and pages accordingly

SENATE AMENDMENTS TO ENGROSSED HB 1241

On page 4 of the engrossed bill, line 19, delete the word "a" and insert in lieu thereof the words "an oral"

On page 4 of the engrossed bill, line 24, after the word "the" insert the word "oral"

And renumber the lines, sections, and pages accordingly

SENATE AMENDMENTS TO HB 1337

On page 1, line 15, delete the numeral "31" and insert in lieu thereof the numeral "9"

And renumber the lines, sections, and pages accordingly

SENATE AMENDMENTS TO ENGROSSED HB 1369

On page 2 of the engrossed bill, line 30, after the word "effective" insert the words "for property upon which construction is begun after January 1, 1985,"

And renumber the lines, sections, and pages accordingly

SENATE AMENDMENTS TO HB 1460

On page 1, line 3, after the word "commission" insert the words "; and to declare an emergency"

On page 1, line 28, remove the overstrike over the word "and" and after the word "regulations" insert the word "orders"

On page 2, line 6, delete the words ", negotiable bonds of the United States or of this" and insert in lieu thereof the words "or property under such terms and conditions as the industrial commission may prescribe"

On page 2, delete lines 7 through 10

On page 2, line 11, delete the word "deposited"

On page 3, after line 11, insert the following new section:

"SECTION 2. EMERGENCY. This Act is declared to be an emergency measure and is in effect upon its filing with the secretary of state or on a date specified in this Act."

And renumber the lines, sections, and pages accordingly

SENATE AMENDMENTS TO HB 1481

On page 1, line 23, after the period insert the following: "Any person engaged in the business of agriculture is excluded from this definition while transporting that person's produce or livestock in a motor vehicle owned by that person."

On page 3, line 29, after the period insert in the following: "Any person engaged in the business of agriculture is excluded from this definition while transporting that person's produce or livestock in a motor vehicle owned by that person."

And renumber the lines, sections, and pages accordingly

SENATE AMENDMENTS TO ENGROSSED HB 1491

On page 1 of the engrossed bill, line 1, delete the word "two" and insert in lieu thereof the word "a" and delete the word "sections" and insert in lieu thereof the word "section"

On page 3 of the engrossed bill, delete lines 1 through 9

On page 3 of the engrossed bill, line 31, delete the word "or" and insert in lieu thereof an underscored comma

On page 3 of the engrossed bill, line 32, after the word "equipment" insert the words ", or agricultural aircraft"

On page 4 of the engrossed bill, after line 2, insert the following new subsection:

"9. The state and its agencies."

And renumber the lines, sections, and pages accordingly

SENATE AMENDMENTS TO ENGROSSED HB 1598

On page 1 of the engrossed bill, line 2, after the comma insert the words "or in the alternative to amend and reenact subsection 4 to the new section to chapter 39-12 of the North Dakota Century Code as created by section 4 of House Bill No. 1198, as approved by the fiftieth legislative assembly,"

On page 1 of the engrossed bill, line 6, delete the word "Subsection" and insert in lieu thereof the words "If House Bill No. 1198 does not become effective, subsection"

On page 2 of the engrossed bill, after line 30, insert the following section:

"SECTION 2. AMENDMENT. If House Bill No. 1198 becomes effective, subsection 4 to the new section to chapter 39-12 of the North Dakota Century Code, as created by section 4 of House Bill No. 1198, is hereby amended and reenacted to read as follows:

4. The commissioner, and local authorities, as to the highways under their respective jurisdictions, may issue permits authorizing a specific motor vehicle to exceed the weight limitations stated in subsections 1 and 2 by ten percent. The permits may not provide for a gross weight in excess of one hundred five thousand five hundred pounds [47,854.00 kilograms]. The permits must provide only for the movement of agricultural products from the field of harvest to the point of initial storage site, and for the collection and transport of solid wastes, during the period from July fifteenth to December first, and for the general movement of products during the period from December first to March seventh. The appropriate jurisdictional authority shall establish an appropriate fee for the permits and direct how they shall be issued. The highway patrol shall issue the permits authorized by the commissioner."

And renumber the lines, sections, and pages accordingly

SENATE AMENDMENTS TO HB 1601

On page 1, line 5, delete the words "; and to provide an expiration date"

On page 1, line 25, overstrike the words "shall have full authority to" and insert immediately thereafter the word "may"

On page 2, line 19, delete the word and numerals "the 1987-89" and insert in lieu thereof the word "any"

On page 4, delete lines 10 and 11

And renumber the lines, sections, and pages accordingly

SENATE AMENDMENTS TO HB 1608

On page 1, line 1, delete the word "section" and insert in lieu thereof the word "sections" and after the numerals "40-08-08" insert the word and numerals "and 40-08-09"

On page 1, line 2, after the word "councils" insert the words "and remuneration of city council members who serve as ambulance drivers"

On page 1, after line 25, insert the following new section:

"SECTION 2. AMENDMENT. Section 40-08-09 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

40-08-09. Restrictions on members of council. No

1. Except as provided in subsection 2, no member of the city council shall:

~~1-~~ a. Be eligible to any other office the salary of which is payable out of the city treasury;

~~2-~~ b. Hold any other office under the city government; or

~~3-~~ c. Hold a position of remuneration in the employment of the city.

2. A member of the city council may serve as an ambulance driver, employed by the city or under a contract with the city, and be remunerated for those services."

And renumber the lines, sections, and pages accordingly

PERRY GROTEBERG, Secretary

#### SENATE CHAMBER

MR. SPEAKER: I have the honor to inform you that the Senate has concurred in the House amendments to SB 2533 and subsequently failed to pass the same.

PERRY GROTEBERG, Secretary

#### DELIVERY OF ENROLLED BILLS

THE SPEAKER ANNOUNCED that the following bill was delivered to the Governor for his approval at the hour of 9:08 a.m., March 19, 1987:

HB 1410

#### DELIVERY OF ENROLLED BILLS

THE SPEAKER ANNOUNCED that the following bills were delivered to the Governor for his approval at the hour of 10:05 a.m., March 19, 1987:

HB 1031, HB 1044, HB 1056, HB 1077, HB 1078, HB 1082,  
HB 1084, HB 1086, HB 1087, HB 1109, HB 1118, HB 1122,  
HB 1172, HB 1180, HB 1185, HB 1193, HB 1210, HB 1214,  
HB 1220, HB 1223, HB 1234, HB 1235, HB 1243, HB 1245,  
HB 1259, HB 1267, HB 1271, HB 1273, HB 1280, HB 1281,  
HB 1282, HB 1283, HB 1284, HB 1297, HB 1299, HB 1300,  
HB 1305, HB 1308, HB 1321, HB 1360, HB 1364, HB 1366,  
HB 1378, HB 1379, HB 1381, HB 1387, HB 1393, HB 1397,  
HB 1402, HB 1417, HB 1421, HB 1428, HB 1439, HB 1459,  
HB 1471, HB 1486, HB 1488, HB 1494, HB 1497, HB 1505,  
HB 1509, HB 1510, HB 1513, HB 1514, HB 1543, HB 1554,  
HB 1559, HB 1565, HB 1575, HB 1586, HB 1594, HB 1607,  
HB 1609, HB 1622, HB 1626, HB 1637, HB 1653, HB 1672

#### 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 11:00 a.m., March 19, 1987:

HCR 3016, HCR 3087, HCR 3090

#### RECOGNITION

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

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

#### MESSAGES TO THE SENATE HOUSE CHAMBER

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

HCR 3080, HCR 3081, HCR 3085

ROY GILBREATH, Chief Clerk

#### HOUSE CHAMBER

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

SB 2064, SB 2490, SB 2526

ROY GILBREATH, Chief Clerk

#### HOUSE CHAMBER

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

SB 2361, SB 2519, SCR 4041

ROY GILBREATH, Chief Clerk

## HOUSE CHAMBER

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

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

ROY GILBREATH, Chief Clerk

## HOUSE CHAMBER

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

SCR 4017, SCR 4021, SCR 4042, SCR 4046, SCR 4057, SCR 4060,  
SCR 4065

ROY GILBREATH, Chief Clerk

## SIXTH ORDER OF BUSINESS

REP. A. HAUSAUER MOVED that the amendments to SB 2103 as recommended by a majority of the Committee on Finance and Taxation as printed on pages 2009-2010 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed on a verification vote.

Since the amendments to SB 2103 as proposed by the majority were adopted, it was unnecessary to vote on the amendments to SB 2103 as proposed by the minority.

SB 2103 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

REP. MARTINSON MOVED that the amendments to SB 2120 as recommended by the Committee on State and Federal Government as printed on page 2011 of the House Journal be adopted, and when so adopted, recommends the same DO PASS which motion prevailed.

SB 2120 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

REP. KRETSCHMAR MOVED that the amendments to SB 2314 as recommended by the Committee on Judiciary as printed on page 2012 of the House Journal be adopted, and when so adopted, recommends the same DO PASS which motion prevailed.

SB 2314 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

REP. WHALEN MOVED that the amendments to SB 2439 as recommended by the Committee on Industry, Business and Labor as printed on pages 2012-2013 of the House Journal be adopted, and when so adopted, recommends the same DO PASS which motion prevailed.



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

REP. WHALEN MOVED that the amendments to SB 2484 as recommended by the Committee on Industry, Business and Labor as printed on page 2013 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SB 2484 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

REP. KRETSCHMAR MOVED that the amendments to SCR 4026 as recommended by the Committee on Judiciary as printed on pages 2013-2014 of the House Journal be adopted, and when so adopted, recommends the same DO PASS which motion prevailed.

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

#### MOTIONS

REP. PETERSON MOVED that the House reconsider its action whereby SB 2369 failed to pass for want of a Constitutional majority.

REP. R. BERG MOVED the previous question, which motion prevailed.

#### REQUEST

REP. BELTER REQUESTED a recorded roll call vote on the motion to reconsider the action whereby SB 2369 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 2369 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: Almlie; Belter; Berg, G.; Brokaw; Christman; Dalrymple; Dotzenrod; Gerntholz; Gorman; Halmrast; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hokana; Kent; Klundt; Knell; Knudson; Kolbo; Kretschmar; Lang; Larson; Laughlin; Lindgren; Martin; Martinson; Melby; Mertens; Moore; Myrdal; Nelson, C.; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Peterson; Rice; Rydell; Schindler; Shaft; Shaw; Shide; Smette; Sorensen; Thompson; Tokach; Vander Vorst; Williams, A.; Williams, C.

NAYS: Aas; Anderson; Berg, R.; Cleveland; DeMers, J.; DeMers, P.; Dorso; Enget; Flaagan; Frey; Gates; Goetz; Graba; Gunsch; Hamerlik; Hanson, L.; Hill; Hoffner; Kelly; Koland; Kuchera; Lautenschlager; Linderman; Marks; Meyer; Murphy; Nelson, J.; Nicholas; Nowatzki; Oban; O'Connell; Opedahl; Riehl; Scherber; Schneider;

Shockman; Skjerven; Solberg; Starke; Stofferahn;  
Strinden; Tollefson; Tomac; Trautman; Ulmer; Watne;  
Wentz; Whalen; Wilkie; Williams, W.; Winkelman;  
Speaker Kloubec

**ABSENT AND NOT VOTING:** Kingsbury; Wald

So the motion to reconsider the action whereby SB 2369 failed to pass for want of a Constitutional majority failed.

**CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. WHALEN MOVED** that the House do not concur in the Senate amendments to HB 1231 as printed on page 1844 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 1231:

Reps. Dalrymple, Vander Vorst, Scherber

**CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. WHALEN MOVED** that the House do not concur in the Senate amendments to HB 1355 as printed on page 1924 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 1355:

Reps. Larson, Shide, Dotzenrod

**CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. KRETSCHMAR MOVED** that the House do not concur in the Senate amendments to HB 1535 as printed on page 1979 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 1535:

Reps. Wentz, Cleveland, A. Williams

**CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. NICHOLAS MOVED** that the House do concur in the Senate amendments to HB 1582 as printed on pages 1979-1980 of the House Journal, which motion prevailed.

**MOTION**

**REP. STRINDEN MOVED** that the rules be suspended, that HB 1582 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 1582: A BILL for an Act to amend and reenact section 60-02-05 of the North Dakota Century Code, relating to the determination of quality factors of grain by federal licensed inspectors.

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 104 YEAS, 0 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; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hill; Hoffner; Hokana; Kelly; Kent; Kingsbury; Klundt; Knell; Knudson; Koland; Kolbo; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Marks; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Myrdal; Nelson, C.; Nelson, J.; Nicholas; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Peterson; Rice; Riehl; Rydell; Scherber; Schindler; Schneider; Shaft; Shaw; Shide; Shockman; Skjerven; Smette; Solberg; Sorensen; Starke; Stofferahn; Strinden; Thompson; Tokach; Tollefson; Tomac; Trautman; Ulmer; Vander Vorst; Wald; Watne; Wentz; Whalen; Wilkie; Williams, A.; Williams, W.; Winkelman; Speaker Kloubec

NAYS: None

ABSENT AND NOT VOTING: Nowatzki; Williams, C.

HB 1582 passed and the title was agreed to.

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## CONSIDERATION OF MESSAGE FROM THE SENATE

REP. GATES MOVED that the House do not concur in the Senate amendments to HB 1643 as printed on pages 1924-1925 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 1643:

Reps. Hamerlik, Myrdal, C. Williams

## MOTIONS

REP. MOORE MOVED that the House reconsider its action whereby the amendments to SB 2145 were adopted and SB 2145 was placed on the Fourteenth order of business on the calendar, which motion prevailed.

REP. MOORE MOVED that the amendments to SB 2145 be laid on the table, which motion prevailed.

REP. STRINDEN MOVED that the House reconsider its action whereby the amendments to SB 2145 were laid on the table, which motion prevailed.

The House was on the motion of Rep. Moore to adopt the amendments to SB 2145, as recommended by the Committee on Political Subdivisions.

The motion to adopt the amendments to SB 2145 failed to pass.

## SECOND READING OF SENATE BILL

SB 2145: A BILL for an Act to amend and reenact subdivision c of subsection 8 of section 38-14.1-24 of the North Dakota Century Code, relating to environmental protection performance standards of surface mining and reclamation operations.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 0 YEAS, 106 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: None

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

ABSENT AND NOT VOTING: None

SB 2145 was declared lost.

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## SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

HCR 3052: A concurrent resolution to create and enact a new section to article IV of the Constitution of the State of North Dakota, relating to the time of taking effect of laws changing compensation of members of the Legislative Assembly.

Which has been read.

## ROLL CALL

The question being on the final adoption of the resolution, the roll was called and there were 25 YEAS, 79 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Almlie; Anderson; Belter; Brokaw; DeMers, P.; Gerntholz; Graba; Halmrast; Hanson, O.; Hoffner; Kolbo; Laughlin; Melby; Myrdal; Oban; O'Connell; O'Shea; Rydell; Schindler; Sorensen; Starke; Tomac; Vander Vorst; Wilkie; Winkelman

NAYS: Aas; Berg, G.; Berg, R.; Christman; Cleveland; Dalrymple; DeMers, J.; Dorso; Dotzenrod; Enget; Flaagan; Frey; Gates; Goetz; Gorman; Gunsch; Hamerlik; Hanson, L.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hill; Hokana; Kelly; Kent; Kingsbury; Klundt; Knell; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Lautenschlager; Linderman; Lindgren; Marks; Martin; Martinson; Mertens; Moore; Murphy; Nelson, C.; Nelson, J.; Nicholas; Nowatzki; Olsen, D.; Olson, A.; Olson, V.; Opedahl; Payne; Peterson; Rice; Riehl; Scherber; Schneider; Shaft; Shaw; Shide; Shockman; Skjerven; Smette; Solberg; Stofferahn; Strinden; Thompson; Tokach; Tollefson; Trautman; Ulmer; Wald; Watne; Wentz; Whalen; Williams, A.; Williams, W.; Speaker Kloubec

ABSENT AND NOT VOTING: Meyer; Williams, C.

HCR 3052 was declared lost.

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HCR 3084: A concurrent resolution directing the Legislative Council to study the Department of Human Services' establishment of a prospective Medicaid payment system.

Which has been read.

The question being on the adoption of the resolution, as amended.  
HCR 3084 was declared adopted on a voice vote.

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#### RECONSIDERATION OF A VETOED MEASURE

REP. STRINDEN MOVED that HB 1040 be reconsidered pursuant to Article V, Section 9 of the Constitution of the State of North Dakota for the purpose of overriding the Governor's veto, which motion prevailed.

HB 1040: A BILL for an Act to create and enact a new subsection to section 54-06-04 of the North Dakota Century Code, relating to the preparation of reports by executive and administrative officers and departments.

Which has been read.

#### ROLL CALL

The question being on the passage of the bill, as enrolled, over the Governor's veto, the roll was called and there were 63 YEAS, 42 NAYS, 1 ABSENT AND NOT VOTING.

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

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

ABSENT AND NOT VOTING: Peterson

The House sustained the Governor's veto on HB 1040.

#### SIGNING OF BILLS AND RESOLUTIONS

THE CHIEF CLERK ANNOUNCED that the Speaker signed the following:

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

ROY GILBREATH, Chief Clerk

MESSAGES TO THE SENATE  
HOUSE CHAMBER

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

HB 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

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to inform you that the House has concurred in the Senate amendments to HB 1582 and subsequently passed the same but has refused to concur in the Senate amendments to HB 1231, HB 1355, HB 1535, and HB 1643, and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1231: Reps. Dalrymple, Vander Vorst, Scherber  
HB 1355: Reps. Larson, Shide, Dotzenrod  
HB 1535: Reps. Wentz, Cleveland, A. Williams  
HB 1643: Reps. Hamerlik, Myrdal, C. Williams

ROY GILBREATH, Chief Clerk

MOTION

REP. GOETZ MOVED that the House waive the reading of the title to SB 2044, which motion prevailed.

SECOND READING OF SENATE BILLS

SB 2044: A BILL for an Act to create and enact a new section to chapter 15-27.1 of the North Dakota Century Code, relating to the reorganization, annexation, or dissolution of nonoperating school districts; and to amend and reenact section 15-27.4-01 of the North Dakota Century Code, relating to the dissolution of school districts not operating schools and attachment of their territory to school districts operating schools.

Which has been read.

MOTION

REP. DORSO MOVED the previous question, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 57 YEAS, 46 NAYS, 3 ABSENT AND NOT VOTING.

**YEAS:** Aas; Belter; Berg, G.; Berg, R.; Christman; Cleveland; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Flaagan; Frey; Gates; Goetz; Gorman; Graba; Halmrast; Hamerlik; Hanson, L.; Hausauer, A.; Hausauer, R.; Hill; Hoffner; Hokana; Kelly; Koland; Kuchera; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Martinson; Mertens; Moore; Nelson, C.; Nelson, J.; Oban; Olson, V.; Opedahl; O'Shea; Payne; Rydell; Scherber; Schneider; Sorensen; Stofferahn; Strinden; Thompson; Tollefson; Wald; Watne; Wentz; Wilkie; Williams, W.; Winkelman; Speaker Kloubec

**NAYS:** Anderson; Brokaw; Dotzenrod; Enget; Gertholz; Gunsch; Hanson, O.; Haugen; Kent; Kingsbury; Klundt; Knell; Knudson; Kolbo; Kretschmar; Lang; Marks; Martin; Melby; Meyer; Murphy; Myrdal; Nicholas; Nowatzki; O'Connell; Olson, D.; Olson, A.; Rice; Riehl; Schindler; Shaft; Shaw; Shide; Shockman; Skjerven; Smette; Solberg; Starke; Tokach; Tomac; Trautman; Ulmer; Vander Vorst; Whalen; Williams, A.; Williams, C.

**ABSENT AND NOT VOTING:** Almlie; Haugland; Peterson

SB 2044 passed and the title was agreed to.

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**SB 2080:** A BILL for an Act to create and enact three new sections to chapter 24-07 and a new subsection to section 32-12.1-03 of the North Dakota Century Code, relating to the designation of certain roads as minimum maintenance roads and the limitation of liabilities of political subdivisions for those roads.

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



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

**NAYS:** Brokaw; Hausauer, A.; Meyer; O'Connell; Riehl;  
 Schindler

**ABSENT AND NOT VOTING:** Almlie; Gerntholz; Haugland;  
 Lang; Olsen, D.; Peterson; Strinden

SB 2080 passed and the title was agreed to.

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**SB 2184:** A BILL for an Act to establish a state surface mining  
 and reclamation bond 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 96 YEAS, 1 NAY, 9 ABSENT AND  
 NOT VOTING.

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

**NAYS:** Wald

**ABSENT AND NOT VOTING:** Almlie; Haugland; Kent;  
 Kingsbury; Lang; Olson, A.; Peterson; Strinden; Wentz

SB 2184 passed and the title was agreed to.

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**SB 2185:** A BILL for an Act to amend and reenact subsection 12.1 of section 38-14.1-02 of the North Dakota Century Code, relating to bonds issued under the state surface mining and reclamation bond fund.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 99 YEAS, 1 NAY, 6 ABSENT AND NOT VOTING.

**YEAS:** Aas; Anderson; Belter; Berg, G.; Berg, R.; Brokaw; Christman; Cleveland; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Dotzenrod; Enget; Flaagan; Frey; Gates; Gerntholz; Goetz; Gorman; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugen; Hausauer, A.; Hausauer, R.; Hill; Hoffner; Hokana; Kelly; Kent; Kingsbury; Klundt; Knell; Knudson; Koland; Kolbo; Kretschmar; Kuchera; 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; Starke; Stofferahn; Thompson; Tokach; Tollefson; Tomac; Trautman; Ulmer; Vander Vorst; Watne; Wentz; Whalen; Wilkie; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Kloubec

**NAYS:** Wald

**ABSENT AND NOT VOTING:** Almlie; Haugland; Lang; Peterson; Sorensen; Strinden

SB 2185 passed and the title was agreed to.

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**SB 2205:** A BILL for an Act to amend and reenact subsections 8, 9 and 11 of section 41-09-42 of the North Dakota Century Code, relating to fees of the central notice system.

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, 7 NAYS, 6 ABSENT AND NOT VOTING.

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

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

NAYS: Aas; Brokaw; DeMers, P.; Lautenschlager; O'Connell; Watne; Wilkie

ABSENT AND NOT VOTING: Almlie; Haugland; Hill; Lang; Meyer; Peterson

SB 2205 passed and the title was agreed to.

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#### MOTION

REP. GOETZ MOVED that SCR 4016 and SB 2442 be placed directly after SB 2494 on the calendar, which motion prevailed.

#### SECOND READING OF SENATE BILL

SB 2280: A BILL for an Act to create and enact a new chapter to title 39 of the North Dakota Century Code, relating to the registration and titling of motorboats; to amend and reenact section 20.1-13-04 and section 39-05-01 of the North Dakota Century Code, relating to the definition of motor vehicle and the licensing of watercraft for hire; to repeal subsection 22 and 23 of section 20.1-03-12 and sections 20.1-13-02, 20.1-13-03, and 20.1-13-06 of the North Dakota Century Code, relating to the operation of unlicensed motorcraft, licensing of motorcraft, and license fees for motorcrafts and motorcrafts for hire; to provide a penalty; and to provide an effective date.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 19 YEAS, 81 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Aas; Belter; Berg, R.; Dotzenrod; Frey; Goetz; Haugen; Hokana; Lautenschlager; Rice; Scherber; Schneider; Shide; Stofferahn; Thompson; Tokach; Tollefson; Wald; Whalen

**NAYS:** Anderson; Berg, G.; Brokaw; Christman; Cleveland; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Enget; Flaagan; Gates; Gerntholz; Gorman; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Hausauer, A.; Hausauer, R.; Hill; Hoffner; Kelly; Kent; Kingsbury; 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; Payne; Riehl; Rydell; Schindler; Shaft; Shaw; Shockman; Skjerven; Smette; Solberg; Sorensen; Starke; Trautman; Ulmer; Vander Vorst; Watne; Wentz; Wilkie; Williams, A.; Williams, W.; Winkelman; Speaker Kloubec

**ABSENT AND NOT VOTING:** Almlie; Haugland; Peterson; Strinden; Tomac; Williams, C.

SB 2280 was declared lost.

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#### MESSAGES FROM THE SENATE SENATE CHAMBER

**MR. SPEAKER:** I have the honor to inform you that the Senate does not concur in the House amendments to SB 2230 and SB 2339 and the President Pro Tem has appointed as a conference committee to act with a like committee from the House on:

SB 2230: Sens. J. Meyer, Stenehjem, Adams

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

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 1121: Sens. Schoenwald, Hilken, Mutch

HB 1176: Sens. Krauter, Keller, Todd

HB 1257: Sens. Maixner, Krauter, Moore

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 1388: Sens. Richard, D. Meyer, Todd

HB 1561: Sens. Maixner, Ingstad, Wright

PERRY GROTEBERG, Secretary

## SENATE CHAMBER

MR. SPEAKER: I have the honor to inform you that the Senate has concurred in the House amendments to SB 2085, SB 2164, SB 2208, SB 2215, SB 2262, SB 2263, SB 2278, SB 2306, SB 2338, and SB 2422 and subsequently passed the same.

PERRY GROTEBERG, Secretary

## APPOINTMENT OF ACTING SPEAKER

SPEAKER KLOUBEC APPOINTED Rep. A. Hausauer as Acting Speaker.

## SECOND READING OF SENATE BILL

SB 2494: A BILL for an Act to enter into the interstate compact on agricultural grain marketing.

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 53 YEAS, 48 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Anderson; Berg, G.; Berg, R.; Brokaw; DeMers, J.; DeMers, P.; Dotzenrod; Enget; Flaagan; Frey; Gertholz; Graba; Halmrast; Hamerlik; Hanson, L.; Haugland; Hill; Hoffner; Hokana; Kelly; Kingsbury; Klundt; Kolbo; Laughlin; Lautenschlager; Linderman; Marks; Martinson; Mertens; Meyer; Nelson, C.; Nelson, J.; Oban; O'Connell; Olson, V.; Opedahl; O'Shea; Riehl; Scherber; Schindler; Schneider; Shockman; Skjerven; Solberg; Starke; Stofferahn; Ulmer; Watne; Wentz; Wilkie; Williams, A.; Williams, C.; Williams, W.

NAYS: Aas; Belter; Christman; Cleveland; Dalrymple; Dorso; Gates; Goetz; Gorman; Hanson, O.; Haugen; Hausauer, A.; Hausauer, R.; Kent; Knell; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Lindgren; Martin; Melby; Moore; Murphy; Myrdal; Nicholas; Nowatzki; Olsen, D.; Olson, A.; Payne; Rice; Rydell; Shaft; Shaw; Shide; Smette; Sorensen; Thompson; Tokach; Tollefson; Tomac; Trautman; Vander Vorst; Wald; Whalen; Winkelman

ABSENT AND NOT VOTING: Almlie; Gunsch; Peterson; Strinden; Speaker Kloubec

SB 2494 was declared lost for want of a Constitutional majority.

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## SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4016: A concurrent resolution directing the Legislative Council to study the use of comparable worth to determine the existence of wage-based sex discrimination.

Which has been read.

#### MOTION

REP. GOETZ MOVED the previous question, which motion prevailed.

#### REQUEST

REP. WALD REQUESTED a recorded roll call vote on the adoption of SCR 4016, which request was granted.

#### ROLL CALL

The question being on the adoption of SCR 4016, the roll was called and there were 53 YEAS, 48 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Berg, G.; Brokaw; Cleveland; DeMers, J.; DeMers, P.; Enget; Flaagan; Frey; Graba; Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer, A.; Hill; Hoffner; Hokana; Kelly; Klundt; Knudson; Kolbo; Laughlin; Lautenschlager; Linderman; Marks; Martin; Mertens; Meyer; Moore; Nelson, C.; Nelson, J.; Nowatzki; Oban; O'Connell; Opedahl; O'Shea; Riehl; Rydell; Scherber; Schneider; Shockman; Skjerven; Solberg; Sorensen; Starke; Stofferahn; Tomac; Ulmer; Watne; Wentz; Wilkie; Williams, C.; Williams, W.

NAYS: Aas; Anderson; Belter; Berg, R.; Christman; Dalrymple; Dorso; Dotzenrod; Gates; Gerntholz; Goetz; Gorman; Gunsch; Hanson, O.; Haugen; Kent; Kingsbury; Knell; Koland; Kretschmar; Kuchera; Lang; Larson; Lindgren; Martinson; Melby; Murphy; Myrdal; Olsen, D.; Olson, A.; Olson, V.; Payne; Rice; Schindler; Shaw; Shide; Smette; Strinden; Thompson; Tokach; Tollefson; Trautman; Vander Vorst; Wald; Whalen; Williams, A.; Winkelman; Speaker Kloubec

ABSENT AND NOT VOTING: Almlie; Hausauer, R.; Nicholas; Peterson; Shaft

So SCR 4016 was adopted.

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#### APPOINTMENT OF CONFERENCE COMMITTEES

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2230:

Reps. Aas, Shaft, Wilkie

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2339:

Reps. Martinson, Melby, Hokana

## MOTIONS

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 Ninth order of business, and at the conclusion of the Ninth order, the House be on the Thirteenth order of business, and at the conclusion of the Thirteenth order, the House stand adjourned until 1:00 p.m., Friday, March 20, 1987, which motion prevailed.

## REPORTS OF STANDING COMMITTEES

MR. SPEAKER: Your Committee on Natural Resources to which was referred HCR 3088 has had the same under consideration and recommends by a vote of 13 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS and BE PLACED ON THE CONSENT CALENDAR.

REP. A. OLSON, Chairman

HCR 3088 was placed on the Tenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Industry, Business and Labor to which was referred HCR 3089 has had the same under consideration and recommends by a vote of 13 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS and BE PLACED ON THE CONSENT CALENDAR.

REP. WHALEN, Chairman

HCR 3089 was placed on the Tenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Appropriations to which was referred SB 2008 has had the same under consideration and recommends by a vote of 21 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1 of the engrossed bill, line 15, delete the numerals "804,868" and insert in lieu thereof the numerals "770,055"

On page 1 of the engrossed bill, line 19, delete the numerals "2,997,849" and insert in lieu thereof the numerals "2,963,036"

On page 1 of the engrossed bill, line 21, delete the numerals "2,191,545" and insert in lieu thereof the numerals "2,156,732"

And renumber the lines, sections, and pages accordingly

## STATEMENT OF PURPOSE OF AMENDMENT:

State Library

The following operating expenses line items are reduced by a total of \$34,813 from the general fund:

Resource and reference materials	\$(27,799)
State employee travel	(3,514)
Office supplies	<u>(3,500)</u>
Total increase (decrease)	\$(34,813)

REP. PETERSON, Chairman

SB 2008 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 2014 has had the same under consideration and recommends by a vote of 21 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1 of the reengrossed bill, line 2, delete the words "; and providing" and insert in lieu thereof a period

On page 1 of the reengrossed bill, delete lines 3 and 4

On page 1 of the reengrossed bill, delete lines 24 through 28

On page 2 of the reengrossed bill, delete lines 1 and 2

And renumber the lines, sections, and pages accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

Civil Air Patrol

This amendment deletes Section 3 which was added by the Senate, relating to budget control by state agencies.

REP. PETERSON, Chairman

SB 2014 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 2020 has had the same under consideration and recommends by a vote of 21 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

REP. PETERSON, Chairman

SB 2020 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 2027 has had the same under consideration and recommends by a vote of 21 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same BE



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

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

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

And renumber the lines, sections, and pages accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

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

REP. PETERSON, Chairman

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

MR. SPEAKER: Your Committee on Appropriations to which was referred SB 2031 has had the same under consideration and recommends by a vote of 21 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1 of the engrossed bill, line 14, delete the numerals "175,000" and insert in lieu thereof the numerals "215,000"

On page 1 of the engrossed bill, line 15, delete the numerals "180,000" and insert in lieu thereof the numerals "220,000"

And renumber the lines, sections, and pages accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

##### Educational Broadcasting Council

The grants line item is increased by \$40,000 from the general fund. Of the total, \$50,000 in the grants line item is provided to contract for instructional television. This amount is in lieu of the \$50,000 appropriation for instructional television included in the Department of Public Instruction appropriation.

The \$165,000 remaining in the grants line item is used to contract for public and educational broadcasting services.

REP. PETERSON, Chairman

SB 2031 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Industry, Business and Labor to which was referred Engrossed SB 2097 has had the same under consideration and recommends by a vote of 16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1 of the engrossed bill, line 28, after the period insert the sentence: "This provision does not apply to term life insurance or to any policy where the insurer has a valid defense to the payment of benefits under the policy."

On page 2 of the engrossed bill, line 10, after the period insert the sentence: "This provision does not apply where the insurer has a valid defense to the payment of benefits under the policy."

And renumber the lines, sections, and pages accordingly

REP. WHALEN, Chairman

Engrossed SB 2097 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Industry, Business and Labor to which was referred Engrossed SB 2128 has had the same under consideration and recommends by a vote of 14 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1 of the engrossed bill, line 14, delete the word "fifty" and insert in lieu thereof the word "twenty-five"

On page 1 of the engrossed bill, line 16, delete the first comma and insert in lieu thereof the word "and" and delete the word "and"

On page 1 of the engrossed bill, line 17, delete the words "supplies if performed outside the state,"

On page 3 of the engrossed bill, line 9, delete the word "twenty" and insert in lieu thereof the word "ten"

And renumber the lines, sections, and pages accordingly

REP. WHALEN, Chairman

Engrossed SB 2128 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Industry, Business and Labor to which was referred Engrossed SB 2130 has had the same under consideration and recommends by a vote of 11 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

REP. WHALEN, Chairman

Engrossed SB 2130 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on State and Federal Government to which was referred SB 2166 has had the same under consideration and recommends by a vote of 8 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO NOT PASS:

On page 1, line 20, after the word "fee" insert the words ", not to exceed fifty dollars for an acute care hospital nor twenty-five dollars for a skilled nursing facility or an intermediate care facility,"

And renumber the lines, sections, and pages accordingly

REP. MARTINSON, Chairman

SB 2166 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Industry, Business and Labor to which was referred SB 2173 has had the same under consideration and recommends by a vote of 10 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

REP. WHALEN, Chairman

SB 2173 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Industry, Business and Labor to which was referred SB 2218 has had the same under consideration and recommends by a vote of 16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

REP. WHALEN, Chairman

SB 2218 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 2219 has had the same under consideration and recommends by a vote of 16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

REP. WHALEN, Chairman

Engrossed SB 2219 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

**MR. SPEAKER:** Your Committee on Industry, Business and Labor to which was referred SB 2224 has had the same under consideration and recommends by a vote of 10 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING that the same DO NOT PASS.

**REP. WHALEN, Chairman**

SB 2224 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 2225 has had the same under consideration and recommends by a vote of 13 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING that the same DO PASS.

**REP. WHALEN, Chairman**

Engrossed SB 2225 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

**MR. SPEAKER:** Your Committee on Transportation to which was referred Engrossed SB 2328 has had the same under consideration and recommends by a vote of 10 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

**REP. ANDERSON, Chairman**

Engrossed SB 2328 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

**MR. SPEAKER:** Your Committee on Industry, Business and Labor to which was referred SB 2381 has had the same under consideration and recommends by a vote of 16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

**REP. WHALEN, Chairman**

SB 2381 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

**MR. SPEAKER:** Your Committee on Political Subdivisions to which was referred Engrossed SB 2387 has had the same under consideration and recommends by a vote of 14 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1 of the engrossed bill, delete line 10 and insert in lieu thereof the words "If a"

On page 1 of the engrossed bill, line 11, after the word "subdivision" insert the words "in which a historical site is located" and delete the word "any" and insert in lieu thereof the word "a"

On page 1 of the engrossed bill, line 13, delete the word ", such" and insert in lieu thereof the following: "the issue must be submitted to an election. The election must be on the issue of whether alteration or demolition of the site

will be allowed. The governing body of the political subdivision, on its own initiative or at the request of the state historical board, shall place the question on the next general election ballot, or may call an earlier special election. The date of the special election may not be less than thirty days nor more than ninety days after the date of the special election request. The special election must be conducted, returns thereof made, and the result thereof declared in all respects as are the city, county, school district, or other political subdivision elections. The city, county, school district, or other political subdivision shall give notice of the special election by publication of the proposition to be voted upon, the places where the special election will be held, and the date of the special election in each newspaper published within the jurisdiction of the political subdivision, not more than twenty days and not less than five days before the date of the election. The question to be voted upon at the general or special election provided for in this section must be in substantially the following form:

Shall the (city, county, school district, or other political subdivision) approve the decision of the state historical board to disallow (alteration or demolition) of the \_\_\_\_\_ site listed on the state historical society registry?

Yes    /    /

No     /    /

The results of the city, county, school district, or other political subdivision elections are binding on the state historical board."

On page 1 of the engrossed bill, delete lines 14 through 28

On page 2 of the engrossed bill, delete lines 1 through 35

On page 3 of the engrossed bill, delete lines 1 through 3

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

Engrossed SB 2387 was 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 rereferred SB 2391 has had the same under consideration and recommends by a vote of 12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1 of the engrossed bill, line 3, after the word "reenact" insert the words "subsection 4 of section 26.1-36-31 and"

On page 1 of the engrossed bill, line 4, after the word "to" insert the words "the definition of medicare supplement policy and"

On page 1 of the engrossed bill, after line 7, insert the following new subsection:

"SECTION 1. AMENDMENT. Subsection 4 of section 26.1-36-31 of the 1985 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

4. "Medicare supplement policy" means a group or individual accident and health insurance policy or a subscriber contract of a health service corporation or a health care plan of a health maintenance organization, which is advertised, marketed, or designed primarily as a supplement to reimbursements under medicare for the hospital, medical, or surgical expenses of persons eligible for medicare. The term does not include:
  - a. A policy or contract of one or more employers or labor organizations, or of the trustees of a fund established by one or more employers or labor organizations, or combination thereof, for employees or former employees, or combination thereof, or for members or former members, or combination thereof, of the labor organizations.
  - b. A policy or contract of any professional, trade, or occupational association for its members or former or retired members, or combination thereof, if the association:
    - (1) Is composed of individuals all of whom are actively engaged in the same profession, trade, or occupation;
    - (2) Has been maintained in good faith for purposes other than obtaining insurance; and
    - (3) Has been in existence for at least two years prior to the date of its initial offering of the policy or plan to its members.

- c. Individual policies or contracts issued pursuant to a conversion privilege under an individual or group insurance policy or contract when the individual or group policy or contract includes provisions which are inconsistent with the requirements of sections 26.1-36-32 through 26.1-36-36."

And renumber the lines, sections, and pages accordingly

REP. MARTINSON, Chairman

SB 2391 was 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 2392 has had the same under consideration and recommends by a vote of 10 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1 of the engrossed bill, line 2, delete the words "repeal chapters 15-38.1" and insert in lieu thereof the word "amend"

On page 1 of the engrossed bill, line 3, delete the numerals "34-11" and insert in lieu thereof the words "reenact sections 34-11-01, 34-11-02, and 34-11-03"

On page 1 of the engrossed bill, line 4, delete the words "and to"

On page 1 of the engrossed bill, line 5, delete the word "teachers' representation and negotiation"

On page 1 of the engrossed bill, after line 7, insert the following new sections:

"SECTION 1. AMENDMENT. Section 34-11-01 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

34-11-01. Recommendations of mediation board - Effect - Good faith and cooperation required. No provisions of this chapter shall be construed to mean that ~~the state or~~ any subordinate jurisdiction ~~thereof of the state~~ or any board, commission, or department within such public jurisdiction shall be compelled to accept the recommendations of a mediation board as binding nor shall any group of employees affiliated with a union or otherwise be compelled to abide by the recommendations of such mediation board; provided, however, that both parties to any dispute or grievance in the public employee field covered by this chapter shall be required to proceed in good faith according to the terms hereof to create a mediation board and to cooperate fully

with such board in attending hearings and supplying data concerning all matters in dispute, to answer questions, and in all other particulars to respond in good faith and to cooperate fully with such board in its attempt to settle the matter in dispute. Nor shall anything in this chapter be construed to affect, limit, or impair the right of any public employee to express his views, to make complaint, or to give testimony concerning any grievance pertaining to public employment or to the betterment of his or her that employee's working conditions. Nor shall the provisions herein be construed to authorize any public employer covered by this chapter to attempt to or deter any public employee working subject to his that employer's jurisdiction from affiliating with any union, association, or other group of public employees nor shall a public employer refuse to consider grievances concerning employment problems with the representatives duly chosen by such union, association, or affiliation of public employees.

SECTION 2. AMENDMENT. Section 34-11-02 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

34-11-02. Mediation board - Designation - Selection of chairman. Whenever a public employer or the employing head of a board, commission, or department in the state service or in the services of any subordinate jurisdiction of the state or whenever any union, association, or group of public employees of such a public unit of government decides by vote of such group that a grievance or matter in dispute which has been considered between the employer and the employee cannot be settled amicably and without disruption of the public service, it shall be the duty of the employer or the employees or both to request in writing of the chief executive officer of the unit of government, namely the governor in the state service, the chairman of the county board or commission of county commissioners in county services, and the mayor or city manager of the city in city services, that it is the wish of one or both parties concerned in such dispute or grievance that the provisions of this chapter be made use of by the designation by such officer of two members of a mediation board, one to be recognized as a representative of the employer in the public service and one to be a bona fide employee who is a member of the union, association, or group of employees, and who is interested in the point of view of such group of employees. The two persons so designated shall upon their appointment forthwith meet and agree upon a third person who shall be chairman of the mediation board.



SECTION 3. AMENDMENT. Section 34-11-03 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

34-11-03. Duty of mediation board - Public hearings - Determination of issues - Recommendations. It shall be the duty of such mediation board to hold public hearings to consider the matter in dispute or the grievance at any place ~~in the state for state employee-employer disputes or grievances,~~ at any place within the jurisdiction of the county in county disputes, and within the limits of the city in a city dispute. Such board shall have the authority to subpoena witnesses, to compel their attendance, to administer oaths, to take testimony and to receive evidence, and it shall possess the authority to discuss informally the matter of dispute or the grievance in the presence of both the employer or the employee or their representatives. Following the conclusion of such public hearings or such public considerations of the problem involved, such board shall within thirty days make determination of the issues involved in such dispute or grievance, prepare recommendations thereon in writing, and submit a signed copy to the ~~governor in the case of a dispute in the state employee field, to the chairman of the county board or commission of county commissioners~~ in the case of a county dispute, and to the mayor or city manager in the case of a dispute in city service, and a signed copy to the employer and to the representative of the employees."

On page 1 of the engrossed bill, line 8, underscore the words "Purpose. It is the purpose of" and insert immediately thereafter the words "sections 4 through 20 of" and underscore the words "this Act and the"

On page 1 of the engrossed bill, underscore lines 9 through 21

On page 1 of the engrossed bill, line 22, underscore the words "Definitions. As used in", delete the word "the" and insert in lieu thereof the words "sections 4 through 20 of this", and underscore the words "Act, unless the context"

On page 1 of the engrossed bill, underscore lines 23 through 25

On page 1 of the engrossed bill, line 26, underscore the words "pursuant to" and insert immediately thereafter the words "sections 4 through 20 of" and underscore the words "this Act, a common employer, a tradition of"

On page 1 of the engrossed bill, underscore line 27

On page 2 of the engrossed bill, underscore lines 1 through 34

On page 2 of the engrossed bill, line 35, underscore the words "arising from arbitration under" and insert immediately thereafter the words "sections 4 through 20 of" and underscore the words "this Act."

On page 3 of the engrossed bill, underscore lines 1 through 35

On page 4 of the engrossed bill, line 1, underscore the words "Strikes by public employees prohibited.", delete the word "This" and insert in lieu thereof the words "Sections 4 through 20 of this", underscore the word "Act", and delete the word "does" and insert in lieu thereof the word "do"

On page 4 of the engrossed bill, underscore lines 2 and 3

On page 4 of the engrossed bill, line 4, underscore the words "Employee organization - Requirements. Every employee"

On page 4 of the engrossed bill, underscore line 5

On page 4 of the engrossed bill, line 6, underscore the words "Rights and obligations of public employees."

On page 4 of the engrossed bill, underscore lines 7 through 12

On page 4 of the engrossed bill, line 13, underscore the words "when dues increase in an employee organization.", delete the word "This" and insert in lieu thereof the words "Sections 4 through 20 of this", and underscore the word "Act"

On page 4 of the engrossed bill, line 14, delete the word "does" and insert in lieu thereof the word "do" and underscore the words "not limit or impair the right of any public employee"

On page 4 of the engrossed bill, underscore lines 15 through 28

On page 4 of the engrossed bill, line 29, underscore the words "Rights and obligations of public employers. A public"

On page 4 of the engrossed bill, underscore lines 30 through 35

On page 5 of the engrossed bill, underscore line 1

On page 5 of the engrossed bill, line 2, underscore the word "of" and insert immediately thereafter the words "sections 4 through 20 of" and underscore the words "this Act."

On page 5 of the engrossed bill, line 3, underscore the words "Authority of the commissioner. The commissioner or"

On page 5 of the engrossed bill, underscore lines 4 through 14

- On page 5 of the engrossed bill, line 15, underscore the words "commissioner's functions and powers under" and insert immediately thereafter the words "sections 4 through 20 of" and underscore the words "this Act."
- On page 5 of the engrossed bill, underscore lines 16 through 21
- On page 5 of the engrossed bill, line 22, underscore the words "Appropriate units - Exclusive representation."
- On page 5 of the engrossed bill, underscore lines 23 through 25
- On page 5 of the engrossed bill, line 26, underscore the words "guaranteed by" and insert immediately thereafter the words "sections 4 through 20 of" and underscore the words "this Act, the unit appropriate for the"
- On page 5 of the engrossed bill, underscore lines 27 through 35
- On page 6 of the engrossed bill, underscore lines 1 through 4
- On page 6 of the engrossed bill, line 5, underscore the word "of" and insert immediately thereafter the words "sections 4 through 20 of" and underscore the words "this Act by an exclusive representative, the"
- On page 6 of the engrossed bill, underscore lines 6 through 35
- On page 7 of the engrossed bill, underscore lines 1 through 5
- On page 7 of the engrossed bill, line 6, underscore the words "appropriate unit upon receiving a majority of the votes", after the word "votes" insert the word "cast", and underscore the word "in"
- On page 7 of the engrossed bill, underscore line 7
- On page 7 of the engrossed bill, line 8, underscore the words "majority of votes", after the word "votes" insert the word "cast", and underscore the words ", the commissioner shall conduct a runoff"
- On page 7 of the engrossed bill, underscore lines 9 through 11
- On page 7 of the engrossed bill, line 12, underscore the word "votes", after the word "votes" insert the word "cast", and underscore the period
- On page 7 of the engrossed bill, underscore lines 13 through 31
- On page 7 of the engrossed bill, line 32, underscore the words "Negotiation procedures."
- On page 7 of the engrossed bill, underscore lines 33 through 35

On page 8 of the engrossed bill, underscore lines 1 through 22

On page 8 of the engrossed bill, line 23, underscore the words  
"Resolution of disputes arising in the course of"

On page 8 of the engrossed bill, underscore lines 24 through 35

On page 9 of the engrossed bill, underscore lines 1 through 35

On page 10 of the engrossed bill, underscore lines 1 through 14

On page 10 of the engrossed bill, line 15, underscore the words  
"contract pursuant to section", delete the numerals "13"  
and insert in lieu thereof the numerals "16", and  
underscore the words "of this Act."

On page 10 of the engrossed bill, underscore lines 16 through 21

On page 10 of the engrossed bill, line 22, underscore the words  
"Written agreements."

On page 10 of the engrossed bill, underscore lines 23 through 35

On page 11 of the engrossed bill, underscore lines 1 through 5

On page 11 of the engrossed bill, line 6, underscore the words  
"provisions of" and insert immediately thereafter the words  
"sections 4 through 20 of" and underscore the words "this  
Act, relating to binding arbitration,"

On page 11 of the engrossed bill, underscore lines 7 through 12

On page 11 of the engrossed bill, line 13, underscore the words  
"validity of an arbitration order under" and insert  
immediately thereafter the words "sections 4 through 20 of"  
and underscore the words "this Act."

On page 11 of the engrossed bill, underscore lines 14 through 16

On page 11 of the engrossed bill, line 17, underscore the words  
"with any arbitration order entered under" and insert  
immediately thereafter the words "sections 4 through 20 of"  
and underscore the words "this Act."

On page 11 of the engrossed bill, underscore lines 18 through 22

On page 11 of the engrossed bill, line 23, underscore the words  
"district courts when entered into in accordance with" and  
insert immediately thereafter the words "sections 4 through  
20 of" and underscore the word "this"

On page 11 of the engrossed bill, underscore line 24

On page 11 of the engrossed bill, line 25, underscore the words "Unfair practices."

On page 11 of the engrossed bill, underscore lines 26 through 28

On page 11 of the engrossed bill, line 29, underscore the words "employee in the exercise of any right guaranteed in" and insert immediately thereafter the words "sections 4 through 20 of"

On page 11 of the engrossed bill, underscore lines 30 through 34

On page 12 of the engrossed bill, underscore lines 1 through 5

On page 12 of the engrossed bill, line 6, underscore the words "information or testimony under" and insert immediately thereafter the words "sections 4 through 20 of" and underscore the words "this Act."

On page 12 of the engrossed bill, underscore lines 7 through 12

On page 12 of the engrossed bill, line 13, underscore the words "effectuate the purposes of" and insert immediately thereafter the words "sections 4 through 20 of" and underscore the words "this Act."

On page 12 of the engrossed bill, underscore lines 14 and 15

On page 12 of the engrossed bill, line 16, underscore the word "sections", delete the numerals "10" and insert in lieu thereof the numerals "13", underscore the word "and", delete the numerals "11" and insert in lieu thereof the numerals "14", and underscore the words "of this Act."

On page 12 of the engrossed bill, underscore lines 17 through 21

On page 12 of the engrossed bill, line 22, underscore the words "j. Fail or refuse to comply with" and insert immediately thereafter the words "sections 4 through 20 of" and underscore the words "this Act."

On page 12 of the engrossed bill, underscore lines 23 through 26

On page 12 of the engrossed bill, line 27, underscore the words "guaranteed in" and insert immediately thereafter the words "sections 4 through 20 of", underscore the words "this Act.", delete the word "This" and insert in lieu thereof the words "Sections 4 through 20 of this", underscore the word "Act", delete the word "does" and insert in lieu thereof the word "do", and underscore the words "not impair"

On page 12 of the engrossed bill, underscore lines 28 through 33

On page 13 of the engrossed bill, underscore lines 1 through 8

On page 13 of the engrossed bill, line 9, underscore the words "effectuate the purposes of" and insert immediately thereafter the words "sections 4 through 20 of" and underscore the words "this Act."

On page 13 of the engrossed bill, underscore lines 10 and 11

On page 13 of the engrossed bill, line 12, underscore the word "sections", delete the numerals "10" and insert in lieu thereof the numerals "13", underscore the word "and", delete the numerals "11" and insert in lieu thereof the numerals "14", and underscore the words "of this Act."

On page 13 of the engrossed bill, underscore line 13

On page 13 of the engrossed bill, line 14, underscore the words "Unfair practice resolution procedure. Whenever it is"

On page 13 of the engrossed bill, underscore lines 15 through 17

On page 13 of the engrossed bill, line 18, underscore the words "engaged in any unfair practice under" and insert immediately thereafter the words "sections 4 through 20 of" and underscore the words "this Act, the commissioner"

On page 13 of the engrossed bill, underscore lines 19 through 35

On page 14 of the engrossed bill, underscore lines 1 and 2

On page 14 of the engrossed bill, line 3, underscore the words "or without backpay, as will effectuate the policies of" and insert immediately thereafter the words "sections 4 through 20 of" and underscore the words "this Act."

On page 14 of the engrossed bill, underscore lines 4 through 19

On page 14 of the engrossed bill, line 20, underscore the words "Public records and proceedings. All complaints,"

On page 14 of the engrossed bill, underscore lines 21 and 22

On page 14 of the engrossed bill, line 23, underscore the words "copying, and all meetings and negotiations held pursuant to" and insert immediately thereafter the words "sections 4 through 20 of" and underscore the words "this Act"

On page 14 of the engrossed bill, underscore line 24

On page 14 of the engrossed bill, line 25, underscore the words "Limitations of" and insert immediately thereafter the words "sections 4 through 20 of this" and underscore the words

"Act and agreements. Any provision of" and insert immediately thereafter the words "sections 4 through 20 of"

On page 14 of the engrossed bill, underscore lines 26 through 30

On page 14 of the engrossed bill, line 31, underscore the words "Action by commissioner to obtain funding. The"

On page 14 of the engrossed bill, underscore lines 32 and 33

On page 14 of the engrossed bill, line 34, underscore the words "of duties under" and insert immediately thereafter the words "sections 4 through 20 of" and underscore the words "this Act can be properly implemented."

On page 15 of the engrossed bill, line 1, underscore the words "Penalty. Any person who willfully resists,"

On page 15 of the engrossed bill, underscore lines 2 through 4

On page 15 of the engrossed bill, line 5, underscore the word "under" and insert immediately thereafter the words "sections 4 through 20 of" and underscore the words "this Act, or who interferes with the exercise by public"

On page 15 of the engrossed bill, line 6, underscore the words "employees of the right to select exclusive representatives under" and insert immediately thereafter the words "sections 4 through 20 of"

On page 15 of the engrossed bill, underscore line 7

On page 15 of the engrossed bill, delete lines 8 and 9

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

SB 2392 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Transportation to which was referred SB 2430 has had the same under consideration and recommends by a vote of 11 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

REP. ANDERSON, Chairman

SB 2430 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Industry, Business and Labor to which was referred SB 2489 has had the same under consideration and recommends by a vote of 16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 3, after the word "and" insert the word "certain"

On page 1, line 8, after the word "or" insert the word "certain"

On page 1, line 15, after the second underscored comma insert the word "and" and delete the words ", and managers"

On page 1, line 16, after the word "cooperative" insert the words ", and the manager of an electric cooperative who is the person most responsible for carrying out the policies and directives of the officers, trustees, or the board of directors,"

On page 2, line 4, after the period insert the words "For purposes of this subsection, "manager" means the person who was the most responsible for carrying out the policies and directives of the officers or the board of directors when the act or omission complained of occurred."

On page 2, line 13, after the second underscored comma insert the word "and"

On page 2, line 14, delete the word "managers" and insert in lieu thereof the words "the manager who is the person most responsible for carrying out the policies and directives of the trustees, officers, or board of directors,"

On page 2, line 22, after the second underscored comma insert the word "and" and delete the words ", and managers"

On page 2, line 23, after the word "companies" insert the words ", and the manager of a mutual telephone company who is the person most responsible for carrying out the policies and directives of the trustees, officers, or board of directors,"

And renumber the lines, sections, and pages accordingly

REP. WHALEN, Chairman

SB 2489 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Industry, Business and Labor to which was referred Engrossed SB 2521 has had the same under consideration and recommends by a vote of 16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. WHALEN, Chairman

Engrossed SB 2521 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Transportation to which was referred SB 2530 has had the same under consideration and recommends by a



vote of 16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. ANDERSON, Chairman

SB 2530 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on State and Federal Government to which was referred SB 2535 has had the same under consideration and recommends by a vote of 8 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1 of the engrossed bill, line 7, delete the words "a penalty" and insert in lieu thereof the words "for a judicial remedy"

On page 2 of the engrossed bill, line 6, after the word "base" insert the words "or is available from the North Dakota peer review organization"

On page 2 of the engrossed bill, line 13, delete the words "by diagnosis" and delete the words "diagnoses, annual" and insert in lieu thereof the words "diagnosis-related groups"

On page 2 of the engrossed bill, line 14, delete the words "operating costs, revenues, capital expenditures,"

On page 2 of the engrossed bill, line 15, delete the word "average"

On page 2 of the engrossed bill, line 16, delete the words "source of payment and"

On page 2 of the engrossed bill, line 22, delete the words "by source of"

On page 2 of the engrossed bill, delete line 23

On page 2 of the engrossed bill, line 24, delete the words "operating expenses, capital expenditures, and revenues"

On page 2 of the engrossed bill, line 27, after the word "agencies" insert the words "or the North Dakota peer review organization"

On page 2 of the engrossed bill, line 28, delete the word "diagnosis" and insert in lieu thereof the words "diagnosis-related groups"

On page 2 of the engrossed bill, line 29, delete the word "average"

On page 2 of the engrossed bill, line 30, delete the words "and by source of payment"

On page 2 of the engrossed bill, line 31, delete the words "The committee shall set procedures that" and insert in lieu thereof the words "Prior to publication of any hospital or long-term facility-specific data, the committee shall notify the affected facility of the data to be published. The facility has thirty days to respond and comment. The committee shall take any comments received into consideration before publication"

On page 2 of the engrossed bill, delete lines 32 and 33

On page 2 of the engrossed bill, line 34, delete the word "decisions"

On page 3 of the engrossed bill, line 6, delete the words "The committee may require hospitals,"

On page 3 of the engrossed bill, delete lines 7 through 10

On page 3 of the engrossed bill, line 12, after the word "among" insert the words "the North Dakota peer review organization,"

On page 3 of the engrossed bill, line 17, delete the word "these" and insert in lieu thereof the word "state"

On page 3 of the engrossed bill, line 19, after the word "agencies" insert the words "and the North Dakota peer review organization"

On page 4 of the engrossed bill, line 16, delete the words "The council" and insert in lieu thereof the words "Any person with an interest"

On page 4 of the engrossed bill, line 17, delete the words "in the name of the state"

On page 4 of the engrossed bill, delete lines 19 through 23

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

SB 2535 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Industry, Business and Labor to which was referred SB 2545 has had the same under consideration and recommends by a vote of 9 YEAS, 7 NAYS, 0 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. WHALEN, Chairman

SB 2545 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 SCR 4050 has had the same under consideration and recommends by a vote of 11 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

REP. WHALEN, Chairman

SCR 4050 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

FIRST READING OF HOUSE BILL

Rep. Strinden introduced:

(Approved by the Committee on Delayed Bills)

HB 1679: A BILL for an Act to amend and reenact sections 57-32-01.2 and 57-32-04 of the North Dakota Century Code, relating to the assessment and allocation of the tax on air carrier transportation companies; and to repeal section 57-32-01.3 of the North Dakota Century Code, relating to allocation of value of air carrier transportation companies.

Was read the first time and referred to the Committee on Finance and Taxation.

FIRST READING OF SENATE BILL

SB 2549: A BILL for an Act to amend and reenact sections 5-03-01 and 5-03-04 of the North Dakota Century Code, relating to sale and taxation of alcoholic beverages for export from foreign trade zones.

Was read the first time and referred to the Committee on Finance and Taxation.

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

ROY GILBREATH, Chief Clerk