

JOURNAL OF THE HOUSE

Fifty-first Legislative Assembly

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Bismarck, March 30, 1989

The House convened at 9:00 a.m., with Speaker Kretschmar presiding.

The prayer was offered by Anatoly Ageyev from Russia, together with Bishop Barry Lee, Church of God of Prophecy, Bismarck.

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

A quorum was declared by the Speaker.

CORRECTION and REVISION of the JOURNAL (Rep. V. Olson, Chairman)

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

Page 1718, line 35, remove "HB 1167"

Page 1719, line 2, remove "HB 1167"

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

CORRECTION and REVISION of the JOURNAL (Rep. V. Olson, Chairman)

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

Page 1675, line 43, remove "HB 1167"

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

HOUSE ENGROSSING REPORT

The following resolution was engrossed: HCR 3011.

COMMUNICATION

State of North Dakota
OFFICE OF THE GOVERNOR
Bismarck

March 28, 1989

The Honorable William Kretschmar
Speaker of the House
House Chamber
State Capitol
Bismarck, North Dakota 58505

Dear Mr. Speaker:

This is to inform you that on March 28, 1989, I signed the following: HB 1304.

Sincerely,

GEORGE A. SINNER
Governor

REPORT OF STANDING COMMITTEE

MR. SPEAKER: Your Committee on State and Federal Government (Rep. Martinson, Chairman) to which was rereferred Engrossed SB 2397 has had the same under consideration and recommends by a vote of 7 YEAS, 6 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

Engrossed SB 2397 was placed on the Fourteenth order of business on the calendar.

MOTION

REP. HAUGEN MOVED that SB 2397, which is on the Fourteenth order, be rereferred to the Committee on Political Subdivisions.

RULING BY THE SPEAKER

SPEAKER KRETSCHMAR RULED that Rep. Haugen's motion was in order.

REQUESTS

REP. SKJERVEN REQUESTED a recorded roll call vote on the motion to rerefer SB 2397 to the Committee on Political Subdivisions.

REP. SCHNEIDER REQUESTED a ruling clarification as to whether Rep. Haugen could reconsider the action whereby SB 2397 was rereferred to the Committee on State and Federal Government yesterday.

RULING BY THE SPEAKER

SPEAKER KRETSCHMAR RULED "no", as the committee report had been accepted and SB 2397 is on the Fourteenth order on the calendar, therefore action has been taken on the bill since it was rereferred to the Committee on State and Federal Government.

MOTION

REP. A. HAUSAUER MOVED a substitute motion that the House reconsider the action whereby SB 2397 was adopted on the Fifth order.

RULING BY THE SPEAKER

SPEAKER KRETSCHMAR RULED that Rep. A. Hausauer's motion was out of order, as under present rules committee reports without amendments place all bills on the Eleventh and Fourteenth orders without a motion that the committee report be adopted. Thus, there is no adoption to reconsider.

RULING BY THE SPEAKER

SPEAKER KRETSCHMAR RULED that the proper motion would be to rerefer the bill to whichever committee one wanted it to go.

REQUEST

REP. A. HAUSAUER REQUESTED of the Speaker whether Rep. Haugen's motion was the proper motion.

RULING BY THE SPEAKER

SPEAKER KRETSCHMAR RULED that it is the proper motion.

REQUEST

REP. MERTENS REQUESTED a clarification ruling as to whether it was possible to reconsider the adoption of the committee report.

RULING BY THE SPEAKER

SPEAKER KRETSCHMAR RULED that under present rules, when the committee report comes up from any committee and the recommendation is DO PASS or DO NOT PASS, with no amendments on the bill, our present rules will place it on the Eleventh or Fourteenth order of business without a motion. Therefore, there is no motion to reconsider.

REQUEST

REP. HAUGEN REQUESTED permission to withdraw his motion, which request was granted.

MOTION

REP. HAUGEN MOVED that the House reconsider the action whereby SB 2397 was rereferred to the Committee on State and Federal Government.

RULING BY THE SPEAKER

SPEAKER KRETSCHMAR RULED that the motion would be in order if SB 2397 was in the Committee on State and Federal Government, but as the committee report had been accepted and SB 2397 was placed on the Fourteenth order on the calendar, action had been taken on the bill since rereference to the Committee on State and Federal Government, and the motion is not in order at this time.

MOTION

REP. A. HAUSAUER MOVED a substitute motion that SB 2397 be rereferred to the Committee on Political Subdivisions.

REQUEST

REP. SKJERVEN REQUESTED a recorded roll call vote on the motion to rerefer SB 2397 to the Committee on Political Subdivisions, which request was granted.

ROLL CALL

The question being on the motion to rerefer SB 2397 to the Committee on Political Subdivisions, the roll was called and there were 91 YEAS, 13 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Aas; Anderson, R.; Belter; Berg, G.; Brokaw; Carlson; Christman; Clayburgh; Dalrymple; DeMers, J.; DeMers, P.; Enget; Flaagan; Frey; Gates; Gerhardt; Gerntholz; Gilmore; Goetz; Graba; Gunsch; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hoffner; Hokana; Howard; Huether; Jensen; Kaldor; Kelly; Kingsbury; Kloubec; Knell; Kolbo; Kouba; Lang; Larson, D.; Laughlin; Marks; Martin; Martinson; Melby; Mertens; Murphy; Myrdal; Nelson; Ness; Nicholas; Nowatzki; Oban; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Peterson; Ring; Rydell; Schatz; Scherber; Schindler; Schmidt; Schneider; Shide; Shockman; Skjerven; Smette; Solberg; Sorensen; Starke; Thompson, K.; Thompson, V.; Timm; Tokach; Tollefson; Tomac; Trautman; Ulmer; Urlacher; Vander Vorst; Wald; Watne; Wentz; Whalen; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: Anderson, B.; Bernstein; Dorso; Gerl; Gorman; Halmrast; Hausauer, R.; Larson, R.; Lindgren; Payne; Soukup; Stenehjem; Stofferahn

ABSENT AND NOT VOTING: Berg, R.; Shaft

The motion to rerefer SB 2397 to the Committee on Political Subdivisions prevailed.

SB 2397 was rereferred to the Committee on Political Subdivisions.

REQUEST

REP. A. HAUSAUER REQUESTED the status of the bill and since Rep. Haugen's motion prevailed, what action the Committee on Political Subdivisions can take on SB 2397.

RULING BY THE SPEAKER

SPEAKER KRETSCHMAR RULED that there are no amendments on the bill and it would be the Committee on Political Subdivisions' responsibility to come in with a committee recommendation.

MESSAGE to the HOUSE from the SENATE (Patricia Conrad, Secretary)

MR. SPEAKER: The President has signed and your signature is respectfully requested: SB 2007, SB 2223, SB 2336, SB 2473.

MESSAGE to the HOUSE from the SENATE (Patricia Conrad, Secretary)

MR. SPEAKER: The President has signed: HB 1050, HB 1051, HB 1061, HB 1062, HB 1106, HB 1119, HB 1142, HB 1146, HB 1178, HB 1184, HB 1192, HB 1434, HCR 3003, HCR 3009, HCR 3023, HCR 3032, HCR 3035, HCR 3037, HCR 3049, HCR 3059, HCR 3060, HCR 3069.

MESSAGE to the HOUSE from the SENATE (Patricia Conrad, Secretary)

MR. SPEAKER: The Senate has amended and subsequently failed to pass: HB 1250.

MESSAGE to the HOUSE from the SENATE (Patricia Conrad, Secretary)

MR. SPEAKER: The Senate has amended and subsequently failed to pass: HB 1258, HB 1571, HB 1661.

MESSAGE to the HOUSE from the SENATE (Patricia Conrad, Secretary)

MR. SPEAKER: The Senate has passed and your favorable consideration is requested on: SCR 4072.

MOTION

REP. TIMM MOVED that SB 2128, which is on the Sixth order, be rereferred to the Committee on Transportation, which motion prevailed. Pursuant to Rep. Timm's motion, SB 2128 was rereferred.

SIXTH ORDER OF BUSINESS

REP. MARTIN MOVED that the amendments to HCR 3022 as recommended by the Committee on Joint Constitutional Revision as printed on pages 1698-1699 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

HCR 3022, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3022: A concurrent resolution to create and enact a new section to article X of the Constitution of North Dakota to provide that the resources trust fund is a constitutional trust fund; to provide for transfer of funds to the resources trust fund; and to provide an effective date.

ROLL CALL

The question being on the adoption of the amended resolution, which has been read, the roll was called and there were 99 YEAS, 3 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Aas; Anderson, B.; Anderson, R.; Belter; Berg, G.; Berg, R.; Bernstein; Brokaw; Carlson; Christman; Clayburgh; Dalrymple; DeMers, J.; DeMers, P.; Enget; Flaagan; Frey; Gates; Gerhardt; Gerl; Gerntholz; Gilmore; Goetz; Gorman; Graba; Gunsch; Halmrast; Hanson, L.; Haugen; Haugland; Hausauer, R.; Hoffner; Hokana; Howard; Huether; Jensen; Kaldor; Kelly; Kingsbury; Kloubec; Knell; Kolbo; Kouba; Lang; Larson, D.; Larson, R.; Laughlin; Lindgren; Marks; Martin; Martinson; Melby; Myrdal; Nelson; Ness; Nicholas; Nowatzki; Oban; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Ring; Rydell; Schatz; Scherber; Schindler; Schmidt; Schneider; Shide; Shockman; Skjerven; Smette; Solberg; Sorensen; Soukup; Starke; Stenehjem; Stofferahn; Thompson, K.; Thompson, V.; Timm; Tokach; Tollefson; Tomac; Trautman; Ulmer; Urlacher; Vander Vorst; Wald; Watne; Wentz; Whalen; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: Dorso; Hausauer, A.; Murphy

ABSENT AND NOT VOTING: Hanson, O.; Mertens; Peterson; Shaft

HCR 3022 was declared adopted on a roll call vote.

MOTION

REP. KLOUBEC MOVED that SB 2371 be placed at the top of the Sixth order on the calendar, which motion prevailed.

MESSAGE to the SENATE from the HOUSE (Roy Gilbreath, Chief Clerk)
MR. PRESIDENT: The House has amended and subsequently failed to pass: SB 2357.

MESSAGE to the HOUSE from the SENATE (Patricia Conrad, Secretary)
MR. SPEAKER: The Senate has amended and subsequently passed: HB 1186, HB 1302, HB 1444, HB 1495, HB 1554, HB 1559, HB 1581, HB 1614, HB 1647.

SENATE AMENDMENTS TO ENGROSSED HB 1186

Page 3, line 29, remove the overstrike over "~~certificate~~" and remove "license"

Page 14, line 10, after "malice" insert "or gross negligence"

ReNUMBER accordingly

SENATE AMENDMENTS TO ENGROSSED HB 1302

In lieu of the amendments to engrossed House Bill No. 1302 adopted by the Senate as printed on page 1239 of the Senate Journal, engrossed House Bill No. 1302 is amended as follows:

Page 1, line 5, remove "and section 57-62-06"

Page 1, line 7, remove "and legislative intent and guidelines on oil and gas impact grants"

Page 2, remove lines 1 through 16

Page 2, line 28, replace "Section 3" with "Sections 1 and 2" and replace "becomes" with "become"

Re-number accordingly

SENATE AMENDMENTS TO ENGROSSED HB 1444

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact a new subsection to section 6-08.1-02, a new subsection to section 6-08.1-03, and sections 6-09.10-10 and 6-09.10-11 of the North Dakota Century Code, relating to disclosure of customer information by financial institutions, mediation records and meetings, and authority to receive and expend federal funds; to amend and reenact sections 6-09.10-03, 6-09.10-04, 6-09.10-04.1, 6-09.10-05, and subsection 3 of section 6-09.10-08.5 of the North Dakota Century Code, relating to fees charged for assistance provided to farmers and creditors, changing the name of the farm credit counseling program, compensation for credit review board members, requests for assistance, and liability; and to declare an emergency.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new subsection to section 6-08.1-02 of the North Dakota Century Code is hereby created and enacted to read as follows:

Disclosure by a financial institution to the commissioner of agriculture that it has given a customer notice of the availability of the North Dakota agricultural mediation service.

SECTION 2. A new subsection to section 6-08.1-03 of the North Dakota Century Code is hereby created and enacted to read as follows:

For the purpose of notifying the commissioner of agriculture that a financial institution has notified a customer of the availability of the North Dakota agricultural mediation service.

SECTION 3. AMENDMENT. Section 6-09.10-03 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

6-09.10-03. Farm Credit Counseling Program North Dakota agricultural mediation service - Powers - Compensation and expenses - Fees. The board shall meet at the call of the chairman, as is necessary to fulfill its duties under this chapter. The department of agriculture shall administer the farm credit counseling program agricultural mediation service. The commissioner of agriculture shall

establish a farm credit counseling program an agricultural mediation service to disseminate information to farmers concerning farm credit problems, and provide advice and counseling regarding assistance to seek to resolve farm credit problems. The commissioner shall appoint an administrator of the farm credit counseling program to administer the program agricultural mediation service. The commissioner shall hire staff and, negotiators, and mediators who may mediate between a farmer who has requested assistance and the farmer's creditors, either of whom may request assistance. The board may charge the farmer and each of the farmer's creditors a reasonable fee for any assistance provided to a farmer, such funds to be used to continue the program service until June 30, 1989 1991. Fees charged to the farmer's creditors are limited to twenty-five dollars per hour, each, for the time spent in mediation sessions. The board shall adopt policies governing the negotiators and, staff, and mediators hired under this section. Board members are entitled to receive fifty sixty-five dollars for each day of official service, as directed by the board. The board members are entitled to expenses as provided in sections 44-08-04 and 54-06-09. The expenses provided under this section may be paid from any funds available in the home-quarter purchase fund.

SECTION 4. AMENDMENT. Section 6-09.10-04 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

6-09.10-04. Request for assistance - Negotiation - Mediation.

- 1- Any farmer or creditor may request the assistance of a negotiator from the administrator. Upon receipt of the request, the negotiator may enter into negotiations with the lender, on behalf of the farmer and upon consent of the farmer and the creditor to mediation, the negotiator or mediator shall encourage and assist the farmer and the farmer's creditors to reach a voluntary settlement.
- 2- The negotiator shall negotiate with the lender in an attempt to extend the term of the loan, reduce the dollar amount of payments under the loan, or otherwise negotiate a settlement that will allow the farmer to reside in the farm residence and allow the farmer to continue to produce agricultural commodities. Any change in the terms of the mortgage must be approved by the lender and the farmer.

SECTION 5. AMENDMENT. Section 6-09.10-04.1 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

6-09.10-04.1. Liability. The board, commissioner, administrator, staff, and negotiators, and mediators are not subject to any liability arising from any actions undertaken on behalf of a farmer or between a farmer and the farmer's creditors in attempting to reach a settlement with a lender.

SECTION 6. AMENDMENT. Section 6-09.10-05 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

6-09.10-05. Interest rate buydowns by the board.

1. If the board, or its authorized agent, is unable to mediate a settlement in the negotiation of with regard to a farmer's

debt, the board may approve the purchase, refinancing, or redemption of the farmer's home-quarter. If the board approves the purchase, refinancing, or redemption of the home-quarter, it shall subsidize the interest rate paid by the farmer after credit has been obtained by the farmer from any governmental or private financial institution or agency.

2. The board may only approve an interest subsidy if the farmer has the financial ability to meet all payments and financial responsibilities, including the payment of principal and interest on loans subsidized under this chapter.
3. The board may defer or waive payment, restructure payment, or enter into other reasonable loan servicing options with a farmer who has received an interest subsidy, upon proof of financial hardship, or if the farmer, after deferral, restructure, or other loan servicing options, has the ability to make all the payments and meet all the financial responsibilities with regard to the change in payments.

SECTION 7. AMENDMENT. Subsection 3 of section 6-09.10-08.5 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

3. Cooperate with the farm credit counseling program agricultural mediation service and existing informational and referral networks among farmers, farmer advocates, small business persons, and others concerned with the economic crisis in agricultural and small business concern areas.

SECTION 8. Section 6-09.10-10 of the North Dakota Century Code is hereby created and enacted to read as follows:

6-09.10-10. Mediation - Open records and meetings exception. Information created, collected, and maintained by the agricultural mediation service regarding the finances of specific farmers and creditors is confidential and is not subject to the open records requirements of section 44-04-18. All mediation meetings, or meetings involving the board, staff, negotiators, or mediators wherein the finances of specific farmers and creditors is discussed, are confidential, closed meetings and are not subject to the open meetings requirements of section 44-04-19.

SECTION 9. Section 6-09.10-11 of the North Dakota Century Code is hereby created and enacted to read as follows:

6-09.10-11. Commissioner of agriculture - Authorization. The commissioner of agriculture is authorized to receive and expend any federal, private, or other funds that become available for the purpose of defraying the expenses of the agricultural mediation service.

SECTION 10. EMERGENCY. This Act is declared to be an emergency measure."

Renumber accordingly

SENATE AMENDMENTS TO HB 1495

Page 1, line 9, after the comma insert "up to a maximum of three hundred dollars per month,"

Re-number accordingly

SENATE AMENDMENTS TO ENGROSSED HB 1554

Page 2, line 8, remove "affected"

Page 2, line 11, remove "affected"

Re-number accordingly

SENATE AMENDMENTS TO HB 1559

Page 1, line 1, replace "sections" with "section", after "15-19-02" insert ", subsection 2 of section 15-19-06,", and after the second "and" insert "section"

Page 1, line 3, after "study" insert "and the administrative operational fund"

Page 2, after line 3, insert:

"SECTION 2. AMENDMENT. Subsection 2 of section 15-19-06 of the 1987 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

- 2. The ~~state board of public school education superintendent of public instruction may, if it deems advisable,~~ establish an administrative operational fund, of not to exceed ten thousand dollars, out of the special operating fund for the division of independent study. The administrative operational fund ~~so established shall~~ must be deposited in the Bank of North Dakota and may be drawn upon by the state director of the division of independent study for the payment of necessary expenses in the administration and operation of the division of independent study within the limits and ~~regulations~~ rules prescribed by the ~~board of public school education superintendent of public instruction.~~ The director shall submit a full, minute, and itemized statement of every expenditure made during the month to the ~~board superintendent of public instruction~~ in accordance with ~~such the rules and regulations as adopted by the board may prescribe superintendent of public instruction,~~ and thereafter the ~~board superintendent of public instruction may, in its discretion,~~ periodically authorize additional transfers to the administrative operational fund, but the balance in such fund ~~shall may~~ never exceed ten thousand dollars, and any unencumbered balance therein at the end of any biennium ~~shall~~ must revert to the state treasury. The administrative operational fund may not be used to pay salaries or expenses of the director. The ~~board superintendent of public instruction~~ shall determine the amount of the bond to be posted by the director."

Re-number accordingly

SENATE AMENDMENTS TO ENGROSSED HB 1581

Page 3, line 1, replace "inclusive of" with "as approved by the board;"

Page 3, remove lines 2 and 3

Page 6, line 8, replace the comma with "as approved by the board;"

Page 6, remove lines 9 and 10

Renumber accordingly

SENATE AMENDMENTS TO ENGROSSED HB 1614

Page 1, line 2, remove "and" and after "15-40.2-03" insert ", and section 57-15-27"

Page 7, after line 13, insert:

"SECTION 5. AMENDMENT. Section 57-15-27 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

57-15-27. Interim fund. The governing body of any county, city, school district, park district, or other municipality authorized to levy taxes, may include in its budget an item to be known as the "interim fund" which shall be carried over to the next ensuing fiscal year to meet the cash requirements of all funds or purposes to which the credit of the municipality may be legally extended, for that portion of such fiscal year prior to the receipt of taxes therein. In no case shall such interim fund be in excess of the amount reasonably required to finance the municipality for the first nine months of the next ensuing fiscal year. Such interim fund shall not be in excess of three-fourths of the current annual appropriation for all purposes other than debt retirement purposes and appropriations financed from bond sources. The interim fund for school districts may not be in excess of three-fourths of the current annual appropriation plus twenty thousand dollars."

Renumber accordingly

SENATE AMENDMENTS TO ENGROSSED HB 1647

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact a new section to chapter 64-03 of the North Dakota Century Code, relating to the requirement that meters purchased for use on petroleum delivery vehicles be capable of printing receipts.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new section to chapter 64-03 of the North Dakota Century Code is hereby created and enacted to read as follows:

Bulk petroleum delivery vehicles - When meters required.

1. Except as provided in chapter 64-04, a bulk petroleum delivery vehicle that dispenses more than twenty-five thousand gallons [94625 liters] of gasoline, distillates, or liquified petroleum gas annually and has a capacity of less than five thousand gallons [18925 liters] must be equipped with and the products must be dispensed through a meter that is approved by the public service commission.

2. A bulk petroleum dealer operating a vehicle that dispenses not more than twenty-five thousand gallons [94625 liters] of gasoline, distillates, or liquified petroleum gas annually shall maintain records showing the quantity of products annually delivered by the vehicle. The records must be maintained for five years.
3. On and after the effective date of this Act, every new, used, or rebuilt meter purchased for use on bulk petroleum delivery vehicles must be capable of printing receipts. After June 30, 1994, every bulk petroleum delivery vehicle required to be equipped with a meter under this section must be equipped with a meter capable of printing receipts.
4. A bulk petroleum dealer shall provide to a customer, upon request, a delivery receipt showing the quantity of the product delivered to the customer. After June 30, 1994, the receipt provided to a customer must be a metered receipt."

Renumber accordingly

SIXTH ORDER OF BUSINESS

REP. HAUGLAND MOVED that the amendments to Engrossed SB 2371 as recommended by the Committee on Human Services and Veterans Affairs as printed on page 1737 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

Engrossed SB 2371, as amended, was placed on the Fourteenth order of business on the calendar.

SECOND READING OF SENATE BILL

SB 2371: A BILL for an Act to provide for the licensure and regulation of clinical laboratory personnel and to establish a North Dakota board of clinical laboratory practice; to provide a penalty; to provide an appropriation; and to provide an effective date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 67 YEAS, 34 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Aas; Anderson, B.; Belter; Bernstein; Brokaw; Carlson; Clayburgh; Dalrymple; DeMers, J.; DeMers, P.; Enget; Frey; Gates; Gerhardt; Gerl; Gerntholz; Gilmore; Goetz; Graba; Halmrast; Hanson, L.; Hanson, O.; Haugland; Hoffner; Hokana; Jensen; Kaldor; Kelly; Knell; Kolbo; Larson, D.; Larson, R.; Lindgren; Marks; Martin; Martinson; Myrdal; Ness; Nicholas; Nowatzki; Oban; Olsen, D.; Olson, A.; Olson, V.; Peterson; Ring; Rydell; Scherber; Schneider; Shockman; Solberg; Sorensen; Starke; Stenehjem; Stofferahn; Thompson, K.; Thompson, V.; Tollefson; Ulmer; Urlacher; Wentz; Whalen; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: Anderson, R.; Berg, G.; Berg, R.; Christman; Dorso; Flaagan; Gorman; Gunsch; Howard; Huether; Kingsbury; Kloubec; Kouba; Lang; Laughlin; Melby; Mertens; Murphy; Nelson; O'Shea; Payne; Schatz; Schindler; Schmidt; Shide; Skjerven; Smette; Soukup; Timm; Tokach; Tomac; Trautman; Vander Vorst; Wald

ABSENT AND NOT VOTING: Haugen; Hausauer, A.; Hausauer, R.; Shaft; Watne

SB 2371 passed and the title was agreed to.

MOTION

REP. KLOUBEC MOVED that SB 2505 be placed at the head of the Sixth order on the calendar, which motion prevailed.

HOUSE ENGROSSING REPORT

The following resolution was engrossed: HCR 3022.

MESSAGE to the HOUSE from the SENATE (Patricia Conrad, Secretary)

MR. SPEAKER: The Senate does not concur in the House amendments to SB 2173, SB 2226, SB 2230, SB 2242, and SB 2256 and the President has appointed as a conference committee to act with a like committee from the House on:

SB 2173: Sens. Keller, Schoenwald, Todd
 SB 2226: Sens. Maixner, O'Connell, David
 SB 2230: Sens. Krauter, Maixner, Moore
 SB 2242: Sens. Keller, Krauter, Mutch
 SB 2256: Sens. Maxson, Nalewaja, Stenehjem

MESSAGE to the HOUSE from the SENATE (Patricia Conrad, Secretary)

MR. SPEAKER: The Senate does not concur in the House amendments to SB 2262, SB 2320, SB 2335, SB 2417, and SB 2475 and the President has appointed as a conference committee to act with a like committee from the House on:

SB 2262: Sens. Kelsh, J. Meyer, Stenehjem
 SB 2320: Sens. Langley, Krauter, Nothing
 SB 2335: Sens. Schoenwald, Richard, Tennefos
 SB 2417: Sens. Maixner, Satrom, Ingstad
 SB 2475: Sens. Richard, Robinson, Moore

MESSAGE to the HOUSE from the SENATE (Patricia Conrad, Secretary)

MR. SPEAKER: The President has appointed as a conference committee to act with a like committee from the House on:

HB 1023: Sens. Tallackson, Yockim, Lips
 HB 1510: Sens. Dotzenrod, Robinson, Holmberg

SIXTH ORDER OF BUSINESS

REP. WHALEN MOVED that the amendments to SB 2505 as recommended by the Committee on Industry, Business and Labor as printed on page 1739 of the House Journal be adopted, and when so adopted, recommends the same DO NOT PASS.

REQUEST

REP. OBAN REQUESTED a recorded roll call vote on the motion to adopt the proposed amendments to SB 2505, which request was granted.

ROLL CALL

The question being on the motion to adopt the amendments to SB 2505, the roll was called and there were 55 YEAS, 48 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Aas; Anderson, R.; Belter; Berg, G.; Berg, R.; Bernstein; Christman; Clayburgh; Dalrymple; Dorso; Flaagan; Gates; Gerntholz; Goetz; Gorman;

Gunsch; Hanson, O.; Haugen; Hausauer, A.; Hausauer, R.; Howard; Jensen; Kingsbury; Kloubec; Knell; Kouba; Lang; Larson, D.; Larson, R.; Lindgren; Martin; Melby; Myrdal; Nicholas; Olsen, D.; Olson, A.; Olson, V.; Payne; Schindler; Schmidt; Shide; Smette; Sorensen; Soukup; Stenehjem; Thompson, K.; Timm; Tokach; Tollefson; Trautman; Urlacher; Vander Vorst; Wald; Whalen; Speaker Kretschmar

NAYS: Aarsvold; Anderson, B.; Brokaw; Carlson; DeMers, J.; DeMers, P.; Enget; Frey; Gerhardt; Gerl; Gilmore; Graba; Halmrast; Hanson, L.; Haugland; Hoffner; Hokana; Kaldor; Kelly; Kolbo; Laughlin; Marks; Martinson; Mertens; Murphy; Nelson; Ness; Nowatzki; Oban; O'Shea; Peterson; Ring; Rydell; Schatz; Scherber; Schneider; Shockman; Skjerven; Solberg; Starke; Stofferahn; Thompson, V.; Tomac; Ulmer; Wentz; Wilkie; Williams, A.; Williams, W.

ABSENT AND NOT VOTING: Huether; Shaft; Watne

The motion to adopt the amendments to SB 2505 passed.

SB 2505, as amended, was placed on the Fourteenth order of business on the calendar.

SECOND READING OF SENATE BILL

SB 2505: A BILL for an Act to provide for rights of organization and representation of public employees, collective bargaining negotiations between public employers and public employees, establishment of a public employment relations board, and public employment relations; and to provide an effective date.

MOTION

REP. GORMAN MOVED the previous question, which motion failed for lack of a two-thirds majority on a verification vote.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 26 YEAS, 77 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Carlson; DeMers, J.; Frey; Gerl; Graba; Halmrast; Hanson, L.; Haugland; Hoffner; Kaldor; Kelly; Kolbo; Marks; Mertens; Oban; Ring; Scherber; Schneider; Shockman; Skjerven; Stofferahn; Ulmer; Wentz; Williams, W.

NAYS: Aas; Anderson, R.; Belter; Berg, G.; Berg, R.; Bernstein; Brokaw; Christman; Clayburgh; Dalrymple; DeMers, P.; Dorso; Enget; Flaagan; Gates; Gerhardt; Gerntholz; Gilmore; Goetz; Gorman; Gunsch; Hanson, O.; Haugen; Hausauer, A.; Hausauer, R.; Hokana; Howard; Jensen; Kingsbury; Kloubec; Knell; Kouba; Lang; Larson, D.; Larson, R.; Laughlin; Lindgren; Martin; Martinson; Melby; Murphy; Myrdal; Nelson; Ness; Nicholas; Nowatzki; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Rydell; Schatz; Schindler; Schmidt; Shide; Smette; Solberg; Sorensen; Soukup; Starke; Stenehjem; Thompson, K.; Thompson, V.; Timm; Tokach; Tollefson; Tomac; Trautman; Urlacher; Vander Vorst; Wald; Watne; Whalen; Wilkie; Williams, A.; Speaker Kretschmar

ABSENT AND NOT VOTING: Huether; Peterson; Shaft

SB 2505 lost.

MOTION

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

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

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

THE SPEAKER ANNOUNCED that the following bills were delivered to the Governor for his approval at the hour of 12:06 p.m., March 30, 1989: HB 1050, HB 1051, HB 1061, HB 1062, HB 1106, HB 1119, HB 1142, HB 1146, HB 1178, HB 1184, HB 1192, HB 1434.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

THE SPEAKER ANNOUNCED that the following resolutions were delivered to the Secretary of State for his filing at the hour of 12:10 p.m., March 30, 1989: HCR 3003, HCR 3009, HCR 3023, HCR 3032, HCR 3035, HCR 3037, HCR 3049, HCR 3059, HCR 3060, HCR 3069.

REPORTS OF PROCEDURAL COMMITTEE

MR. SPEAKER: Your procedural Committee on Delayed Bills (Rep. Kloubec, Chairman) has examined a concurrent resolution directing the Legislative Council to study charitable gaming laws and rules and the need to establish a permanent legislative overview committee for charitable gaming issues.

It shall be numbered HCR 3086.

Your Committee on Delayed Bills cast a unanimous ballot in favor of this resolution.

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

MR. SPEAKER: Your procedural Committee on Delayed Bills (Rep. Kloubec, Chairman) has examined a concurrent resolution urging the Attorney General of North Dakota to request the United States District Court for the District of North Dakota to modify the district court's orders to minimize or eliminate the role of the court monitor that was created by the court in the case concerning the deinstitutionalization of developmentally disabled persons.

It shall be numbered HCR 3087.

Your Committee on Delayed Bills cast a unanimous ballot in favor of this resolution.

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

MR. SPEAKER: Your procedural Committee on Delayed Bills (Rep. Kloubec, Chairman) has examined a concurrent resolution directing the Legislative Council to study the feasibility and desirability of entering into reciprocal agreements with Indian tribes concerning the registration of motor vehicles and the impact of the exercise of tribal sovereign powers upon state funding provided to political subdivisions.

It shall be numbered HCR 3088.

Your Committee on Delayed Bills cast a unanimous ballot in favor of this resolution.

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

MR. SPEAKER: Your procedural Committee on Delayed Bills (Rep. Kloubec, Chairman) has examined a concurrent resolution directing the Legislative Council to study the feasibility and desirability of regulating dial-a-ponn telephone services.

It shall be numbered HCR 3089.

Your Committee on Delayed Bills cast a unanimous ballot in favor of this resolution.

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

HOUSE ENROLLING REPORT

The following bills and resolutions were enrolled: HB 1013, HB 1057, HB 1211, HB 1226, HB 1307, HB 1312, HB 1384, HB 1407, HB 1457, HB 1521, HB 1033, HB 1034, HB 1035, HB 1603, HB 1618, HCR 3004, HCR 3005, HCR 3021, HCR 3067, HCR 3081, HCR 3083.

SIXTH ORDER OF BUSINESS

REP. TIMM MOVED that the amendments to SB 2316 as recommended by the Committee on Transportation as printed on pages 1716-1717 of the House Journal be adopted, and when so adopted, recommends the same DO NOT PASS, which motion prevailed.

SB 2316, as amended, was placed on the Fourteenth order of business on the calendar.

SIGNING of BILLS and RESOLUTIONS (Roy Gilbreath, Chief Clerk)

THE CHIEF CLERK ANNOUNCED that the Speaker signed the following enrolled bills: SB 2007, SB 2223, SB 2336, SB 2473.

MESSAGE to the SENATE from the HOUSE (Roy Gilbreath, Chief Clerk)

MR. PRESIDENT: The Speaker has signed: SB 2007, SB 2223, SB 2336, SB 2473.

SIGNING of BILLS and RESOLUTIONS (Roy Gilbreath, Chief Clerk)

THE CHIEF CLERK ANNOUNCED that the Speaker signed the following enrolled bills and resolutions: HB 1013, HB 1033, HB 1034, HB 1035, HB 1057, HB 1197, HB 1211, HB 1226, HB 1307, HB 1312, HB 1384, HB 1407, HB 1413, HB 1457, HB 1521, HB 1603, HB 1618, HCR 3004, HCR 3005, HCR 3021, HCR 3067, HCR 3081, HCR 3083.

MESSAGE to the SENATE from the HOUSE (Roy Gilbreath, Chief Clerk)

MR. PRESIDENT: The Speaker has signed and your signature is respectfully requested: HB 1013, HB 1033, HB 1034, HB 1035, HB 1057, HB 1197, HB 1211, HB 1226, HB 1307, HB 1312, HB 1384, HB 1407, HB 1413, HB 1457, HB 1521, HB 1603, HB 1618, HCR 3004, HCR 3005, HCR 3021, HCR 3067, HCR 3081, HCR 3083.

SECOND READING OF SENATE BILL

SB 2316: A BILL for an Act to create and enact a new subsection to section 39-06.1-06 and a new section to chapter 39-21 of the North Dakota Century Code, relating to the required use of safety belts in certain motor vehicles; and to provide a penalty.

MOTION

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

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 57 YEAS, 48 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Aas; Anderson, B.; Belter; Berg, G.; Bernstein; Carlson; Christman; Clayburgh; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Flaagan; Frey; Gates; Gerntholz; Gilmore; Goetz; Gorman; Graba; Halmrast; Hanson, L.; Haugland; Hausauer, R.; Jensen; Kaldor; Kelly; Kloubec; Kolbo; Larson, R.; Laughlin; Lindgren; Martinson; Mertens; Myrdal; Nowatzki; Olson, V.; Payne; Peterson; Ring; Rydell; Scherber; Schneider; Shaft; Smette; Sorensen; Soukup; Starke; Stenehjem; Tollefson; Trautman; Watne; Wentz; Wilkie; Williams, A.; Speaker Kretschmar

NAYS: Anderson, R.; Berg, R.; Brokaw; Enget; Gerhardt; Gerl; Gunsch; Hanson, O.; Haugen; Hausauer, A.; Hoffner; Hokana; Howard; Kingsbury; Knell; Kouba; Lang; Larson, D.; Marks; Martin; Melby; Murphy; Nelson; Ness; Nicholas; Oban; Olsen, D.; Olson, A.; O'Shea; Schatz; Schindler; Schmidt; Shide; Shockman; Skjerven; Solberg; Stofferahn; Thompson, K.; Thompson, V.; Timm; Tokach; Tomac; Ulmer; Urlacher; Vander Vorst; Wald; Whalen; Williams, W.

ABSENT AND NOT VOTING: Huether

SB 2316 passed and the title was agreed to.

MOTION

REP. J. DEMERS MOVED that the vote by which SB 2316 passed be reconsidered and the motion to reconsider be laid on the table, which motion failed on a verification vote.

FIRST READING OF SENATE CONCURRENT RESOLUTION

SCR 4072: A concurrent resolution congratulating the people of Norway on the 175th Anniversary of the Constitution of Norway.
Was read the first time.

MOTION

REP. KLOUBEC MOVED that the rules be suspended, that SCR 4072 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 SENATE CONCURRENT RESOLUTION

SCR 4072: A concurrent resolution congratulating the people of Norway on the 175th Anniversary of the Constitution of Norway.

The question being on the final adoption of the resolution, which has been read.

SCR 4072 was declared adopted on a voice vote.

REQUEST

REP. GUNSCH REQUESTED that SCR 4061 be removed from the consent calendar, which request was granted.

SCR 4061 was placed on the Fourteenth order of business on the calendar.

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

HCR 3056: A concurrent resolution urging Congress to pass and present to the states for ratification a constitutional amendment limiting federal taxation of state and local obligations.

HCR 3071: A concurrent resolution directing the Legislative Council to study the adequacy and enforcement of motor vehicle dealer licensing laws.

SCR 4033: A concurrent resolution directing the Legislative Council to study equalization problems in valuing property for property tax assessment, property tax exemptions and credits, and the method used to calculate county average agricultural land values for ad valorem taxation.

SCR 4055: A concurrent resolution directing the Legislative Council to study the ethical, social, economic, and legal implications of various medical, bioethical, and health issues.

SCR 4059: A concurrent resolution directing the Legislative Council to study the feasibility of moving Missouri River water to the James, Sheyenne, Souris, and Red Rivers.

SCR 4062: A concurrent resolution urging Congress to make the federal highway trust fund permanent and to provide for use of the fund for purposes for which the fund was established.

SCR 4063: A concurrent resolution directing the Legislative Council to study the legal status and policies for use of the receipts, disbursements, and transfers of motor vehicle license, registration, and fuels tax revenues.

SCR 4064: A concurrent resolution urging Congress and the Department of the Treasury to rescind or amend legislative and rulemaking provisions that require Disaster Assistance Act of 1988 payments to farmers to be treated as income in a single taxable year.

SCR 4067: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of authorizing tribal courts to order involuntary commitments to state-operated facilities in accordance with the state's mental health commitment laws.

The question being on the final adoption of the resolutions, which have been read.

The resolutions were adopted on a voice vote.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4061: A concurrent resolution urging Congress not to approve legislation authorizing the use of eminent domain to acquire property for coal slurry pipelines.

The question being on the adoption of the resolution, which has been read.

SCR 4061 was declared adopted on a voice vote.

SIXTH ORDER OF BUSINESS

REP. A. HAUSAUER MOVED that the amendments to SB 2458 as recommended by the Committee on Finance and Taxation as printed on pages 1737-1739 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

REQUEST

REP. W. WILLIAMS REQUESTED that the question of the adoption of the amendments to SB 2458 be divided to have the sections voted on in the following manner:

DIVISION A

Page 1, line 1, after "to" insert "create and enact chapter 57-39.3 of the North Dakota Century Code, relating to an in lieu fee to be collected by out-of-state retailers making sales into North Dakota if federal legislation is adopted; to"

Page 1, line 4, remove "and" and after "date" insert "; and to declare an emergency"

Page 2, line 3, overstrike "cable television or other"

Page 2, line 4, overstrike "video programming services,"

Page 3, line 3, replace "December 31, 1988" with "May 1, 1989"

Page 5, after line 5, insert:

"SECTION 4. Chapter 57-39.3 of the North Dakota Century Code is hereby created and enacted to read as follows:

57-39.3-01. In lieu fee imposed. An in lieu fee is imposed on sales with a destination within North Dakota if the sales are made by a person who by virtue of federal law is required to collect and pay the sales and use tax imposed by sections 57-39.2-02.1 and 57-40.2-02.1.

57-39.3-02. Rate of in lieu fee. The in lieu fee is imposed at a rate calculated annually by the tax commissioner. The rate is calculated by dividing the total local option sales and use tax revenues collected pursuant to sections 11-09.1-05 and 40-05.1-06 in the recent fiscal year by total state sales and use tax revenues collected pursuant to sections 57-39.2-02.1 and 57-40.2-02.1, and then multiplying the resulting quotient by the sales and use tax rate established in sections 57-39.3-02.1 and 57-40.2-02.1, and rounding the resulting product to the nearest twenty-five hundredths percent.

57-39.3-03. Election to collect actual tax. Any person required to collect and pay the in lieu fee imposed in section 57-39.3-01 may

elect, on an annual basis, to collect and pay the local sales and use tax imposed in each political subdivision pursuant to sections 11-09.1-05 and 40-05.1-06.

57-39.3-04. Filing of returns and payment of tax. The person paying either the in lieu fee pursuant to section 57-39.3-01 or the local sales tax pursuant to section 57-39.3-03 must file returns and pay the tax due on the same date required by the sales and use tax imposed pursuant to sections 57-39.2-02.1 and 57-40.2-02.1, unless federal law requires a less frequent schedule. If federal law specifies a less frequent schedule, the tax commissioner shall adopt rules necessary to conform the filing and payment schedule to federal law. The returns must include such information as the tax commissioner may require consistent with federal law.

57-39.3-05. Administration. The provisions of chapter 57-39.2, pertaining to the administration of the retail sales tax, including provisions for refund, credits, or adoption of rules, not in conflict with this chapter or federal law, govern the administration of the in lieu fee imposed in this chapter.

57-39.3-06. Distribution of revenues. The tax commissioner shall deposit all moneys collected and received under this chapter with the state treasurer and shall certify to the treasurer, on a schedule consistent with federal law, the distribution of the in lieu fees collected pursuant to section 57-39.3-01 to the political subdivisions imposing a sales and use tax pursuant to sections 11-09.1-05 and 40-05.1-06. The distribution is based on the proportion that the political subdivision's sales and use tax receipts bears to the total sales and use tax receipts collected by political subdivisions pursuant to sections 11-09.1-05 and 40-05.1-06. The calculations are based on data for the most recent fiscal year. The state treasurer must make the distributions on a schedule consistent with federal law."

Page 6, line 15, replace "December 31, 1988" with "May 1, 1989"

Page 7, line 28, after "events" insert "occurring after April 30, 1989, unless this Act is not passed as an emergency measure by the legislative assembly, in which case this Act is effective for taxable events"

Page 7, line 29, after the period insert "Section 4 of this Act is effective on the same date the federal law authorizing the collection of the in lieu fee imposed in section 57-39.3-01 or the local sales and use tax elected pursuant to section 57-39.3-03 of this chapter becomes effective."

Page 7, after line 29, insert:

"SECTION 10. EMERGENCY. This Act is declared to be an emergency measure."

DIVISION B

Page 2, line 11, overstrike "eighty" and insert immediately thereafter "seventy-five"

Renumber accordingly

RULING BY THE SPEAKER

SPEAKER KRETSCHMAR RULED that House Rule 316 states that the Division of the Question must be supported by twelve or more Representatives, and that eleven or more Representatives joined in the request of Rep. W. Williams to divide the amendments to SB 2458, therefore the request was granted.

The question being on the adoption of Division A of the proposed amendments to SB 2458.

Division A of the proposed amendments to SB 2458 passed.

The question then was on the adoption of Division B of the proposed amendments to SB 2458.

Division B of the proposed amendments to SB 2458 failed on a verification vote.

The question then was on the adoption of the proposed amendments to SB 2458, including Division A and excluding Division B, with the title amended appropriately, and lines, sections, and pages renumbered accordingly.

The proposed amendments to SB 2458, including Division A and excluding Division B, were adopted.

SB 2458, as amended, was placed on the Fourteenth order of business on the calendar.

SECOND READING OF SENATE BILL

SB 2458: A BILL for an Act to create and enact chapter 57-39.3 of the North Dakota Century Code, relating to an in-lieu fee to be collected by out-of-state retailers making sales into North Dakota if federal legislation is adopted; to amend and reenact sections 57-39.2-02.1, 57-39.2-03.2, 57-39.2-08.2, 57-40.2-02.1, 57-40.2-03.2, 57-40.3-02, and 57-40.5-02 of the North Dakota Century Code, relating to sales, use, motor vehicle excise, and aircraft excise tax rates; to provide an effective date; and to declare an emergency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 37 YEAS, 68 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Aas; Anderson, R.; Belter; Berg, G.; Berg, R.; Bernstein; Christman; Clayburgh; Dalrymple; Dorso; Gates; Gerntholz; Goetz; Gorman; Haugland; Hausauer, A.; Hausauer, R.; Kloubec; Larson, R.; Lindgren; Nicholas; Olsen, D.; Olson, A.; Olson, V.; Payne; Peterson; Rydell; Schatz; Shaft; Shide; Soukup; Stenehjem; Timm; Tollefson; Wald; Wentz; Speaker Kretschmar

NAYS: Aarsvold; Anderson, B.; Brokaw; Carlson; DeMers, J.; DeMers, P.; Enget; Flaagan; Frey; Gerhardt; Gerl; Gilmore; Graba; Gunsch; Halmrast; Hanson, L.; Hanson, O.; Haugen; Hoffner; Hokana; Howard; Jensen; Kaldor; Kelly; Kingsbury; Knell; Kolbo; Kouba; Lang; Larson, D.; Laughlin; Marks; Martin; Martinson; Melby; Mertens; Murphy; Myrdal; Nelson; Ness; Nowatzki; Oban; O'Shea; Ring; Scherber; Schindler; Schmidt; Schneider; Shockman; Skjerven; Smette; Solberg; Sorensen; Starke; Stofferahn; Thompson, K.; Thompson, V.; Tokach; Tomac;

Trautman; Ulmer; Urlacher; Vander Vorst; Watne; Whalen; Wilkie; Williams, A.; Williams, W.

ABSENT AND NOT VOTING: Huether

SB 2458 lost.

MOTION

REP. KLOUBEC MOVED that SB 2189 be placed at the head of the calendar, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2189: A BILL for an Act to amend and reenact section 43-17.1-08 of the North Dakota Century Code, relating to disclosure of records of the commission on medical competency.

ROLL CALL

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

YEAS: Aarsvold; Aas; Anderson, B.; Anderson, R.; Belter; Berg, G.; Berg, R.; Bernstein; Brokaw; Carlson; Christman; Clayburgh; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Enget; Flaagan; Frey; Gates; Gerhardt; Gerntholz; Gilmore; Goetz; Gorman; Graba; Gunsch; Halmrast; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hoffner; Hokana; Howard; Jensen; Kaldor; Kelly; Kingsbury; Kloubec; Knell; Kolbo; Kouba; Lang; Larson, D.; Larson, R.; Laughlin; Lindgren; Marks; Martin; Martinson; Melby; Mertens; Murphy; Myrdal; Nelson; Ness; Nicholas; Nowatzki; Oban; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Ring; Rydell; Schatz; Scherber; Schindler; Schmidt; Schneider; Shaft; Shide; Shockman; Skjerven; Smette; Solberg; Sorensen; Soukup; Starke; Stenehjem; Stofferahn; Thompson, K.; Thompson, V.; Timm; Tokach; Tollefson; Tomac; Trautman; Ulmer; Urlacher; Vander Vorst; Wald; Watne; Wentz; Whalen; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: None

ABSENT AND NOT VOTING: Gerl; Huether; Peterson

SB 2189 passed and the title was agreed to.

MESSAGE to the HOUSE from the SENATE (Patricia Conrad, Secretary)
MR. SPEAKER: The Senate has concurred in the House amendments to SB 2240 and subsequently failed to pass the same.

MESSAGE to the HOUSE from the SENATE (Patricia Conrad, Secretary)
MR. SPEAKER: The Senate has concurred in the House amendments to SB 2121, SB 2141, SB 2176, SB 2178, and SB 2218 and subsequently passed the same.

The Senate does not concur in the House amendments to SB 2187 and SB 2212 and the President has appointed as a conference committee to act with a like committee from the House on:

SB 2187: Sens. Richard, Schoenwald, Mutch
 SB 2212: Sens. Maxson, Hanson, Stenehjem

MESSAGE to the HOUSE from the SENATE (Patricia Conrad, Secretary)

MR. SPEAKER: The Senate has concurred in the House amendments to SB 2043, SB 2045, SB 2048, and SB 2098 and subsequently passed the same. The President has appointed as a conference committee to act with a like committee from the House on:

HB 1210: Sens. J. Meyer, Stenehjem, Holmberg
 HB 1660: Sens. D. Meyer, Axtman, Lodoen

MESSAGE to the HOUSE from the SENATE (Patricia Conrad, Secretary)

MR. SPEAKER: The Senate has concurred in the House amendments to SB 2231, SB 2251, SB 2296, SB 2306, and SB 2314 and subsequently passed the same.

MOTION

REP. KLOUBEC MOVED that SB 2247 be placed at the head of the calendar, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2247: A BILL for an Act to amend and reenact section 41-09-42.1 of the North Dakota Century Code, relating to the depositing of fees collected by the secretary of state's office.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 102 YEAS, 1 NAY, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Aas; Anderson, B.; Anderson, R.; Belter; Berg, G.; Berg, R.; Bernstein; Brokaw; Carlson; Christman; Clayburgh; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Enget; Flaagan; Frey; Gates; Gerhardt; Gerl; Gertholz; Gilmore; Goetz; Gorman; Graba; Gunsch; Halmrast; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hoffner; Hokana; Howard; Jensen; Kaldor; Kelly; Kloubec; Knell; Kolbo; Kouba; Lang; Larson, D.; Larson, R.; Laughlin; Lindgren; Marks; Martin; Martinson; Melby; Mertens; Murphy; Myrdal; Nelson; Ness; Nowatzki; Oban; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Peterson; Ring; Rydell; Schatz; Scherber; Schindler; Schneider; Shaft; Shide; Shockman; Skjerven; Smette; Solberg; Sorensen; Soukup; Starke; Stenehjem; Stofferahn; Thompson, K.; Thompson, V.; Timm; Tokach; Tollefson; Tomac; Trautman; Ulmer; Uriacher; Vander Vorst; Wald; Watne; Wentz; Whalen; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: Kingsbury

ABSENT AND NOT VOTING: Huether; Nicholas; Schmidt

SB 2247 passed and the title was agreed to.

MOTIONS

REP. KLOUBEC MOVED that SB 2252 be placed at the head of the calendar, which motion prevailed.

REP. R. ANDERSON MOVED that the House waive the reading of the title to SB 2252, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2252: A BILL for an Act to create and enact two new sections to chapter 6-09, a new section to chapter 6-09.5, and a new section to chapter 6-09.6 of the North Dakota Century Code, relating to the advisory board of directors to the Bank of North Dakota, audit of the community water facility loan fund, and audit of the developmentally disabled, chronically mentally ill, and physically disabled facility loan programs; to amend and reenact sections 6-09-02, 6-09-04, 6-09-05, 6-09-11, 6-09-15, 6-09-26, and 6-09-27 of the North Dakota Century Code, relating to the execution of instruments on behalf of the Bank and to the powers and duties of the Bank of North Dakota; and to repeal sections 6-09-03, 6-09-09, 6-09-12, 6-09-14, 6-09-15.2, 6-09-15.3, 6-09-15.6, 6-09-15.7, 6-09-15.8, 6-09-26.1, 6-09-33, 6-09.1-01, 6-09.1-02, 6-09.1-03, and 6-09.9-06 of the North Dakota Century Code, relating to powers and duties of the Bank of North Dakota.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 102 YEAS, 1 NAY, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Aas; Anderson, B.; Anderson, R.; Belter; Berg, G.; Berg, R.; Bernstein; Brokaw; Carlson; Christman; Clayburgh; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Enget; Flaagan; Frey; Gates; Gerhardt; Gerl; Gerntholz; Gilmore; Goetz; Gorman; Graba; Gunsch; Halmrast; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, R.; Hoffner; Hokana; Howard; Jensen; Kaldor; Kelly; Kingsbury; Kloubec; Knell; Kolbo; Kouba; Lang; Larson, D.; Larson, R.; Laughlin; Lindgren; Marks; Martin; Martinson; Melby; Mertens; Murphy; Myrdal; Nelson; Ness; Nowatzki; Oban; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Peterson; Ring; Rydell; Schatz; Scherber; Schindler; Schmidt; Schneider; Shaft; Shide; Shockman; Skjerven; Smette; Solberg; Sorensen; Soukup; Starke; Stenehjem; Stofferahn; Thompson, K.; Thompson, V.; Timm; Tokach; Tollefson; Tomac; Trautman; Ulmer; Urlacher; Vander Vorst; Wald; Watne; Wentz; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: Hausauer, A.

ABSENT AND NOT VOTING: Huether; Nicholas; Whalen

SB 2252 passed and the title was agreed to.

MOTION

REP. KLOUBEC MOVED that SB 2269 be placed at the head of the calendar, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2269: A BILL for an Act to amend and reenact section 44-03-04 of the North Dakota Century Code, relating to residency requirements of deputy clerks of district courts.

ROLL CALL

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

YEAS: Aarsvold; Aas; Anderson, B.; Anderson, R.; Belter; Berg, G.; Bernstein; Brokaw; Carlson; Christman; Clayburgh; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Enget; Frey; Gates; Gerhardt; Gerl; Gerntholz; Gilmore; Goetz; Gorman; Graba; Halmrast; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hausauer, R.; Hoffner; Hokana; Howard; Jensen; Kaldor; Kelly; Kloubec; Knell; Kolbo; Kouba; Lang; Larson, D.; Larson, R.; Lindgren; Marks; Martin; Martinson; Mertens; Murphy; Nelson; Ness; Nowatzki; Oban; O'Shea; Payne; Peterson; Ring; Rydell; Schatz; Scherber; Schindler; Schneider; Shaft; Shockman; Smette; Solberg; Sorensen; Soukup; Starke; Stenehjem; Stofferahn; Thompson, K.; Thompson, V.; Timm; Tollefson; Trautman; Ulmer; Urlacher; Vander Vorst; Wald; Watne; Wentz; Whalen; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: Berg, R.; Flaagan; Gunsch; Haugen; Laughlin; Melby; Myrdal; Olsen, D.; Olson, A.; Olson, V.; Schmidt; Shide; Skjerven; Tokach; Tomac

ABSENT AND NOT VOTING: Huether; Kingsbury; Nicholas

SB 2269 passed and the title was agreed to.

MOTION

REP. R. ANDERSON MOVED that SB 2077 be placed at the head of the calendar, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2077: A BILL for an Act to create and enact a new subsection to section 39-06.1-06 of the North Dakota Century Code, relating to fees assessed for parking violations in parking spaces designated for use by mobility impaired persons; and to amend and reenact subsections 7 and 8 of section 39-01-15 and subsection 7 of section 39-06.1-06 of the North Dakota Century Code, relating to parking privileges for mobility impaired persons and to fees assessed for parking violations on state charitable and penal institution property or on the state capitol grounds; and to provide a penalty.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 10 YEAS, 93 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Brokaw; Hoffner; Laughlin; Martinson; Ness; Oban; O'Shea; Schindler; Schmidt; Stenehjem

NAYS: Aarsvold; Aas; Anderson, B.; Anderson, R.; Belter; Berg, G.; Berg, R.; Bernstein; Carlson; Christman; Clayburgh; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Enget; Flaagan; Frey; Gates; Gerhardt; Gerl; Gerntholz; Gilmore; Goetz; Gorman; Graba; Gunsch; Halmrast; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hokana; Howard; Jensen; Kaldor; Kelly; Kloubec; Knell; Kolbo; Kouba; Lang; Larson, D.; Larson, R.; Lindgren; Marks; Martin; Melby; Mertens; Murphy; Myrdal; Nelson; Nowatzki; Olsen, D.; Olson, A.; Olson, V.; Payne; Peterson; Ring; Rydell; Schatz; Scherber; Schneider; Shaft; Shide; Shockman; Skjerven; Smette; Solberg; Sorensen; Soukup; Starke; Stofferahn; Thompson, K.; Thompson, V.; Timm; Tokach; Tollefson; Tomac;

Trautman; Ulmer; Urlacher; Vander Vorst; Wald; Watne; Wentz; Whalen;
Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

ABSENT AND NOT VOTING: Huether; Kingsbury; Nicholas

SB 2077 lost.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. PETERSON MOVED that the House do not concur in the Senate amendments to HB 1005 as printed on pages 1720-1722 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 1005: Reps. Kingsbury, Gunsch, Solberg.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. WHALEN MOVED that the House do not concur in the Senate amendments to HB 1089 as printed on pages 1637-1638 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 1089: Reps. R. Larson, Soukup, J. DeMers.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. WHALEN MOVED that the House do not concur in the Senate amendments to HB 1155 as printed on page 1638 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 1155: Reps. Dorso, Tollefson, Oban.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. HAUGLAND MOVED that the House do not concur in the Senate amendments to Reengrossed HB 1504 as printed on page 1441 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 1504: Reps. Gates, Myrdal, Scherber.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. GATES MOVED that the House do not concur in the Senate amendments to HB 1614 as printed on page 1356 of the Senate 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 1614: Reps. Myrdal, V. Olson, Ness.

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER: Your Conference Committee to which was referred HB 1510 has had the same under consideration and recommends that the HOUSE ACCEDE to the Senate amendments as found on page 1542 of the House Journal and that HB 1510 be further amended as follows:

Page 1, line 1, replace "to allow" with "and a new subsection to section 58-06-01 of the North Dakota Century Code, relating to preparation of a budget for the township at its annual meeting and"

Page 3, after line 26, insert:

"SECTION 4. A new subsection to section 58-06-01 of the 1987 Supplement to the North Dakota Century Code is hereby created and enacted to read as follows:

To submit a budget for the township at its annual meeting."

Renumber accordingly

For the Senate: Sens. Dotzenrod, Robinson, Holmberg

For the House: Reps. Lindgren, Howard, Gerl

HB 1510 was placed on the Seventh order of business on the calendar for the succeeding legislative day.

MOTIONS

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

REP. KLOUBEC 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 stand adjourned until 9:00 a.m., Friday, March 31, 1989, which motion prevailed.

REPORTS OF STANDING COMMITTEES

MR. SPEAKER: Your Committee on Appropriations (Rep. Peterson, Chairman) to which was referred HB 1659 has had the same under consideration and recommends by a vote of 13 YEAS, 10 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

Page 1, line 1, remove "a new section to chapter 24-02 and"

Page 1, line 2, replace "three" with "two"

Page 1, line 3, remove "the transfer of responsibility for state tourism promotion"

Page 1, line 4, remove "activities to the state highway commissioner,"

Page 1, line 5, remove the third comma

Page 1, remove lines 6 through 10

Page 1, line 11, remove "commission"

Page 1, remove lines 13 through 22

Page 2, remove lines 1 through 28

Page 3, remove lines 1 through 28

Page 4, remove lines 1 through 12

Page 4, line 13, replace "Three" with "Two"

Page 4, remove lines 15 through 20

Page 4, remove the underscore under lines 21 and 22

Page 4, line 23, remove the underscore under "necessary and appropriate to establish, finance,", remove "operate,", and remove the underscore under "and"

Page 4, line 24, remove the underscore under "manage North Dakota foreign trade offices located in", after "in" insert "the following", and remove the underscore under "international"

Page 4, line 25, remove the underscore under "trading nations", remove ", in the following order of locational preference", and remove the underscore under the colon

Page 4, remove the underscore under lines 26 through 29

Page 5, remove the underscore under lines 1 through 18

Page 5, line 19, remove the underscore under "establish", remove ", and appoint employees for,", and remove the underscore under "an office of economic development"

Page 5, remove the underscore under lines 20 through 24

Renumber accordingly

HB 1659 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Appropriations (Rep. Peterson, Chairman) to which was referred Engrossed SB 2004 has had the same under consideration and recommends by a vote of 21 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING that the same DO PASS.

SB 2004 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Appropriations (Rep. Peterson, Chairman) to which was referred SB 2017 has had the same under consideration and recommends by a vote of 23 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

Page 1, line 2, after "Dakota" insert "; and to provide for appropriation reductions for aid to political subdivisions"

Page 1, after line 17, insert:

"SECTION 2. APPROPRIATION REDUCTIONS. If, as a result of action taken pursuant to article III of the Constitution of North Dakota, any measure approved by the fifty-first legislative assembly which would have increased the moneys available in the state general fund is suspended in whole or in part, so that the amount of moneys available in the general fund is less than the estimate on adjournment of the legislative assembly, the director of the budget, notwithstanding North Dakota Century Code section 54-44.1-13.1, shall first reduce proportionally the portion of sales, use, and motor vehicle excise tax collections being deposited in the state aid distribution fund under North Dakota Century Code section 57-39.2-26.1 by an amount of up to \$5,000,000 and the general fund appropriations contained in other Acts approved by the fifty-first legislative assembly authorizing and identifying areas for reductions in appropriations to the extent of the reduced revenues to the state general fund before reducing budgets as provided by section 54-44.1-13.1. The appropriation from the state aid distribution fund contained in House Bill No. 1018 approved by the fifty-first legislative assembly shall be reduced to the extent the funds deposited in the state aid distribution fund are reduced by this section."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 85 - AID TO POLITICAL SUBDIVISIONS

This amendment provides for appropriation reductions of up to \$5 million for aid to political subdivisions in the event tax increase measures passed by the 1989 Legislative Assembly are referred which would reduce general fund revenues during the 1989-91 biennium.

SB 2017 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Appropriations (Rep. Peterson, Chairman) to which was referred Engrossed SB 2020 has had the same under consideration and recommends by a vote of 22 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

Page 1, line 4, after "transfers" insert "; and to declare an emergency"

Page 3, line 7, replace "77,180,932" with "79,080,932"

Page 5, after line 6, insert:

"SECTION 11. APPROPRIATION. In addition to the amount appropriated to the Bank of North Dakota in subdivision 2 of section 1 of this Act, there is hereby appropriated \$1,900,000, or so much thereof as may be necessary, from the Bank's operations or capital reserves for the purpose of acquiring, constructing, and remodeling an office building for the period beginning January 1, 1989, and ending June 30, 1991.

SECTION 12. EMERGENCY. Section 11 of this Act is declared to be an emergency measure."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 471 - BANK OF NORTH DAKOTA

The Bank of North Dakota is appropriated an additional \$1,900,000 from its operating or capital reserves for the acquisition, construction, and remodeling of an office building. The section appropriating the \$1,900,000 is an emergency measure to allow the Bank to enter into a lease and begin the project prior to July 1, 1989.

SB 2020 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Human Services and Veterans Affairs (Rep. Haugland, Chairman) to which was referred SB 2368 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 BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION:

Page 2, line 5, replace "commissioner of insurance" with "state health officer"

Page 2, line 9, after "committee" insert "appointed by the state health council"

Page 2, line 20, replace "commissioner of insurance" with "state health officer"

Renumber accordingly

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

MR. SPEAKER: Your Committee on Appropriations (Rep. Peterson, Chairman) to which was rereferred Engrossed SB 2456 has had the same under consideration and recommends by a vote of 17 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO NOT PASS:

Page 1, line 2, replace "an" with "a continuing"

Page 1, line 5, after "fund" insert "is a special fund" and remove "is"

Page 1, line 7, remove "legislative appropriations,"

Page 3, line 3, after the first period insert "CONTINUING" and replace "out of any" with ", as a standing and continuing appropriation, to the superintendent of public instruction, all"

Page 3, line 4, remove "the general fund in the state treasury, not otherwise appropriated,"

Page 3, line 5, remove "the sum of \$50,000, or so much thereof as may be necessary, to"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

The general fund appropriation of \$50,000 is deleted. A continuing appropriation of other available funds is provided.

SB 2456 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Finance and Taxation (Rep. A. Hausauer, Chairman) to which was referred Engrossed SB 2526 has had the same under consideration and recommends by a vote of 16 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

Engrossed SB 2526 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

FIRST READING OF HOUSE CONCURRENT RESOLUTIONS

HCR 3086: A concurrent resolution directing the Legislative Council to study charitable gaming laws and rules and the need to establish a permanent legislative overview committee for charitable gaming issues.
Was read the first time and referred to the Committee on Judiciary.

HCR 3087: A concurrent resolution urging the Attorney General of North Dakota to request the United States District Court for the District of North Dakota to modify the district court's orders to minimize or eliminate the role of the court monitor that was created by the court in the case concerning the deinstitutionalization of developmentally disabled persons.
Was read the first time and referred to the Committee on Judiciary.

HCR 3088: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of entering into reciprocal agreements with Indian tribes concerning the registration of motor vehicles and the impact of the exercise of tribal sovereign powers upon state funding provided to political subdivisions.
Was read the first time and referred to the Committee on Transportation.

HCR 3089: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of regulating dial-a-porn telephone services.
Was read the first time and referred to the Committee on Judiciary.

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

ROY GILBREATH, Chief Clerk