

JOURNAL OF THE HOUSE

Fiftieth Legislative Assembly

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EIGHTH DAY

Bismarck, January 15, 1987

The House convened at 1:00 p.m., with Speaker Kloubec presiding.

The prayer was offered by Bob Nordvall, Charity Lutheran Church, Bismarck, North Dakota.

ROLL CALL

The roll was called and all Representatives were present, except Representatives R. Hausauer, Kelly, and Peterson.

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 Seventh Day and finds the same to be correct.

REP. THOMPSON, Chairman

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

SIXTH ORDER OF BUSINESS

REP. WHALEN MOVED that the amendments to HB 1093 as recommended by the Committee on Industry, Business and Labor as printed on pages 257 and 258 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

HB 1093 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. A. HAUSAUER MOVED that the amendments to HB 1103 as recommended by the Committee on Finance and Taxation as printed on pages 258-259 of the House Journal be adopted, and when so adopted, recommends the same DO NOT PASS, which motion prevailed.

HB 1103 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. KRETSCHMAR MOVED that the amendments to HCR 3003 as recommended by the Committee on Judiciary as printed on page 260 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

HCR 3003 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

**MESSAGE 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:

HB 1029, HB 1040, HB 1042, HB 1056, HB 1100, HB 1108,
HB 1111, HB 1112, HB 1113, HB 1124, HB 1157, HB 1173,
HB 1180, HB 1186, HB 1206, HB 1212, HB 1223, HCR 3004

ROY GILBREATH, Chief Clerk

SECOND READING OF HOUSE BILL

HB 1062: A BILL for an Act to amend and reenact subsection 1 of section 57-38-57 of the North Dakota Century Code, relating to secrecy as to income tax returns and prohibiting disclosure as to whether or not a taxpayer has filed an income tax return or report; 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 59 YEAS, 44 NAYS, 3 ABSENT AND NOT VOTING.

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

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

ABSENT AND NOT VOTING: Hausauer, R.; Kelly; Peterson

HB 1062 passed and the title was agreed to.

MOTIONS

REP. MARTINSON MOVED that HB 1077 and HB 1172 be removed from the calendar and rereferred to the Committee on State and Federal Government, which motion prevailed.

REP. MARTINSON MOVED that HB 1230 be placed directly after HB 1146 on the calendar, which motion prevailed.

REP. GATES MOVED that HB 1199 be removed from the calendar and rereferred to the Committee on Education, which motion prevailed.

REP. GATES MOVED that HB 1255 be returned to the House floor from the Committee on Education for the purpose of withdrawal, which motion prevailed.

REQUEST

REP. ULMER REQUESTED the unanimous consent of the House to withdraw HB 1255. There being no objection, it was so ordered by the Speaker.

REP. KRETSCHMAR MOVED that HB 1296 be returned to the House floor from the Committee on Judiciary and be rereferred to the Committee on Human Services and Veterans Affairs, which motion prevailed.

SPEAKER KLOUBEC ANNOUNCED that HB 1296 was rereferred to the Committee on Human Services and Veterans Affairs.

SECOND READING OF HOUSE BILL

HB 1161: A BILL for an Act to amend and reenact section 15-40.2-05 of the North Dakota Century Code, relating to the composition of the three-member tuition committee.

Which has been read.

ROLL CALL

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

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

NAYS: None

ABSENT AND NOT VOTING: Hausauer, R.; Kelly; Peterson

HB 1161 passed and the title was agreed to.

**MESSAGE FROM THE SENATE
 SENATE CHAMBER**

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

SCR 4008

PERRY GROTBORG, Secretary

SECOND READING OF HOUSE BILLS

HB 1039: A BILL for an Act to establish a legislative committee on state and tribal relations; and to create and enact a new subsection to section 54-36-03 of the North Dakota Century Code, relating to the powers and duties of the Indian affairs commission.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 28 YEAS, 74 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Anderson; Belter; Berg, G.; Brokaw; DeMers, J.; DeMers, P.; Dotzenrod; Enget; Frey; Graba; Klundt; Koland; Kolbo; Lautenschlager; Mertens; Murphy; Nowatzki; O'Connell; O'Shea; Rydell; Schneider; Starke; Strinden; Tokach; Tollefson; Trautman; Wilkie; Williams, W.

NAYS: Aas; Almlie; Berg, R.; Christman; Cleveland; Dalrymple; Dorso; Flaagan; Gates; Gerntholz; Goetz; Gorman; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hill; Hoffner; Hokana; Kent; Kingsbury; Knell; Knudson; Kretschmar; Kuchera; Lang; Larson; Laughlin; Linderman; Lindgren; Marks; Martin; Martinson; Melby; Meyer; Moore; Nelson, C.; Nelson, J.; Nicholas; Oban; Olsen, D.; Olson, A.; Olson, V.; Opedahl; Payne; Rice; Riehl; Scherber; Schindler; Shaft; Shaw; Shide; Shockman; Skjerven; Smette; Solberg; Sorensen;

Stofferahn; Thompson; Tomac; Ulmer; Vander Vorst; Wald;
 Watne; Wentz; Whalen; Williams, A.; Williams, C.;
 Winkelman; Speaker Kloubec

ABSENT AND NOT VOTING: Hausauer, R.; Kelly; Myrdal;
 Peterson

HB 1039 was declared lost.

HB 1057: A BILL for an Act to create and enact a new section to chapter 54-07 and a new subsection to section 54-09-02 of the North Dakota Century Code, relating to the duties of the governor and the secretary of state to file and record the filing of bills passed by the legislative assembly; to amend and reenact section 46-03-15 of the North Dakota Century Code, relating to the publication of the laws; and to declare an emergency.

Which has been read.

ROLL CALL

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

YEAS: Aas; Almlie; Anderson; Belter; Berg, G.; Berg, R.; Brokaw; Christman; Cleveland; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Dotzenrod; Enget; Flaagan; Frey; Gates; Gertholz; Goetz; Gorman; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hill; Hoffner; Hokana; 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; Tokach; Tollefson; Tomac; Trautman; Ulmer; Vander Vorst; Wald; Watne; Wentz; Whalen; Wilkie; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Kloubec

NAYS: None

ABSENT AND NOT VOTING: Hausauer, R.; Kelly; Peterson

HB 1057 passed, the title was agreed to, and the emergency clause carried.

HB 1081: A BILL for an Act to create and enact a new section to chapter 54-44.2 of the North Dakota Century Code, relating to a data processing advisory committee.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 79 YEAS, 23 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Aas; Almlie; Anderson; Belter; Berg, G.; Berg, R.; Cleveland; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Enget; Flaagan; Frey; Gates; Gerntholz; Goetz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hill; Hoffner; Kent; Kingsbury; Klundt; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Lindgren; Martin; Meyer; Moore; Murphy; Myrdal; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Rice; Riehl; Scherber; Schindler; Schneider; Shaft; Shaw; Shide; Shockman; Skjerven; Smette; Solberg; Sorensen; Starke; Strinden; Tollefson; Ulmer; Vander Vorst; Wald; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Speaker Kloubec

NAYS: Brokaw; Christman; Gorman; Hanson, L.; Hokana; Knell; Kolbo; Linderman; Marks; Martinson; Melby; Mertens; Nelson, C.; Nelson, J.; Rydell; Stofferahn; Thompson; Tokach; Tomac; Trautman; Watne; Wilkie; Winkelman

ABSENT AND NOT VOTING: Dotzenrod; Hausauer, R.; Kelly; Peterson

HB 1081 passed and the title was agreed to.

HB 1146: A BILL for an Act to amend and reenact section 54-52-12 of the North Dakota Century Code, relating to prohibition of assignment or other pledge of certain retirement benefits and funds.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 88 YEAS, 15 NAYS, 3 ABSENT AND NOT VOTING.

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

Hanson, O.; Haugland; Hausauer, A.; Hill; Hoffner; Hokana; Kent; Kingsbury; Klundt; Knell; Knudson; Koland; Kolbo; Kretschmar; Kuchera; Lang; Larson; Lindgren; Marks; Martin; Martinson; Melby; Meyer; Moore; Murphy; Myrdal; Nelson, C.; Nelson, J.; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; Payne; Rice; Riehl; Rydell; Schindler; Shaft; Shaw; Shide; Skjerven; Smette; Solberg; Sorensen; Stofferahn; Strinden; Thompson; Tokach; Tollefson; Tomac; Trautman; Ulmer; Vander Vorst; Wald; Wentz; Whalen; Wilkie; Williams, A.; Williams, C.; Winkelman; Speaker Kloubec

NAYS: Berg, G.; DeMers, J.; Enget; Haugen; Laughlin; Lautenschlager; Linderman; Mertens; O'Shea; Scherber; Schneider; Shockman; Starke; Watne; Williams, W.

ABSENT AND NOT VOTING: Hausauer, R.; Kelly; Peterson

HB 1146 passed and the title was agreed to.

HB 1230: A BILL for an Act to amend and reenact subsection 4 of section 54-52-03 of the North Dakota Century Code, relating to the honorarium of the members of the public employees retirement board.

Which has been read.

ROLL CALL

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

YEAS: Gorman; Ulmer

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

ABSENT AND NOT VOTING: Hausauer, R.; Kelly; Mertens; Peterson

HB 1230 was declared lost.

HB 1149: A BILL for an Act to amend and reenact subsection 4 of section 54-52-03 of the North Dakota Century Code, relating to the honorarium of the chairman of the public employees retirement board.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 1 YEA, 102 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Gorman

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; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hill; Hoffner; Hokana; 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; 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: Hausauer, R.; Kelly; Peterson

HB 1149 was declared lost.

HB 1165: A BILL for an Act to amend and reenact section 15-28-09 of the North Dakota Century Code, relating to nominating petition requirements for school board candidates.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 33 YEAS, 69 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Aas; DeMers, J.; Enget; Frey; Gates; Gerntholz; Halmrast; Hamerlik; Hanson, L.; Haugen; Haugland; Hoffner; Kingsbury; Koland; Kuchera; Larson; Lautenschlager; Lindgren; Moore; Myrdal; Oban; Olson, V.; Payne; Rice; Rydell; Schneider; Shaw; Skjerven; Sorensen; Tollefson; Ulmer; Wentz; Speaker Kloubec

NAYS: Almlie; Anderson; Belter; Berg, G.; Berg, R.; Brokaw; Christman; Cleveland; Dalrymple; DeMers, P.; Dorso; Dotzenrod; Flaagan; Goetz; Gorman; Graba; Gunsch; Hanson, O.; Hausauer, A.; Hill; Hokana; Kent; Klundt; Knell; Knudson; Kolbo; Kretschmar; Lang; Laughlin; Linderman; Marks; Martin; Martinson; Melby; Mertens; Meyer; Murphy; Nelson, C.; Nelson, J.; Nicholas; Nowatzki; O'Connell; Olsen, D.; Olson, A.; Opedahl; O'Shea; Riehl; Scherber; Schindler; Shaft; Shide; Shockman; Smette; Solberg; Starke; Stofferahn; Strinden; Thompson; Tokach; Tomac; Trautman; Vander Vorst; Wald; Watne; Wilkie; Williams, A.; Williams, C.; Williams, W.; Winkelman

ABSENT AND NOT VOTING: Hausauer, R.; Kelly; Peterson; Whalen

HB 1165 was declared lost.

RECOGNITION

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

SECOND READING OF HOUSE BILL

HB 1261: A BILL for an Act to amend and reenact subdivision c of subsection 1 of section 57-38-01.2 and subdivision c of subsection 1 of section 57-38-01.3 of the North Dakota Century Code, relating to income tax deductions for federal income taxes paid; 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 103 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Aas; Almlie; Anderson; Belter; Berg, G.; Berg, R.; Brokaw; Christman; Cleveland; Dalrymple; DeMers, J.;

DeMers, P.; Dorso; Dotzenrod; Enget; Flaagan; Frey; Gates; Gerntholz; Goetz; Gorman; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hill; Hoffner; Hokana; 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; Tokach; Tollefson; Tomac; Trautman; Ulmer; Vander Vorst; Wald; Watne; Wentz; Whalen; Wilkie; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Kloubec

NAYS: None

ABSENT AND NOT VOTING: Hausauer, R.; Kelly; Peterson

HB 1261 passed and the title was agreed to.

FIRST READING OF A SENATE CONCURRENT RESOLUTION

Sen. Hilken and Rep. Anderson introduced:

SCR 4008: A concurrent resolution urging Congress to reauthorize promptly the federal highway aid program.

Was read the first time.

MOTION

REP. STRINDEN MOVED that the rules be suspended, that SCR 4008 not be referred to committee, be read in its entirety, not be printed in the Journal, and placed on the calendar for second reading and final passage, which motion prevailed.

SECOND READING OF A SENATE CONCURRENT RESOLUTION

SCR 4008: A concurrent resolution urging Congress to reauthorize promptly the federal highway aid program.

Which has been read.

The question being on the final adoption of the resolution.

SCR 4008 was declared adopted on a voice vote.

MOTION

REP. STRINDEN MOVED that the rules be suspended and that action taken on SCR 4008 be messaged to the Senate immediately, which motion prevailed.

MESSAGE TO THE SENATE
HOUSE CHAMBER

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

SCR 4008

ROY GILBREATH, Chief Clerk

MOTIONS

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

REP. GOETZ MOVED that, the House be on the Fifth order of business, and at the conclusion of the Fifth order, the House 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 12:30 p.m., Friday, January 16, 1987, which motion prevailed.

REPORTS OF STANDING COMMITTEES

MR. SPEAKER: Your Committee on Agriculture to which was referred HB 1030 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 and be rereferred to the Committee on Appropriations.

REP. NICHOLAS, Chairman

HB 1030 was rereferred to the Committee on Appropriations.

MR. SPEAKER: Your Committee on Industry, Business and Labor to which was referred HB 1048 has had the same under consideration and recommends by a vote of 15 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same DO NOT PASS:

REP. WHALEN, Chairman

HB 1048 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Natural Resources to which was referred HB 1083 has had the same under consideration and recommends by a vote of 11 YEAS, 4 NAYS, 2 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. A. OLSON, Chairman

HB 1083 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Political Subdivisions to which was referred HB 1116 has had the same under consideration and recommends by a vote of 15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

REP. MOORE, Chairman

HB 1116 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Natural Resources to which was referred HB 1163 has had the same under consideration and recommends by a vote of 17 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 4, after the word "areas" insert the words "; and to provide a penalty"

On page 1, line 12, after the period insert the words "The violation of any such rule shall constitute an infraction."

And renumber the lines accordingly

REP. A. OLSON, Chairman

HB 1163 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 HB 1175 has had the same under consideration and recommends by a vote of 15 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

REP. WHALEN, Chairman

HB 1175 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Finance and Taxation to which was referred HB 1195 has had the same under consideration and recommends by a vote of 16 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 4, after the word "retailers" insert the words "; to provide an effective date; and to declare an emergency"

On page 3, after line 5, insert the following new sections:

"SECTION 3. EFFECTIVE DATE. This Act becomes effective on April 1, 1987.

"SECTION 4. EMERGENCY. This Act is declared to be an emergency measure and is in effect upon its filing with the secretary of state or on a date specified in this Act."

And renumber the lines, sections, and pages accordingly

REP. A. HAUSAUER, Chairman

HB 1195 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Education to which was referred HB 1204 has had the same under consideration and recommends by a vote of 14 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, line 26, after the word "received" insert the words "while engaged" and after the word "in" insert the word "the"

On page 1, line 27, after the word "duties" insert the words "under circumstances dangerous to human life"

And renumber the lines accordingly

REP. GATES, Chairman

HB 1204 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 HB 1205 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

REP. WHALEN, Chairman

HB 1205 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Finance and Taxation to which was referred HB 1240 has had the same under consideration and recommends by a vote of 13 YEAS, 1 NAY, 3 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 6, delete the numerals "57-38-45,"

On page 7, delete lines 4 through 35

On page 8, delete lines 1 through 35

On page 9, delete lines 1 through 35

On page 10, delete lines 1 through 7

And renumber the lines, sections, and pages accordingly

REP. A. HAUSAUER, Chairman

HB 1240 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

FIRST READING OF HOUSE BILLS

Reps. Wald, Belter, J. DeMers and Sen. Tennesfos introduced:

HB 1320: A BILL for an Act to amend and reenact section 34-11.1-04 of the North Dakota Century Code, relating to complaints by public employees.

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

Reps. Rydell, J. DeMers, Gates, Ulmer introduced:

HB 1321: A BILL for an Act to amend and reenact section 31-01-16 of the North Dakota Century Code, relating to compensation and expenses for witnesses in criminal actions.

Was read the first time and referred to the **Committee on Judiciary**.

Reps. Rydell, J. DeMers, Ulmer, Gates introduced:

HB 1322: A BILL for an Act to amend and reenact section 27-09.1-17 of the North Dakota Century Code, relating to protection of employment of jurors and witnesses.

Was read the first time and referred to the **Committee on Judiciary**.

Reps. Rydell, Sorensen, D. Olsen introduced:

HB 1323: A BILL for an Act to create and enact a new subsection to section 39-06-03 of the North Dakota Century Code, relating to persons who may not be issued licenses to operate motor vehicles; and to amend and reenact section 39-07-11 of the North Dakota Century Code, relating to records of conviction to be forwarded to the licensing authority.

Was read the first time and referred to the **Committee on Judiciary**.

Reps. Stofferahn, Tomac and Sens. Wright, Schoenwald introduced:

HB 1324: A BILL for an Act to amend and reenact subsection 2 of section 39-21-44 of the North Dakota Century Code, relating to adoption of rules by the superintendent of the highway patrol concerning transportation of hazardous materials.

Was read the first time and referred to the **Committee on Transportation**.

Reps. Goetz, Wald and Sen. Dotzenrod introduced:

HB 1325: A BILL for an Act to amend and reenact section 57-37.1-07 and subsection 3 of section 57-37.1-08 of the North Dakota Century Code, relating to interest on estate tax payments or refunds.

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

Reps. Schneider, Anderson, C. Williams and Sens. Mutch, Richard introduced:

HB 1326: A BILL for an Act to amend and reenact sections 57-43.1-02 and 57-43.2-02 of the North Dakota Century Code, relating to taxes on motor vehicle fuels and special fuels containing alcohol; and to repeal section 2 of chapter 646 of the 1985 Session Laws of North Dakota, relating to

severability of provisions of the fuel tax reduction for certain fuels containing alcohol.

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

Reps. Wald, Skjerven, Tokach and Sens. Vosper, Naaden introduced:

HB 1327: A BILL for an Act to create and enact a new section to chapter 34-03 of the North Dakota Century Code, relating to limitations on civil actions brought by a public employee against the state or political subdivision.

Was read the first time and referred to the **Committee on Judiciary**.

Reps. Martin, Vander Vorst, Brokaw and Sen. Krauter introduced:

HB 1328: A BILL for an Act to create and enact a new section to chapter 20.1-05 of the North Dakota Century Code, relating to party hunting for big game animals.

Was read the first time and referred to the **Committee on Natural Resources**.

Rep. Wentz and Sen. J. Meyer introduced:

HB 1329: A BILL for an Act to amend and reenact section 26.1-36-07 of the North Dakota Century Code, relating to required group health insurance coverage for adopted children.

Was read the first time and referred to the **Committee on Human Services and Veterans Affairs**.

Reps. Larson, Ulmer introduced:

HB 1330: A BILL for an Act to create and enact two new sections to chapter 50-06.1 of the North Dakota Century Code, relating to a registry of traumatic head injuries and to require medical facilities to report such injuries.

Was read the first time and referred to the **Committee on Human Services and Veterans Affairs**.

Reps. A. Olson, Myrdal and Sen. Vosper introduced:

HB 1331: A BILL for an Act to provide for the time for compliance by counties with laws enacted by the legislative assembly which fiscally affect counties.

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

Reps. Myrdal, A. Olson, R. Berg and Sens. Vosper, Lodoen introduced:

HB 1332: A BILL for an Act to amend and reenact section 32-12.1-03 and subsection 3 of section 32-12.1-04 of the North Dakota Century Code, relating to placing limitations on punitive damage awards against political subdivisions.

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

Rep. Moore and Sen. Satrom introduced:

HB 1333: A BILL for an Act to amend and reenact section 40-49-14 of the North Dakota Century Code, relating to bids on contracts let by a board of park commissioners.

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

Rep. Gorman introduced:

HB 1334: A BILL for an Act to amend and reenact sections 49-18-14, 49-18-15, and 49-18-23 of the North Dakota Century Code, relating to motor carrier permits.

Was read the first time and referred to the **Committee on Transportation**.

Rep. Kingsbury introduced:

HB 1335: A BILL for an Act to amend and reenact subsection 4 of section 32-12.1-02, subsections 1 and 3 of section 32-12.1-03, and sections 32-12.1-05 and 32-12.1-07 of the North Dakota Century Code, relating to governmental immunity of political subdivisions and their employees.

Was read the first time and referred to the **Committee on Judiciary**.

Rep. Winkelman introduced:

HB 1336: A BILL for an Act to provide for disposition of funds maintained by the board of massage; and to repeal chapter 43-25 of the North Dakota Century Code, relating to massage registration.

Was read the first time and referred to the **Committee on Human Services and Veterans Affairs**.

Reps. Moore, Dorso introduced:

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.

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

Reps. Mertens, J. DeMers and Sens. Waldera, Stenehjem introduced:

HB 1338: A BILL for an Act to amend and reenact sections 26.1-36-08 and 26.1-36-09 of the North Dakota Century Code, relating to group health policy and health service contract substance abuse and mental disorder coverage.

Was read the first time and referred to the **Committee on Industry, Business and Labor**.

Reps. Dalrymple, Halmrast, Stofferahn and Sen. Maixner introduced:

HB 1339: A BILL for an Act to amend and reenact section 20.1-03-12.1 of the North Dakota Century Code, relating to wildlife food plots.

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

FIRST READING OF SENATE BILLS

SB 2112: A BILL for an Act to create and enact a new section to chapter 4-09 of the North Dakota Century Code, relating to the sale of certified varieties of seed protected by the Plant Variety Protection Act.

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

SB 2118: A BILL for an Act to create and enact section 15-59.2-01.1 of the North Dakota Century Code, relating to the corporate powers and corporate names of multidistrict special education programs.

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

SB 2138: A BILL for an Act to amend and reenact section 39-04-04 of the North Dakota Century Code, relating to retention of motor vehicle department records.

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

SB 2139: A BILL for an Act to amend and reenact section 39-04-15 of the North Dakota Century Code, relating to when motor vehicle registrations become due and delinquent.

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

SB 2140: A BILL for an Act to amend and reenact section 39-04-05 of the North Dakota Century Code, relating to grounds for refusing registration of a motor vehicle.

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

SB 2153: A BILL for an Act to amend and reenact subsection 27 of section 57-15-06.7 of the North Dakota Century Code, relating to exceptions to county tax levy limitations.

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

SB 2154: A BILL for an Act to amend and reenact section 6-09.4-04 of the North Dakota Century Code, relating to the North Dakota municipal bond bank.

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

SB 2209: A BILL for an Act to amend and reenact subsection 9 of section 15-27.2-04 of the North Dakota Century Code, relating to the submission of annexation petitions to the state board of public school education.

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

SB 2211: A BILL for an Act to amend and reenact subsection 8 of section 15-27.2-04 of the North Dakota Century Code, relating to the submission of annexation petitions to the county committee.

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

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

ROY GILBREATH, Chief Clerk