

JOURNAL OF THE HOUSE

Fiftieth Legislative Assembly

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THIRTY-THIRD DAY

Bismarck, February 19, 1987

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

The prayer was offered by Father Steve Zastoupil, Corpus Christi Catholic Church, Bismarck, North Dakota.

ROLL CALL

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

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 Thirty-second Day and finds the same to be correct.

REP. THOMPSON, Chairman

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

CORRECTION AND REVISION OF THE JOURNAL

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

On page 1091, line 6, delete the numerals "1991" and insert in lieu thereof the numerals "1993"

On page 1091, line 9, delete the numerals "1991" and insert in lieu thereof the numerals "1993"

On page 1091, line 11, delete the numerals "1991" and insert in lieu thereof the numerals "1993"

On page 1095, line 39, delete the numerals "1991" and insert in lieu thereof the numerals "1993"

REP. THOMPSON, Chairman

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

REQUEST

REP. STRINDEN REQUESTED that the members of the Committee on Appropriations be excused, which request was granted.

MOTIONS

REP. STRINDEN MOVED that HB 1572, HB 1615, HB 1078, HB 1079, HB 1151, HB 1272, HB 1319, HB 1389, HB 1421, HB 1454, HB 1468, HB 1530, HB 1545, HB 1554, HB 1593, and HB 1597 be placed at the head of the calendar, which motion prevailed.

REP. GOETZ MOVED that the House waive the reading of the title to all bills and resolutions on the calendar, which motion prevailed.

SECOND READING OF HOUSE BILLS

HB 1572: A BILL for an Act to amend and reenact sections 57-02-08.4 and 57-02-08.5 of the North Dakota Century Code, relating to suspension of conditional property tax exemptions for owners of wetlands if adequate funds are not available for payments by the state to political subdivisions to offset lost property tax revenue from exempt wetlands; 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 99 YEAS, 0 NAYS, 7 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Belter; Gerntholz; Graba;
Peterson; Shaft; Stofferahn; Williams, C.

HB 1572 passed and the title was agreed to.

HB 1615: A BILL for an Act to create and enact chapter 40-22.1 of the North Dakota Century Code, relating to city levy of special assessment taxes for improvements by special assessment for promotion of business activity and new business development.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 100 YEAS, 1 NAY, 5 ABSENT AND NOT VOTING.

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

NAYS: Kingsbury

ABSENT AND NOT VOTING: Belter; Gerntholz; Graba;
Stofferahn; Williams, C.

HB 1615 passed and the title was agreed to.

HB 1078: A BILL for an Act to authorize the board of university and school lands to sell and convey certain land owned by the state of North Dakota.

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 102 YEAS, 1 NAY, 3 ABSENT AND NOT VOTING.

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

NAYS: Brokaw

ABSENT AND NOT VOTING: Belter; Graba; Nicholas

HB 1078 passed and the title was agreed to.

SIXTH ORDER OF BUSINESS

REP. PETERSON MOVED that the amendments to HB 1010 as recommended by the Committee on Appropriations as printed on pages 1051-1052 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

MOTION

REP. STRINDEN MOVED that the rules be suspended and that HB 1010 be deemed properly engrossed and be placed on the Eleventh order, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1010: A BILL for an Act making an appropriation for defraying the expenses of the department of banking and financial institutions of the state of North Dakota; and to amend and reenact section 6-01-17 of the North Dakota Century Code, relating to yearly assessment of banks.

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 102 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Belter; Graba; Mertens; Nicholas

HB 1010 passed and the title was agreed to.

SIXTH ORDER OF BUSINESS

REP. PETERSON MOVED that the amendments to HB 1011 as recommended by the Committee on Appropriations as printed on pages 1052-1053 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

MOTION

REP. STRINDEN MOVED that the rules be suspended and that HB 1011 be deemed properly engrossed and be placed on the Eleventh order, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1011: A BILL for an Act making an appropriation for defraying the expenses of the securities commissioner of the state of North Dakota.

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 102 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Belter; Graba; Murphy; Nicholas

HB 1011 passed and the title was agreed to.

SIXTH ORDER OF BUSINESS

REP. PETERSON MOVED that the amendments to HB 1013 as recommended by the Committee on Appropriations as printed on page 1053 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

MOTION

REP. STRINDEN MOVED that the rules be suspended and that HB 1013 be deemed properly engrossed and be placed on the Eleventh order, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1013: A BILL for an Act making an appropriation for defraying the expenses of the milk stabilization board of the state of North Dakota.

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 102 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Belter; Graba; Murphy; Nicholas

HB 1013 passed and the title was agreed to.

SIXTH ORDER OF BUSINESS

REP. PETERSON MOVED that the amendments to HB 1015 as recommended by the Committee on Appropriations as printed on pages 1053-1055 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

MOTION

REP. STRINDEN MOVED that the rules be suspended and that HB 1015 be deemed properly engrossed and be placed on the Eleventh order, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1015: A BILL for an Act making an appropriation for defraying the expenses of the council on the arts of the state of North Dakota.

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 97 YEAS, 5 NAYS, 4 ABSENT AND NOT VOTING.

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

NAYS: Almlie; Knudson; Melby; Wilkie; Winkelman

ABSENT AND NOT VOTING: Belter; Graba; Gunsch; Murphy

HB 1015 passed and the title was agreed to.

SIXTH ORDER OF BUSINESS

REP. PETERSON MOVED that the amendments to HB 1016 as recommended by the Committee on Appropriations as printed on pages 1055-1056 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

MOTION

REP. STRINDEN MOVED that the rules be suspended and that HB 1016, HB 1019, and HB 1021 be deemed properly engrossed and be

placed on the Eleventh order, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1016: A BILL for an Act making an appropriation for defraying the expenses of the highway patrol of the state of North Dakota and providing for a transfer of funds from the state highway fund.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 101 YEAS, 2 NAYS, 3 ABSENT AND NOT VOTING.

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

NAYS: Dorso; Ulmer

ABSENT AND NOT VOTING: Belter; Graba; Murphy

HB 1016 passed and the title was agreed to.

SIXTH ORDER OF BUSINESS

REP. PETERSON MOVED that the amendments to HB 1019 as recommended by the Committee on Appropriations as printed on pages 1056-1059 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1019: A BILL for an Act making an appropriation for defraying the expenses of the commissioner of university and school lands of the state of North Dakota; and to declare an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 97 YEAS, 6 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Aas; Almlie; Anderson; Berg, G.; Berg, R.; Christman; Cleveland; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Dotzenrod; Enget; Flaagan; Frey; Gates; Gerntholz; Goetz; Gorman; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hill; Hoffner; Hokana; Kelly; Kent; Kingsbury; Klundt; Knell; Knudson; Koland; Kolbo; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Marks; Martin; Martinson; Melby; Meyer; Moore; Myrdal; Nelson, C.; Nelson, J.; Nicholas; Nowatzki; Oban; Olsen, D.; Olson, A.; Olson, V.; Opedahl; Payne; Peterson; 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; Wentz; Whalen; Wilkie; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Kloubec

NAYS: Brokaw; Mertens; O'Connell; O'Shea; Ulmer; Watne

ABSENT AND NOT VOTING: Belter; Graba; Murphy

HB 1019 passed, the title was agreed to, and the emergency clause carried.

SIXTH ORDER OF BUSINESS

REP. PETERSON MOVED that the amendments to HB 1021 as recommended by the Committee on Appropriations as printed on pages 1059-1061 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1021: A BILL for an Act making an appropriation for defraying the expenses of the state industrial commission and the agencies under the management of the industrial commission of the state of North Dakota.

Which has been read.

ROLL CALL

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

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

NAYS: None

ABSENT AND NOT VOTING: Belter; Graba; Murphy; Olson, A.; O'Shea

HB 1021 passed and the title was agreed to.

SIXTH ORDER OF BUSINESS

REP. KRETSCHMAR MOVED that the amendments to HB 1085 as recommended by the Committee on Judiciary as printed on pages 1141-1142 of the House Journal be adopted, and when so adopted, recommends the same DO NOT PASS which motion prevailed.

MOTION

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

REQUEST

REP. ULMER REQUESTED a recorded roll call vote on the motion to adopt the proposed amendments to HB 1085, which request was granted.

ROLL CALL

The question being on the motion to adopt the amendments to HB 1085, the roll was called and there were 38 YEAS, 66 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Brokaw; Cleveland; DeMers, J.; DeMers, P.; Flaagan; Frey; Halmrast; Hamerlik; Hanson, L.; Hill; Hoffner; Hokana; Kelly; Klundt; Knudson; Kretschmar; Kuchera; Laughlin; Linderman; Lindgren; Mertens; Moore; Nelson, C.; Oban; O'Connell; O'Shea; Scherber; Schneider; Shaft; Shockman; Starke; Stofferahn; Ulmer; Wentz; Wilkie; Williams, A.; Williams, C.; Williams, W.

NAYS: Aas; Almlie; Anderson; Berg, G.; Berg, R.; Christman; Dalrymple; Dorso; Dotzenrod; Enget; Gates; Gerntholz; Goetz; Gorman; Gunsch; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Kent; Kingsbury; Knell; Koland; Kolbo; Lang; Larson; Lautenschlager; Marks; Martin; Martinson; Melby; Meyer; Murphy; Myrdal; Nelson, J.; Nicholas; Nowatzki; Olsen, D.; Olson, A.; Olson, V.; Opedahl; Payne; Peterson; Rice; Riehl; Rydell; Schindler; Shaw; Shide; Skjerven; Smette; Solberg; Sorensen; Strinden; Thompson; Tokach; Tollefson; Tomac; Trautman; Vander Vorst; Wald; Watne; Whalen; Winkelman; Speaker Kloubec

ABSENT AND NOT VOTING: Belter; Graba

The motion to adopt the amendments to HB 1085 lost.

MOTION

REP. GOETZ MOVED that the rules be suspended and that HB 1085 be placed on the Eleventh order for second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1085: A BILL for an Act to limit the amount of damages for noneconomic losses in medical malpractice cases.

Which has been read.

MOTION

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

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 71 YEAS, 33 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Aas; Almlie; Anderson; Berg, G.; Berg, R.; Christman; Dalrymple; Dotzenrod; Enget; Gates; Gerntholz; Goetz; Gorman; Gunsch; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Kent; Kingsbury; Klundt; Knell; Koland; Kolbo; Lang; Larson; Marks;

Martin; Martinson; Melby; Meyer; Moore; Murphy; Myrdal;
 Nelson, J.; Nicholas; Nowatzki; O'Connell; Olsen, D.;
 Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Peterson;
 Rice; Riehl; Rydell; Schindler; Shaw; Shide; Shockman;
 Skjerven; Smette; Solberg; Sorensen; Strinden;
 Thompson; Tokach; Tollefson; Tomac; Trautman;
 Vander Vorst; Wald; Watno; Whalon; Wilkie;
 Williams, C.; Winkelman; Speaker Kloubec

NAYS: Brokaw; Cleveland; DeMers, J.; DeMers, P.; Dorso;
 Flaagan; Frey; Halmrast; Hamerlik; Hanson, L.; Hill;
 Hoffner; Hokana; Kelly; Knudson; Kretschmar; Kuchera;
 Laughlin; Lautenschlager; Linderman; Lindgren; Mertens;
 Nelson, C.; Oban; Scherber; Schneider; Shaft; Starke;
 Stofferahn; Ulmer; Wentz; Williams, A.; Williams, W.

ABSENT AND NOT VOTING: Belter; Graba

HB 1085 passed and the title was agreed to.

SIXTH ORDER OF BUSINESS

REP. MOORE MOVED that the amendments to HB 1184 as recommended by the Committee on Political Subdivisions as printed on page 1142 of the House Journal be adopted, and when so adopted, recommends the same DO NOT PASS, which motion prevailed.

MOTION

REP. GOETZ MOVED that the rules be suspended and that HB 1184 be deemed properly engrossed and be placed on the Eleventh order, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1184: A BILL for an Act to create and enact a new section to chapter 50-06 of the North Dakota Century Code, relating to limitations on zoning statutes and ordinances with respect to certain facilities.

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 7 YEAS, 93 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Aas; Hoffner; Linderman; Oban; Scherber; Trautman;
 Ulmer

NAYS: Almlie; Anderson; Berg, G.; Berg, R.; Brokaw;
 Christman; Cleveland; DeMers, J.; DeMers, P.; Dorso;
 Dotzenrod; Enget; Flaagan; Gates; Gerntholz; Goetz;
 Gorman; Gunsch; Halmrast; Hamerlik; Hanson, L.

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

ABSENT AND NOT VOTING: Belter; Dalrymple; Frey; Graba;
 Kent; Strinden

HB 1184 was declared lost.

SIXTH ORDER OF BUSINESS

REP. A. HAUSAUER MOVED that the amendments to HB 1238 as recommended by the Committee on Finance and Taxation as printed on pages 1143-1144 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

MOTION

REP. GOETZ MOVED that the rules be suspended and that HB 1238 be deemed properly engrossed and be placed on the Eleventh order, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1238: A BILL for an Act to amend and reenact subsections 7, 8, and 9 of section 57-39.2-01, subsection 8 of section 57-40.2-01, and section 57-40.2-03.2 of the North Dakota Century Code, and sections 57-39.2-02.1 and 57-40.2-02.1 of the North Dakota Century Code as contained in sections 1 and 4 of Senate Bill No. 2901, as approved by the fiftieth legislative assembly, relating to the imposition of sales and use taxes on certain designated services and to the rate of use tax on alcoholic beverages.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 49 YEAS, 55 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Aas; Almlie; Anderson; Berg, R.; Cleveland;
 DeMers, J.; Dotzenrod; Gates; Gerntholz; Goetz; Gorman;

Hamerlik; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Haffner; Kelly; Kent; Koland; Kretschmar; Kuchera; Larson; Lindgren; Martinson; Moore; Nelson, C.; Oban; Olsen, D.; Payne; Peterson; Rice; Rydell; Scherber; Schneider; Shaft; Shaw; Shide; Sorensen; Strinden; Thompson; Tollefson; Trautman; Wald; Wentz; Whalen; Winkelman; Speaker Kloubec

NAYS: Berg, G.; Brokaw; Christman; Dalrymple; DeMers, P.; Dorso; Enget; Flaagan; Frey; Gunsch; Halmrast; Hanson, L.; Hill; Hokana; Kingsbury; Klundt; Knell; Knudson; Kolbo; Lang; Laughlin; Lautenschlager; Linderman; Marks; Martin; Melby; Mertens; Meyer; Murphy; Myrdal; Nelson, J.; Nicholas; Nowatzki; O'Connell; Olson, A.; Olson, V.; Opedahl; O'Shea; Riehl; Schindler; Shockman; Skjerven; Smette; Solberg; Starke; Stofferahn; Tokach; Tomac; Ulmer; Vander Vorst; Watne; Wilkie; Williams, A.; Williams, C.; Williams, W.

ABSENT AND NOT VOTING: Belter; Graba

HB 1238 was declared lost.

SIXTH ORDER OF BUSINESS

REP. MOORE MOVED that the amendments to HB 1342 as recommended by the Committee on Political Subdivisions as printed on page 1145 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

MOTION

REP. GOETZ MOVED that the rules be suspended and that HB 1342 be deemed properly engrossed and be placed on the Eleventh order, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1342: A BILL for an Act to provide for the platting of townsites; to amend and reenact sections 24-07-03 and 40-51.2-04 of the North Dakota Century Code, relating to references to platting laws; to repeal chapter 40-50 of the North Dakota Century Code, relating to the platting of townsites and the correction and vacation of plats; and to provide a penalty.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 98 YEAS, 2 NAYS, 6 ABSENT AND NOT VOTING.

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

NAYS: Murphy; O'Connell

ABSENT AND NOT VOTING: Belter; Graba; Kuchera; Nicholas; Peterson; Thompson

HB 1342 passed and the title was agreed to.

MOTION

REP. GOETZ MOVED that HB 1346 be placed at the bottom of the Sixth order on the calendar, which motion prevailed.

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 1008, HB 1023, HB 1024, HB 1033, HB 1267, HB 1329,
HB 1331, HB 1426, HB 1449, HB 1459, HB 1483, HB 1486,
HB 1501, HB 1575, HB 1576, HB 1578, HB 1606, HB 1607,
HB 1609, HB 1626, HB 1638, HB 1648, HB 1661

ROY GILBREATH, Chief Clerk

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:

SB 2183, SB 2190, SB 2191, SB 2192, SB 2265, SB 2346,
SB 2361, SB 2387

PERRY GROTEBERG, Secretary

SIXTH ORDER OF BUSINESS

REP. NICHOLAS MOVED that the amendments to HB 1349 as recommended by the Committee on Agriculture as printed on pages 1145-1152 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

MOTION

REP. GOETZ MOVED that the rules be suspended and that HB 1349 be deemed properly engrossed and be placed on the Eleventh order, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1349: A BILL for an Act to create and enact a new subsection to section 41-09-42 and a new subsection to section 41-09-46 of the North Dakota Century Code, relating to filing fees and the development and implementation of a central notice system by the secretary of state; to amend and reenact section 41-09-28 of the North Dakota Century Code, relating to protection for buyers of farm products and lenders and security interest protection for federal agencies other than farmers home administration or any agency administered under the farm credit system; and to repeal section 41-09-28.1, subsections 8, 9, 10, and 11 of section 41-09-42, and subsections 3, 4, and 5 of section 41-09-46 of the North Dakota Century Code, relating to the transition period to the central notice system, filing fees, and the central notice system lists.

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 77 YEAS, 21 NAYS, 8 ABSENT AND NOT VOTING.

YEAS: Aas; Almlie; Anderson; Berg, R.; Christman; DeMers, J.; DeMers, P.; Dotzenrod; Enget; Flaagan; Gates; Goetz; Gorman; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hill; Hokana; Kelly; Klundt; Knell; Knudson; Koland; Kolbo; Kuchera; Larson; Laughlin; Lautenschlager; Linderman; Marks; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Nelson, C.; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Rice; Riehl; Rydell; Scherber; Schneider; Shaft; Shaw; Shide; Shockman; Solberg; Sorensen; Starke; Stofferahn; Strinden; Tollefson; Tomac; Trautman; Ulmer; Vander Vorst; Watne; Wentz; Wilkie; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Kloubec

NAYS: Berg, G.; Brokaw; Cleveland; Dalrymple; Dorso; Frey; Gertholz; Kent; Kingsbury; Kretschmar; Lang;

Lindgren; Myrdal; Nelson, J.; Nowatzki; Opedahl;
Schindler; Skjerven; Smette; Tokach; Whalen

ABSENT AND NOT VOTING: Belter; Graba; Hausauer, R.;
Hoffner; Nicholas; Peterson; Thompson; Wald

HB 1349 passed and the title was agreed to.

MOTION

REP. STRINDEN MOVED that the House stand at recess for ten minutes, which motion prevailed.

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

SIXTH ORDER OF BUSINESS

REP. WHALEN MOVED that the amendments to HB 1350 as recommended by the Committee on Industry, Business and Labor as printed on pages 1152-1153 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

MOTION

REP. GOETZ MOVED that the rules be suspended and that HB 1350 be deemed properly engrossed and be placed on the Eleventh order, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1350: A BILL for an Act to provide for the regulation of the formation and operation of risk retention groups and purchasing groups under the federal Product Liability Risk Retention Act of 1981; and to provide a penalty.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 93 YEAS, 0 NAYS, 13 ABSENT AND NOT VOTING.

YEAS: Aas; Almlie; Anderson; Berg, G.; Berg, R.; Brokaw;
Christman; Cleveland; Dalrymple; DeMers, J.;
DeMers, P.; Dorso; Dotzenrod; Enget; Flaagan; Frey;
Gates; Gerntholz; Goetz; Gorman; Gunsch; Halmrast;
Hamerlik; Hanson, L.; Hanson, O.; Haugen; Haugland;
Hausauer, A.; Hill; Hokana; Kelly; Kent; Klundt; Knell;
Knudson; Koland; Kolbo; Kretschmar; Larson; Laughlin;
Lautenschlager; Linderman; Lindgren; Marks; Melby;
Mertens; Meyer; Moore; Murphy; Myrdal; Nelson, C.;
Nelson, J.; Nowatzki; O'Connell; Olsen, D.; Olson, A.;
Olson, V.; Opedahl; O'Shea; Payne; Peterson; Rice;
Riehl; Rydell; Scherber; Schindler; Schneider; Shaft;

Shaw; Shide; Shockman; Skjerven; Smette; Solberg; Sorensen; Starke; Stofferahn; Strinden; Tokach; Tollefson; Tomac; Trautman; Vander Vorst; Wald; Watne; Wentz; Whalen; Wilkie; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Kloubec

NAYS: None

ABSENT AND NOT VOTING: Belter; Graba; Hausauer, R.; Hoffner; Kingsbury; Kuchera; Lang; Martin; Martinson; Nicholas; Oban; Thompson; Ulmer

HB 1350 passed and the title was agreed to.

SIXTH ORDER OF BUSINESS

REP. KRETSCHMAR MOVED that the amendments to HB 1356 as recommended by the Committee on Judiciary as printed on page 1153 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

MOTION

REP. GOETZ MOVED that the rules be suspended and that HB 1356 be deemed properly engrossed and be placed on the Eleventh order, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1356: A BILL for an Act to create and enact a new section to chapter 16.1-07 of the North Dakota Century Code, relating to special write-in absentee ballots; to amend and reenact sections 4-22-17, 16.1-01-07, 16.1-04-03, 16.1-07-03, 16.1-07-04, 16.1-07-05, 16.1-11-06, 16.1-11-11, 16.1-11-17, 16.1-11-18, 16.1-11-19, 16.1-11-20, 16.1-11-30, 16.1-12-04, 16.1-12-05, 16.1-12-07, 16.1-12-09, 16.1-13-03, 46-06-03, and 61-24-03 of the North Dakota Century Code, relating to preparation of absentee ballots and filing deadlines; 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 79 YEAS, 15 NAYS, 12 ABSENT AND NOT VOTING.

YEAS: Aas; Almlie; Anderson; Berg, G.; Berg, R.; Christman; Cleveland; Dalrymple; DeMers, P.; Dorso; Dotzenrod; Enget; Flaagan; Frey; Gates; Gerntholz; Goetz; Gorman; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hill; Hokana; Kelly; Kent; Knudson; Koland; Kolbo; Kretschmar; Kuchera; Larson; Laughlin; Lautenschlager;

Linderman; Lindgren; Marks; Martin; Martinson; Melby;
 Mertens; Moore; Murphy; Nelson, J.; Olsen, D.;
 Olson, A.; Opedahl; Payne; Peterson; Rice; Rydell;
 Scherber; Schindler; Schneider; Shaft; Shaw; Shide;
 Smette; Solberg; Sorensen; Starke; Stofferahn;
 Strinden; Tokach; Tollefson; Trautman; Ulmer;
 Vander Vorst; Wald; Watne; Wentz; Wilkie; Williams, A.;
 Williams, W.; Winkelman; Speaker Kloubec

NAYS: Brokaw; DeMers, J.; Gunsch; Knell; Meyer; Myrdal;
 Nelson, C.; O'Connell; Olson, V.; O'Shea; Riehl;
 Shockman; Skjerven; Tomac; Whalen

ABSENT AND NOT VOTING: Belter; Graba; Hausauer, R.;
 Hoffner; Kingsbury; Klundt; Lang; Nicholas; Nowatzki;
 Oban; Thompson; Williams, C.

HB 1356 passed and the title was agreed to.

SIXTH ORDER OF BUSINESS

REP. WHALEN MOVED that the amendments to HB 1379 as recommended by the Committee on Industry, Business and Labor as printed on page 1154 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1379: A BILL for an Act to amend and reenact subsection 4 of section 26.1-08-12 of the North Dakota Century Code, relating to enrollment in the plan offered by the comprehensive health association.

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 97 YEAS, 0 NAYS, 9 ABSENT AND NOT VOTING.

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

HB 1379 passed and the title was agreed to.

SIXTH ORDER OF BUSINESS

REP. KRETSCHMAR MOVED that the amendments to HB 1384 as recommended by the Committee on Judiciary as printed on page 1154 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

MOTION

REP. STRINDEN MOVED that the rules be suspended and that all bills except HB 1589 and HB 1600, after adoption of the amendments, be deemed properly engrossed and be placed on the Eleventh order, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1384: A BILL for an Act to adopt the Uniform Determination of Death Act, relating to the legal requirements for determination of death and to provide notice in case of imminent death.

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 21 YEAS, 80 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Aas; Cleveland; DeMers, J.; DeMers, P.; Dorso;
Enget; Frey; Gates; Hokana; Koland; Kolbo; Larson;
Lindgren; Mertens; Moore; Nelson, C.; Nelson, J.;
Solberg; Wentz; Williams, W.; Speaker Kloubec

NAYS: Almlie; Anderson; Berg, G.; Berg, R.; Brokaw;
Christman; Dalrymple; Dotzenrod; Flaagan; Gertholz;
Goetz; Gorman; Gunsch; Halmrast; Hamerlik; Hanson, L.;
Hanson, O.; Haugen; Haugland; Hausauer, A.; Hill;
Kelly; Kent; Kingsbury; Klundt; Knell; Knudson;
Kretschmar; Kuchera; Lang; Laughlin; Lautenschlager;
Linderman; Marks; Martin; Martinson; Melby; Meyer;
Murphy; Myrdal; Nicholas; Nowatzki; Oban; O'Connell;
Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea;

Payne; Peterson; Rice; Riehl; Rydell; Scherber;
 Schindler; Schneider; Shaft; Shaw; Shide; Shockman;
 Skjerven; Smette; Sorensen; Starke; Stofferahn;
 Strinden; Tokach; Tollefson; Tomac; Trautman; Ulmer;
 Vander Vorst; Wald; Watne; Whalen; Wilkie;
 Williams, A.; Williams, C.; Winkelman

ABSENT AND NOT VOTING: Belter; Graba; Hausauer, R.;
 Hoffner; Thompson

HB 1384 was declared lost.

SIXTH ORDER OF BUSINESS

REP. GATES MOVED that the amendments to HB 1424 as recommended by the Committee on Education as printed on pages 1155-1156 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1424: A BILL for an Act to create and enact section 15-40.2-08.1 of the North Dakota Century Code, relating to the payment of tuition for handicapped children placed outside their school districts of residence for purposes other than education; and to amend and reenact section 15-40.2-08 of the North Dakota Century Code, relating to tuition payments for foster care students placed outside their school districts of residence.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 96 YEAS, 2 NAYS, 8 ABSENT AND NOT VOTING.

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

Whalen; Wilkie; Williams, A.; Williams, C.;
Williams, W.; Winkelman; Speaker Kloubec

NAYS: Myrdal; Olson, A.

ABSENT AND NOT VOTING: Belter; Graba; Haugen;
Hausauer, R.; Koland; Mertens; Peterson; Thompson

HB 1424 passed and the title was agreed to.

SIXTH ORDER OF BUSINESS

REP. HAUGLAND MOVED that the amendments to HB 1472 as recommended by the Committee on Human Services and Veterans Affairs as printed on pages 1156-1158 of the House Journal be adopted, and when so adopted, recommends the same DO NOT PASS, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1472: A BILL for an Act to create and enact a new section to chapter 26.1-36 of the North Dakota Century Code, relating to deductibles and required provisions in group major medical insurance policies, health service contracts, and health care plans; and to provide an effective date.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 19 YEAS, 82 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Almlie; Dalrymple; DeMers, P.; Gunsch; Hanson, O.;
Haugen; Hokana; Moore; Myrdal; Nelson, J.; Olson, A.;
Opedahl; Scherber; Shaw; Solberg; Stofferahn; Thompson;
Whalen; Speaker Kloubec

NAYS: Aas; Anderson; Berg, G.; Berg, R.; Brokaw;
Christman; Cleveland; DeMers, J.; Dotzenrod; Enget;
Flaagan; Frey; Gates; Gerntholz; Goetz; Gorman;
Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer, A.;
Hausauer, R.; Hill; Hoffner; Kelly; Kent; Klundt;
Knell; Knudson; Koland; Kolbo; Kretschmar; Kuchera;
Lang; Larson; Laughlin; Lautenschlager; Linderman;
Lindgren; Marks; Martin; Martinson; Melby; Mertens;
Meyer; Murphy; Nelson, C.; Nicholas; Nowatzki; Oban;
O'Connell; Olsen, D.; Olson, V.; O'Shea; Payne;
Peterson; Rice; Riehl; Rydell; Schindler; Schneider;
Shaft; Shide; Shockman; Skjerven; Smette; Sorensen;
Starke; Tokach; Tollefson; Tomac; Trautman; Ulmer;
Vander Vorst; Wald; Watne; Wentz; Wilkie; Williams, A.;
Williams, C.; Williams, W.; Winkelman

ABSENT AND NOT VOTING: Belter; Dorso; Graba; Kingsbury; Strinden

HB 1472 was declared lost.

SIXTH ORDER OF BUSINESS

REP. GATES MOVED that the amendments to HB 1508 as recommended by the Committee on Education as printed on pages 1158-1159 of the House Journal be adopted, and when so adopted, recommends the same DO NOT PASS, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1508: A BILL for an Act to provide for negotiation and arbitration rights and procedures for public employees of institutions of higher education; and to provide a penalty.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 29 YEAS, 74 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Almlie; Berg, G.; Berg, R.; Cleveland; DeMers, J.; Frey; Gates; Halmrast; Hamerlik; Hanson, L.; Haugland; Hill; Hoffner; Kelly; Kolbo; Lautenschlager; Marks; Mertens; Oban; O'Connell; O'Shea; Scherber; Schneider; Shockman; Ulmer; Wentz; Williams, A.; Williams, C.; Williams, W.

NAYS: Aas; Anderson; Brokaw; Christman; Dalrymple; DeMers, P.; Dorso; Dotzenrod; Enget; Flaagan; Gerntholz; Goetz; Gorman; Gunsch; Hanson, O.; Haugen; Hausauer, A.; Hokana; Kent; Kingsbury; Klundt; Knell; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Linderman; Lindgren; Martin; Martinson; Melby; Meyer; Moore; Murphy; Myrdal; Nelson, C.; Nelson, J.; Nicholas; Nowatzki; Olsen, D.; Olson, A.; Olson, V.; Opedahl; Payne; Peterson; Rice; Riehl; Rydell; Schindler; Shaft; Shaw; Shide; Skjerven; Smette; Solberg; Sorensen; Starke; Stofferahn; Strinden; Thompson; Tokach; Tollefson; Tomac; Trautman; Vander Vorst; Wald; Watne; Whalen; Wilkie; Winkelman; Speaker Kloubec

ABSENT AND NOT VOTING: Belter; Graba; Hausauer, R.

HB 1508 was declared lost.

SIXTH ORDER OF BUSINESS

REP. GATES MOVED that the amendments to HB 1523 as recommended by the Committee on Education as printed on pages 1159-1161 of the House Journal be adopted, and when so adopted, recommends the same BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION.

MOTION

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

The motion to adopt the amendments to HB 1523 prevailed.

SECOND READING OF HOUSE BILL

HB 1523: A BILL for an Act to create and enact four new sections to chapter 15-34.1 of the North Dakota Century Code, relating to the definition of home schools, exemption from compulsory public school attendance for students enrolled in home schools, the definition of equivalent instruction in home schools, and the superintendent of public instruction's responsibility to maintain academic records for home school students; and to amend and reenact section 15-34.1-01 of the North Dakota Century Code, relating to compulsory school attendance.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 53 YEAS, 49 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Aas; Almlie; Anderson; Cleveland; Dalrymple; Dorso; Dotzenrod; Gates; Gorman; Gunsch; Halmrast; Hanson, O.; Haugen; Hausauer, A.; Hill; Kent; Kingsbury; Knell; Koland; Kuchera; Lang; Larson; Linderman; Lindgren; Martinson; Melby; Murphy; Myrdal; O'Connell; Olsen, D.; Olson, A.; O'Shea; Payne; Rice; Rydell; Schindler; Schneider; Shaft; Shide; Shockman; Smette; Sorensen; Strinden; Tokach; Tollefson; Tomac; Trautman; Ulmer; Wald; Whalen; Williams, A.; Winkelman; Speaker Kloubec

NAYS: Berg, G.; Berg, R.; Brokaw; Christman; DeMers, J.; DeMers, P.; Enget; Flaagan; Frey; Gerntholz; Goetz; Hamerlik; Hanson, L.; Haugland; Hoffner; Hokana; Kelly; Klundt; Knudson; Kolbo; Kretschmar; Laughlin; Lautenschlager; Marks; Martin; Mertens; Moore; Nelson, C.; Nelson, J.; Nicholas; Nowatzki; Oban; Olson, V.; Opedahl; Peterson; Riehl; Scherber; Shaw; Skjerven; Solberg; Starke; Stofferahn; Thompson; Vander Vorst; Watne; Wentz; Wilkie; Williams, C.; Williams, W.

ABSENT AND NOT VOTING: Belter; Graba; Hausauer, R.; Meyer

HB 1523 was declared lost for want of a Constitutional majority.

MOTION

REP. GOETZ MOVED that the House be on the Fifth order of business and at the conclusion of the Fifth order, the House stand in recess until 1:15 p.m., which motion prevailed.

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

REPORTS OF STANDING COMMITTEES

MR. SPEAKER: Your Committee on Appropriations to which was referred HB 1002 has had the same under consideration and recommends by a vote of 19 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 3, delete the word "and" and delete the words "sections 27-02-02 and 27-05-03" and insert in lieu thereof the words "section 27-05-01"

On page 1, line 4, delete the words "salaries of the"

On page 1, line 5, delete the words "judges of the supreme and district courts" and insert in lieu thereof the words "number of district court judges; and to provide an effective date"

On page 1, line 18, delete the numerals "3,568,435" and insert in lieu thereof the numerals "3,421,509"

On page 1, line 19, delete the numerals "1,055,000" and insert in lieu thereof the numerals "845,000"

On page 1, line 21, delete the numerals "84,949" and insert in lieu thereof the numerals "74,949"

On page 1, line 22, delete the numerals "191,276" and insert in lieu thereof the numerals "188,440"

On page 1, line 23, delete the numerals "4,977,660" and insert in lieu thereof the numerals "4,607,898"

On page 1, line 24, delete the numerals "15,000" and insert in lieu thereof the numerals "55,000"

On page 1, line 25, delete the numerals "4,962,660" and insert in lieu thereof the numerals "4,552,898"

On page 1, line 28, delete the numerals "11,493,790" and insert in lieu thereof the numerals "10,722,584"

On page 2, line 1, delete the numerals "4,568,360" and insert in lieu thereof the numerals "3,640,360"

On page 2, line 2, delete the numerals "202,021" and insert in lieu thereof the numerals "97,021"

On page 2, line 3, delete the numerals "733,096" and insert in lieu thereof the numerals "674,978"

On page 2, line 4, delete the words "general fund appropriation" and insert in lieu thereof the words "all funds" and delete the numerals "16,997,267" and insert in lieu thereof the numerals "15,134,943"

On page 2, after line 4, insert the following:

"Less estimated income	340,000
Total general fund appropriation	<u>14,794,943"</u>

On page 2, line 8, delete the numerals "164,062" and insert in lieu thereof the numerals "149,280"

On page 2, line 9, delete the numerals "103,968" and insert in lieu thereof the numerals "93,968"

On page 2, line 11, delete the numerals "270,530" and insert in lieu thereof the numerals "245,748"

On page 2, line 13, delete the numerals "210,530" and insert in lieu thereof the numerals "185,748"

On page 2, line 14, delete the numerals "22,170,457" and insert in lieu thereof the numerals "19,533,589"

On page 2, line 15, delete the numerals "75,000" and insert in lieu thereof the numerals "455,000"

On page 2, line 16, delete the numerals "22,245,457" and insert in lieu thereof the numerals "19,988,589"

On page 2, after line 23, insert the following new sections:

"SECTION 3. AMENDMENT. Section 27-05-01 of the 1985 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

27-05-01. Judicial districts - Number of judges. The judicial districts in this state are as designated by rule of the supreme court. The number of judges in each of the judicial districts is as follows:

1. The northwest judicial district shall have five judges.

2. The northeast judicial district shall have three judges.
3. The northeast central judicial district shall have ~~three~~ four judges.
4. The east central judicial district shall have four judges.
5. The southeast judicial district shall have three judges.
6. The south central judicial district shall have five judges.
7. The southwest judicial district shall have three judges.

SECTION 4. District judges. The appropriation provided within subdivision 2 of section 1 provides for one additional district court judge to be assigned pursuant to section 10 of article VI of the Constitution of North Dakota in the northeast central judicial district, and to be assigned to chambers by the supreme court. Within thirty days after January 1, 1989, the governor shall, pursuant to chapter 27-25, as amended, give written notice of the district court judgeship vacancy created by this section.

SECTION 5. EFFECTIVE DATE. Section 3 of this Act becomes effective on January 1, 1989."

On page 2, delete lines 24 through 35

On page 3, delete lines 1 through 20

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

The amendments decrease the judicial branch's general fund appropriation by \$2,636,868, the total appropriation by \$2,256,868, and increases the estimated income by \$380,000.

Supreme Court

The compensation increases of \$65,926 from the general fund, included in the executive budget of two percent plus \$50 per month for the last year of the biennium are deleted from the appropriation. To the extent that salary increases are provided by the 50th Legislative Assembly, they will be provided in separate legislation.

The Supreme Court's general fund appropriation is reduced by a total of \$409,762 and estimated income is increased by \$40,000 for a net appropriation reduction of \$369,762. An analysis of the changes is as follows:

<u>Description</u>	<u>Total All Funds Increase/ (Decrease)</u>	<u>General Fund</u>	<u>Other Funds</u>
<u>Salaries and wages</u>			
Salary increase of two percent plus \$50/month deleted	\$ (65,926)	\$ (65,926)	\$ 0
Delete funding for a staff associate position and reduce a data input operator position to half-time	<u>(81,000)</u>	<u>(81,000)</u>	0
Total salaries and wages	<u>\$ (146,926)</u>	<u>\$ (146,926)</u>	0
<u>Operating expenses</u>			
Reduce funding for travel to out-of-state and in-state training and committee meetings, WESTLAW computer usage, and for the annual payment to the National Center for State Courts	<u>\$ (210,000)</u>	<u>\$ (210,000)</u>	0
<u>Equipment</u>			
Reduce funding for implementation of the administrative office computer system	<u>\$ (10,000)</u>	<u>\$ (10,000)</u>	0
<u>Judges retirement</u>			
Reduce funding for contribution amounts related to the deleted pay increases	<u>\$ (2,836)</u>	<u>\$ (2,836)</u>	0
<u>Estimated income</u>			
Estimated income is increased and the amount of funding from the general fund is decreased due to the funding available from the Department of Human Services for the child support enforcement program	<u>0</u>	<u>\$ (40,000)</u>	<u>\$40,000</u>
<u>Total</u>	<u>\$ (369,762)</u>	<u>\$ (409,762)</u>	<u>\$40,000</u>

District Courts

The compensation increases of \$207,206 from the general fund included in the executive budget of two percent plus \$50 per month for the last year of the biennium are deleted from the appropriation. To the extent that salary increases are provided by the 50th Legislative Assembly, they will be provided in separate legislation.

The district court's total appropriation is reduced by \$1,862,324 of the total, the amount of funding from the general fund is reduced by \$2,202,324, and other funds are increased by \$340,000. An analysis of the changes is as follows:

<u>Description</u>	<u>Total All Funds Increase/ (Decrease)</u>	<u>General Fund</u>	<u>Other Funds</u>
<u>Salaries and wages</u>			
Salary increase of two percent plus \$50/month deleted	\$ (207,206)	\$ (207,206)	\$ 0
Delete funding for a court reporter added in the executive budget	(75,270)	(75,270)	0
Reduce funding due to delaying the addition of a district judge from July 1, 1987 to January 1, 1989, and due to vacancies during the biennium	<u>(488,730)</u>	<u>(488,730)</u>	0
Total salaries and wages	<u>\$ (771,206)</u>	<u>\$ (771,206)</u>	0
<u>Operating expenses</u>			
Delete funding for temporary judges and surrogate judges; reduce funding for advisory committee meetings and juror and indigent defense counsel expenses	<u>\$ (928,000)</u>	<u>\$ (928,000)</u>	0
<u>Equipment</u>			
Reduce funding for purchases of equipment	<u>\$ (105,000)</u>	<u>\$ (105,000)</u>	0

Judges retirement			
Reduce funding for	\$ (58,118)	\$ (58,118)	0
deleted salary increases and			
salary amounts			
<u>Estimated income</u>			
Estimated income is increased	0	\$ (340,000)	\$340,000
and the amount of funding			
from the general fund is			
decreased due to the			
funding available from			
the Department of Human			
Services for the child			
support enforcement program			
 Total	 \$(1,862,324)	 \$(2,202,324)	 \$340,000

Judicial Conduct Commission

The compensation increases of \$3,782 from the general fund included in the executive budget of two percent plus \$50 per month for the last year of the biennium are deleted from the appropriation. To the extent that salary increases are provided by the 50th Legislative Assembly, they will be provided in separate legislation.

The judicial conduct commission's appropriation is reduced by \$24,782 from the general fund. An analysis of the changes is as follows:

	<u>General Fund</u>
<u>Salaries and wages</u>	
Salary increase of two percent	\$ (3,782)
plus \$50/month deleted	
Delete funding for temporary help	(11,000)
Total salaries and wages	\$(14,782)
<u>Operating expenses</u>	
Reduce funding for operating expenses	\$(10,000)
Total	\$(24,782)

The amendments add two new sections relating to an additional district judge effective January 1, 1989. The amendments delete two sections which provided salary increases for judges.

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

HB 1002 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Appropriations to which was referred HB 1006 has had the same under consideration and recommends by a vote of 19 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 16, delete the numerals "15,570,288" and insert in lieu thereof the numerals "14,686,372"

On page 1, line 17, delete the numerals "17,115,530" and insert in lieu thereof the numerals "17,130,558"

On page 1, line 20, delete the numerals "6,795,700" and insert in lieu thereof the numerals "6,670,700"

On page 1, line 21, underscore the numerals "400,000"

On page 1, delete line 22

On page 1, line 23, delete the numerals "40,849,146" and insert in lieu thereof the numerals "39,805,258"

On page 1, line 24, delete the numerals "27,125,761" and insert in lieu thereof the numerals "26,993,093"

On page 1, line 25, delete the numerals "13,723,385" and insert in lieu thereof the numerals "12,812,165"

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

These amendments delete the compensation increases included in the executive budget. To the extent that salary increases are provided by the Legislative Assembly, they will be provided in separate legislation.

Department of Health and Consolidated Laboratory Services

Description	Total All Funds Increase (Decrease)	Total General Fund Increase (Decrease)	Total Other Funds Increase (Decrease)
<u>Salaries and wages</u>			
Remove salary increase of two percent plus \$50/month	\$ (331,670)	\$(199,002)	\$(132,668)
Delete funding for 10 FTE:	(471,008)	(471,008)	
1 Accountant I - \$40,416			
1 Lab Technician I - \$28,470			
1 Administrative Officer II - \$67,070			
1 Chief Chemist - \$65,702			

1 Custodian - \$38,985
 1 Clerk II - \$29,638
 1 Environmental Engineer I -
 \$49,951
 1 Environmental Quality
 Technician I - \$40,662
 1 Environmental Scientist I -
 \$57,254
 1 Environmental Engineer I -
 \$52,860

Operating expenses

Related to 10 FTE deleted	(66,210)	(66,210)
Provide for transfer of Attorney II position to Attorney General's office and allow department to contract for legal services with Attorney General - reduces salaries and wages by \$81,238 and increases operating expenses by \$81,238		

Grants

Provide a total of \$250,000 for child evaluation and training program	125,000	125,000
Reduce aid to local health districts from \$1 million to \$750,000	(250,000)	(250,000)
Delete funding for Waste Management Compact Commission	(50,000)	(50,000)

Total changes	<u>\$ (1,043,888)</u>	<u>\$ (911,220)</u>	<u>\$ (132,668)</u>
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REP. PETERSON, Chairman

EB 1006 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Appropriations to which was referred EB 1014 has had the same under consideration and recommends by a vote of 19 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 2, after the word "Dakota" insert the words "; to provide legislative intent; and to declare an emergency"

On page 1, line 12, delete the word "Capitol" and insert in lieu thereof the word "Capital"

On page 1, after line 21, insert the following new sections:

"SECTION 3. LEGISLATIVE INTENT - CAPITAL IMPROVEMENTS. It is the intent of the legislative assembly that the \$210,000 contained in the state fair association capital improvements line item is for the beginning of the repayment of a \$3,000,000 loan for a state fair association cultural exhibit building and land acquisition.

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

STATEMENT OF PURPOSE OF AMENDMENT:

State Fair Association

A new section provides legislative intent that the \$210,000 capital improvements line item provides for the beginning of the repayment of a \$3,000,000 loan for a State Fair Association cultural exhibit building and land acquisition. In addition for a total of \$533,760 in loan payments \$323,760 will come from State Fair Association income. State Fair officials, based upon a 1984 United States Travel Center report, estimate that the state general fund, because of State Fair activities, receives approximately \$511,000 annually. It is intended that the state portion of loan payments will be included in the executive budget recommendation and be favorably considered by the next four sessions of the Legislative Assembly.

REP. PETERSON, Chairman

HB 1014 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Appropriations to which was referred HB 1026 has had the same under consideration and recommends by a vote of 19 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 17, delete the numerals "3,446,170" and insert in lieu thereof the numerals "3,281,357"

On page 1, line 18, delete the numerals "1,455,625" and insert in lieu thereof the numerals "1,381,901"

On page 1, line 20, delete the numerals "184,176" and insert in lieu thereof the numerals "179,176"

On page 1, line 22, delete the numerals "5,815,085" and insert in lieu thereof the numerals "5,571,548"

On page 1, line 26, delete the numerals "264,160" and insert in lieu thereof the numerals "314,160"

On page 1, line 27, delete the numerals "264,160" and insert in lieu thereof the numerals "314,160"

On page 1, line 28, delete the numerals "40,000" and insert in lieu thereof the numerals "90,000"

On page 2, line 3, delete the numerals "5,855,085" and insert in lieu thereof the numerals "5,661,548"

On page 2, line 4, delete the numerals "6,079,245" and insert in lieu thereof the numerals "5,885,708"

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Workmen's Compensation Bureau

The compensation increases of \$79,937 from other funds included in the executive budget of two percent plus \$50 per month for the last year of the biennium are deleted from the appropriation. To the extent that salary increases are provided by the 50th Legislative Assembly, they will be provided in separate legislation.

An analysis of the \$243,537 change in the workmen's compensation fund is as follows:

<u>Description</u>	Total Other Funds Increase/ (Decrease)
<u>Salaries and wages</u>	
Remove salary increase of of two percent plus \$50/month	\$ (79,937)
Provide for transfer of attorney position to Attorney General's office and allow department to contract for legal services with Attorney General	(84,876)
<u>Operating expenses</u>	
Eliminate health care cost review program - professional services	(153,600)
Miscellaneous operating expenses	(5,000)

Contracting with Attorney General
for legal services after transfer
of attorney

84,876

Equipment(5,000)

Total increase/(decrease)

\$(243,537)

Crime Victims Reparation

The grants line item is increased \$50,000 from federal funds to more accurately reflect the amount anticipated to be received.

REP. PETERSON, Chairman

HB 1026 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Appropriations to which was rereferred HB 1088 has had the same under consideration and recommends by a vote of 11 YEAS, 8 NAYS, 4 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 23 of the engrossed bill, line 20, delete the numerals "100,000" and insert in lieu thereof the numerals "42,000"

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:Supreme Court

Provides \$42,000 for the lowest level of funding necessary to establish a court of appeals. This change results in a \$58,000 general fund reduction.

REP. PETERSON, Chairman

HB 1088 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Appropriations to which was rereferred HB 1295 has had the same under consideration and recommends by a vote of 19 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 14, line 33, delete the numerals "1,000,000" and insert in lieu thereof the numerals "540,000"

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:Department of Agriculture

Provides for a \$540,000 appropriation for noxious weed control at a level equal to 90 percent of the 1985-87 biennium appropriation. This is a \$460,000 general fund reduction.

REP. PETERSON, Chairman

HB 1295 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 1366 has had the same under consideration and recommends by a vote of 11 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 2, line 4, delete the words "either the insured or"

On page 2, line 6, after the word "first" insert the words ", but not to exceed thirty-six months"

On page 2, line 7, after the word "coverage" insert the words "not to exceed one hundred two percent of the premium for the group coverage"

On page 2, line 17, delete the words "at least the minimum" and insert in lieu thereof the word "comparable"

And renumber the lines, sections, and pages accordingly

REP. WHALEN, Chairman

HB 1366 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Judiciary to which was referred HB 1375 has had the same under consideration and recommends by a vote of 13 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO NOT PASS:

On page 2, line 20, after the underscored comma insert the words "in which the recovery exceeds five hundred thousand dollars,"

On page 2, line 23, delete the word "any", insert in lieu thereof the word "that" and delete the words "by which" and insert in lieu thereof the word "of" and after the word "recovery" insert the word "which"

And renumber the lines, sections, and pages accordingly

REP. KRETSCHMAR, Chairman

HB 1375 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Judiciary to which was referred HB 1376 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO NOT PASS:

On page 2, line 6, delete the words "to the defendant"

On page 2, line 8, delete the words "to the defendant for" and insert in lieu thereof the word "of" and after the word "damages" insert the words "to any party"

On page 2, line 22, delete the words "awarded by the court" and insert in lieu thereof the words "found reasonable and justified"

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

HB 1376 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Judiciary to which was referred HB 1391 has had the same under consideration and recommends by a vote of 8 YEAS, 7 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO NOT PASS:

On page 1, line 2, delete the word "removable" and insert in lieu thereof the word "recoverable"

On page 1, line 8, after the word "dollars" insert the words "per person"

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

HB 1391 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 1433 has had the same under consideration and recommends by a vote of 16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 2, line 5, after the word "a" insert the word "noncontract"

On page 3, line 5, after the word "a" insert the word "noncontract"

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

HB 1433 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 1451 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, BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION:

On page 1, line 1, after the word "banking" insert the words "; and to create and enact a new section to chapter 57-35 and a new section to chapter 57-35.2 of the North Dakota Century Code, relating to taxation of banks controlled by reciprocating state bank holding companies"

On page 1, delete lines 26 and 27

On page 2, line 21, delete the word "commissioner" and insert in lieu thereof the words "state banking board"

On page 3, line 3, delete the first word "commissioner" and insert in lieu thereof the words "state banking board" and delete the second word "commissioner" and insert in lieu thereof the word "board"

On page 4, after line 16, insert the following new subdivision:

"h. A statement of how the acquisition will bring new net funds into the state. The description of new net funds must be filed with the application and annually thereafter stating the amount of capital funds, including the increase in equity capital, which will result from the acquisition or establishment of a bank. The level of total equity capital must exceed three million dollars for a new chartered bank and one million dollars for an acquired bank. The description must state the net increase in loanable funds expressed as an increase in the total loan to asset ratio of loans and assets in this state. The statement must also include a discussion of initial capital investments, loan policy, investment policy, dividend policy, and the general plan of business, including the full range of consumer and business services that will be offered."

On page 4, line 18, after the word "commissioner" insert the words "or the board"

On page 4, line 20, delete the word "commissioner" and insert in lieu thereof the words "state banking board"

On page 4, line 22, delete the word "commissioner" and insert in lieu thereof the word "board"

On page 4, line 23, delete the word "commissioner" and insert in lieu thereof the word "board"

On page 4, line 31, delete the word "commissioner" and insert in lieu thereof the words "state banking board"

On page 4, line 32, delete the word "commissioner" and insert in lieu thereof the word "board"

On page 5, after line 10, insert the following new subsection:

"4. The application fails to demonstrate adequately that the acquisition would bring new net funds into this state."

On page 5, line 17, delete the word "commissioner" and insert in lieu thereof the words "state banking board"

On page 5, line 20, delete the word "commissioner's" and insert in lieu thereof the words "state banking board's"

On page 5, line 21, delete the word "commissioner" and insert in lieu thereof the word "board"

On page 5, line 27, delete the word "commissioner" and insert in lieu thereof the words "state banking board"

On page 6, line 2, delete the word "commissioner" and insert in lieu thereof the words "state banking board"

On page 6, line 24, delete the word "commissioner" and insert in lieu thereof the words "state banking board"

On page 6, line 28, delete the word "commissioner" and insert in lieu thereof the word "board"

On page 6, line 31, delete the word "commissioner" and insert in lieu thereof the words "state banking board"

On page 6, line 34, delete the word "commissioner" and insert in lieu thereof the word "board"

On page 7, line 2, delete the word "commissioner" and insert in lieu thereof the words "state banking board"

On page 7, line 4, delete the word "commissioner" and insert in lieu thereof the word "board"

On page 7, line 9, delete the word "commissioner" and insert in lieu thereof the words "state banking board"

On page 7, line 19, delete the word "commissioner" and insert in lieu thereof the words "state banking board"

On page 7, line 21, delete the word "commissioner" and insert in lieu thereof the words "state banking board"

On page 7, line 29, after the word "Holding" insert the word "Company"

On page 7, after line 30, insert the following new sections:

"SECTION 13. A new section to chapter 57-35 of the North Dakota Century Code is hereby created and enacted to read as follows:

Imposition of tax after acquisition of control of a bank by a reciprocating state bank holding company. Any bank or bank holding company in this state under the control of a reciprocating state bank holding company after June 30, 1987, must pay or continue to pay taxes under this chapter after the reciprocating state bank holding company has acquired control of the bank or bank holding company in the same manner and on the same basis taxes would have been paid had the reciprocating bank holding company not acquired control.

SECTION 14. A new section to chapter 57-35.2 of the North Dakota Century Code is hereby created and enacted to read as follows:

Payment of taxes after reciprocating state bank holding company acquires control. Any bank or bank holding company in this state under the control of a reciprocating state bank holding company after June 30, 1987, must pay or continue to pay taxes under this chapter after the reciprocating state bank holding company has acquired control of the bank or bank holding company in the same manner and on the same basis taxes would have been paid had the reciprocating state bank holding company not acquired control."

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

HB 1451 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 1505 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 11, delete the word "any" and insert in lieu thereof the words "one or more"

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

HB 1505 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 1555 has had the same under consideration and recommends by a vote of 13 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO NOT PASS:

On page 1, line 17, delete the words "motor vehicles that" and insert in lieu thereof the words "operators who"

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

HB 1555 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Judiciary to which was referred HB 1557 has had the same under consideration and recommends by a vote of 10 YEAS, 5 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 15, delete the words "the unborn offspring of a human being" and insert in lieu thereof the words "a fetus that the physician or pathologist performing the fetal autopsy determines, based upon the particular facts of the case, to have been capable, at the time of its death, of sustained life outside of the womb with or without life support equipment, and such capacity for sustained life is proven beyond a reasonable doubt"

On page 1, line 16, delete the words "conceived, but not yet born"

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

HB 1557 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 1565 has had the same under consideration and recommends by a vote of 15 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 13, after the period insert the words "This chapter does not preclude the bureau from conducting normal safety inspections as otherwise provided by law."

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

HB 1565 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Judiciary to which was referred HB 1623 has had the same under consideration and recommends by a vote of 14 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 9, delete the words "Exclusive remedy" and insert in lieu thereof the words "Redemption period required"

On page 1, line 23, delete the word "No" and insert in lieu thereof the words "In any", delete the words "may be", and delete the words "and this chapter" and insert in lieu thereof the words "to cancel"

On page 1, line 24, delete the words "provides the sole and exclusive method for canceling"

On page 1, line 26, after the word "property" insert the words "the court must provide a reasonable period of redemption"

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

HB 1623 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 1629 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 2, delete the word "repeal" and insert in lieu thereof the words "amend and reenact"

On page 1, line 6, underscore the words "Definitions. In this Act, unless the context"

On page 1, underscore lines 7 through 27

On page 2, underscore lines 1 through 18

On page 2, line 19, underscore the word "rider", after the word "rider" insert the word "primarily", and underscore the words "advertised, marketed, offered, or designed to"

On page 2, underscore lines 20 through 30

- On page 2, line 31, underscore the words "policy that is offered primarily to provide", after the word "provide" insert the words "catastrophic coverage and comprehensive coverage", and underscore the words "basic medicare"
- On page 2, underscore lines 32 through 35
- On page 3, underscore lines 1 through 7
- On page 3, line 8, underscore the words "Group long-term care insurance - Association requirements -"
- On page 3, underscore lines 9 through 28
- On page 3, line 29, underscore the words "Limits of group long-term care insurance. No group"
- On page 3, underscore lines 30 through 35
- On page 4, underscore lines 1 and 2
- On page 4, line 3, underscore the words "Disclosure and standards for long-term care insurance."
- On page 4, underscore lines 4 through 12
- On page 4, line 13, underscore the words "Cancellation - Nonrenewal - Termination. No long-term"
- On page 4, underscore lines 14 through 23
- On page 4, line 24, underscore the words "Preexisting conditions."
- On page 4, underscore lines 25 through 34
- On page 5, underscore lines 1 through 15
- On page 5, line 16, underscore the word "categories", delete the word "in" and insert in lieu thereof the word "or", and underscore the words "specific policy forms upon findings that the"
- On page 5, underscore lines 17 through 23
- On page 5, line 24, underscore the words "Prior institutionalization. No long-term care insurance"
- On page 5, underscore lines 25 through 28
- On page 5, line 29, underscore the words "Loss ratio standards. The commissioner may adopt" and after the word "adopt" insert the words "or amend"
- On page 5, underscore lines 30 through 32

- On page 5, line 33, underscore the words "Right to return policy - Outline of coverage required -"
- On page 5, underscore line 34
- On page 6, underscore lines 1 through 13
- On page 6, line 14, underscore the word "policy", after the word "policy" insert the words "or certificate", and underscore the words "issued pursuant to a direct response"
- On page 6, underscore lines 15 through 17
- On page 6, line 18, underscore the words "for any reason. Long-term care insurance policies" and after the word "policies" insert the words "or certificates"
- On page 6, underscore lines 19 through 34
- On page 7, underscore lines 1 through 18
- On page 7, line 19, underscore the words "Application. This Act does not supersede the"
- On page 7, underscore lines 20 through 24
- On page 7, line 25, underscore the words "advertised, marketed, or offered as long-term care insurance or" and after the second word "or" insert the words "solely as"
- On page 7, underscore line 26
- On page 7, line 27, delete the word "REPEAL." and insert in lieu thereof the word "AMENDMENT."
- On page 7, line 28, delete the word "repealed." and insert in lieu thereof the words "amended and reenacted to read as follows:

26.1-36-37. Nursing home policy - Guaranteed renewable for life --~~limitation on preexisting conditions~~. Any long-term care insurance policy providing benefits for confinement to a nursing home must be guaranteed renewable for life. However, the commissioner may for good cause shown allow, on whatever terms and conditions the commissioner deems necessary, an insurer to nonrenew long-term care insurance policies on a statewide basis. For the purposes of this section, "guaranteed renewable" means a policy which the insured has the right to continue in force for life subject to its terms by the timely payment of premiums during which the insurer has no right to make unilaterally any change in any provision of the policy while the policy is in force. The insurer may, however, in accordance with the provisions of the policy, make changes in premium rates as to all

insureds who are placed in the same class for purposes of rate determination in the process of issuance of the policy or making it guaranteed renewable.

A policy providing nursing home coverage may not contain any provision limiting payment of benefits due to preexisting conditions of the insured after the policy has been in force for a period of six months."

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

HB 1629 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Judiciary to which was referred HB 1631 has had the same under consideration and recommends by a vote of 13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 2, line 18, delete the word "section" and insert in lieu thereof the word and numerals "sections 32-03.1-04," and after the comma insert the word and numerals "and 32-03.1-09,"

On page 4, line 8, after the period insert the following sentence "Nothing in this Act shall be construed to relieve any person, tortiously causing an injury or emergency situation, from any affirmative duty to provide proper aid or assistance."

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

HB 1631 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 1652 has had the same under consideration and recommends by a vote of 10 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 1, after the numerals "6-03" insert the words and numerals ", a new section to chapter 57-35, and a new section to chapter 57-35.2"

On page 1, line 3, after the word "banks" insert the words "and to taxation of merged banks"

On page 1, after line 20, insert the following new sections:

"SECTION 2. A new section to chapter 57-35 of the North Dakota Century Code is hereby created and enacted to read as follows:

Imposition of tax after merger or consolidation. Any banking institution or national bank that enters a consolidation or merger with one or more other such institutions or banks after June 30, 1987, shall continue to pay taxes due under this chapter after the consolidation or merger in the manner and on the basis taxes would have been paid had the consolidation or merger not occurred.

SECTION 3. A new section to chapter 57-35.2 of the North Dakota Century Code is hereby created and enacted to read as follows:

Payment of taxes after merger or consolidation. Any banking institution or national bank that enters a consolidation or merger with one or more other such institutions or banks after June 30, 1987, shall continue to pay taxes due under this chapter after the consolidation or merger in the manner and on the basis taxes would have been paid had the consolidation or merger not occurred."

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

HB 1652 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on State and Federal Government to which was referred SB 2253 has had the same under consideration and recommends by a vote of 13 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 of the engrossed bill, line 11, delete the word "and" and insert in lieu thereof a comma, and after the comma insert the words "and the state university of North Dakota-Valley City,"

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

SB 2253 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

SIXTH ORDER OF BUSINESS

REP. ANDERSON MOVED that the amendments to HB 1542 as recommended by the Committee on Transportation as printed on page 1161 of the House Journal be adopted, and when so adopted, recommends the same DO NOT PASS, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1542: A BILL for an Act to create and enact a new section to chapter 39-13 of the North Dakota Century Code, relating to the authority of the state highway commissioner on the erection and maintenance of tourist information signs within a highway right of way.

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 33 YEAS, 68 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Berg, G.; Brokaw; DeMers, J.; DeMers, P.; Dotzenrod; Enget; Flaagan; Frey; Gerntholz; Halmrast; Haugen; Kelly; Klundt; Kolbo; Kuchera; Laughlin; Meyer; Murphy; Nelson, J.; Opedahl; Rice; Riehl; Rydell; Schneider; Shaft; Solberg; Starke; Stofferahn; Thompson; Ulmer; Whalen; Wilkie; Winkelman

NAYS: Aas; Almlie; Anderson; Berg, R.; Christman; Cleveland; Dalrymple; Dorso; Gates; Goetz; Gorman; Gunsch; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hill; Hoffner; Hokana; Kent; Kingsbury; Knell; Knudson; Koland; Kretschmar; Lang; Larson; Lautenschlager; Linderman; Lindgren; Marks; Martin; Martinson; Melby; Moore; Myrdal; Nelson, C.; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Peterson; Scherber; Schindler; Shaw; Shide; Shockman; Skjerven; Smette; Sorensen; Strinden; Tokach; Tollefson; Tomac; Trautman; Vander Vorst; Wald; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Speaker Kloubec

ABSENT AND NOT VOTING: Belter; Graba; Hausauer, R.; Mertens; Nicholas

HB 1542 was declared lost.

SIXTH ORDER OF BUSINESS

REP. KRETSCHMAR MOVED that the amendments to **HB 1563** as recommended by the Committee on Judiciary as printed on page 1162 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1563: A BILL for an Act to create and enact section 43-17-30.1 of the North Dakota Century Code, relating to disciplinary action against a licensed physician; to amend and reenact subsection 1 of section 43-17-02, subsection 2 of section 43-17-03, sections 43-17-07, 43-17-11, 43-17-14,

43-17-17, 43-17-18, 43-17-24, 43-17-25, 43-17-30, and 43-17-31 of the North Dakota Century Code, relating to duties of the board of medical examiners and physician qualifications and grounds for discipline; and to repeal sections 43-17-08, 43-17-09, 43-17-10, 43-17-13, 43-17-16, 43-17-20, 43-17-22, 43-17-26, 43-17-27, 43-17-28, 43-17-29, 43-17-32, 43-17-33, 43-17-35, 43-17-37, 43-17-39, and 43-17.1-07 of the North Dakota Century Code, relating to the procedures of the board of medical examiners and the regulation of the practice of medicine.

Which has been read.

ROLL CALL

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

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

HB 1563 passed and the title was agreed to.

SIXTH ORDER OF BUSINESS

REP. MOORE MOVED that the amendments to HB 1589 as recommended by the Committee on Political Subdivisions as printed on pages 1163-1164 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

MOTION

REP. MOORE MOVED that HB 1589 be placed directly after HB 1610 on the calendar, which motion prevailed.

SIXTH ORDER OF BUSINESS

REP. WHALEN MOVED that the amendments to HB 1591 as recommended by the Committee on Industry, Business and Labor as printed on pages 1164-1165 of the House Journal be adopted, and when so adopted, recommends the same DO NOT PASS, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1591: A BILL for an Act to amend and reenact sections 10-06-01.3 and 10-06-08.1 of the North Dakota Century Code, relating to the industrial and business purpose exception to the corporate farming law and reports of corporations not engaged in farming or ranching.

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 43 YEAS, 59 NAYS, 4 ABSENT AND NOT VOTING.

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

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

ABSENT AND NOT VOTING: Belter; Graba; Hausauer, R.; Nicholas

HB 1591 was declared lost.

MOTION

REP. GOETZ MOVED that HB 1600 be placed at the foot of the Sixth order on the calendar, which motion prevailed.

SIXTH ORDER OF BUSINESS

REP. NICHOLAS MOVED that the amendments to HB 1605 as recommended by the Committee on Agriculture as printed on page 1166 of the House Journal be adopted, and when so adopted, recommends the same DO NOT PASS, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1605: A BILL for an Act to provide for the creation of a mediation farm service to assist financially distressed farmers and small businesses; to provide an effective date; to provide an expiration date; and to declare an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 52 YEAS, 51 NAYS, 3 ABSENT AND NOT VOTING.

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

NAYS: Aas; Berg, R.; Christman; Cleveland; Dorso; Gates; Goetz; Gorman; Gunsch; Hamerlik; Hanson, O.; Haugen; Hausauer, A.; Kent; Kingsbury; Knell; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Lindgren; Martin; Martinson; Melby; Moore; Myrdal; Nicholas; Olsen, D.; Olson, A.; Payne; Peterson; Rice; Rydell; Shaft; Shaw; Slide; Smette; Sorensen; Strinden; Thompson; Tokach; Tollefson; Tomac; Trautman; Vander Vorst; Wald; Whalen; Winkelman; Speaker Kloubec

ABSENT AND NOT VOTING: Belter; Graba; Hausauer, R.

HB 1605 was declared lost for want of a Constitutional majority.

SIXTH ORDER OF BUSINESS

REP. A. HAUSAUER MOVED that the amendments to HB 1636 as recommended by the Committee on Finance and Taxation as printed on

page 1167 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1636: A BILL for an Act to amend and reenact section 57-38-30.1 of the North Dakota Century Code, relating to a corporate income tax credit for new industry; to provide an effective date; and to provide for transition.

Which has been read.

ROLL CALL

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

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

NAYS: Murphy; O'Connell

ABSENT AND NOT VOTING: Belter; Frey; Graba; Hausauer, R.

HB 1636 passed and the title was agreed to.

SIXTH ORDER OF BUSINESS

REP. GATES MOVED that the amendments to HB 1650 as recommended by the Committee on Education as printed on page 1167 of the House Journal be adopted, and when so adopted, recommends the same DO NOT PASS, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1650: A BILL for an Act to provide for certain rights of parents and pupils and for access to instructional materials used by school districts.

Which has been read.

MOTION

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

ROLL CALL

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

YEAS: Dotzenrod; Hanson, O.; Kingsbury; Kuchera; Lang; Melby; Murphy; Olsen, D.; Olson, A.; Schindler; Shide; Vander Vorst; Wald; Whalen; Winkelman

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

ABSENT AND NOT VOTING: Belter; Graba; Hausauer, R.

HB 1650 was declared lost.

RECOGNITION

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

SIXTH ORDER OF BUSINESS

REP. A. HAUSAUER MOVED that the amendments to HB 1346 as recommended by the Committee on Finance and Taxation as printed on pages 1073-1080 of the House Journal be adopted, and when so adopted, recommends the same DO PASS which motion prevailed.

REQUEST

REP. MERTENS REQUESTED a recorded roll call vote on the motion to adopt the proposed amendments to HB 1346, which request was granted.

ROLL CALL

The question being on the motion to adopt the amendments to HB 1346, the roll was called and there were 62 YEAS, 41 NAYS, 3 ABSENT AND NOT VOTING.

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

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

ABSENT AND NOT VOTING: Belter; Graba; Hausauer, R.

The motion to adopt the amendments to HB 1346 passed.

SECOND READING OF HOUSE BILL

HB 1346: A BILL for an Act to create and enact three new subsections to section 57-51-01 and four new sections to chapter 57-51 of the North Dakota Century Code, relating to definitions for purposes of the oil and gas gross production tax, an additional gross production tax on oil production and apportionment of the additional tax, a procedure for seeking financial assistance for the development of water-related projects from the resources trust fund, review of applications for financial assistance for water-related projects, and production reports; to amend and reenact sections 57-51-14 and 57-51-15 of the North Dakota Century Code, relating to duties of the state tax commissioner and state treasurer and apportionment of the oil and gas gross production tax; to repeal chapter 57-51.1 of the North Dakota Century Code, relating to an oil extraction tax; and to provide an effective date.

Which has been read.

MOTION

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

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 61 YEAS, 41 NAYS, 4 ABSENT AND NOT VOTING.

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

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

ABSENT AND NOT VOTING: Belter; Graba; Hausauer, R.; Payne

HB 1346 passed and the title was agreed to.

SIXTH ORDER OF BUSINESS

REP. A. HAUSAUER MOVED that the amendments to HB 1600 as recommended by the Committee on Finance and Taxation as printed on pages 1097-1098 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

MOTION

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

The motion to adopt the proposed amendments to HB 1600 prevailed.

SECOND READING OF HOUSE BILL

HB 1600: A BILL for an Act to create and enact a new subsection to section 57-51.1-03 of the North Dakota Century Code, relating to an exemption from oil extraction taxes for incremental oil production from qualifying enhanced

recovery operations; and to amend and reenact subsections 4 and 5 of section 38-08-04 and subsections 3 and 5 of section 57-51.1-01 of the North Dakota Century Code, relating to the duties of the industrial commission and the definition of "stripper well property" for oil extraction tax purposes.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 73 YEAS, 29 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Aas; Almlie; Anderson; Berg, G.; Berg, R.; Christman; Cleveland; Dalrymple; Dorso; Dotzenrod; Enget; Flaagan; Gates; Gerntholz; Goetz; Gorman; Gunsch; Halmrast; Hamerlik; Hanson, O.; Haugen; Haugland; Hausauer, A.; Kent; Kingsbury; Knell; Knudson; Koland; Kolbo; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Lindgren; Martin; Martinson; Melby; Moore; Murphy; Myrdal; Nelson, J.; Nicholas; Nowatzki; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; Payne; Peterson; Rice; Rydell; Schindler; Shaft; Shaw; Shide; Smette; Solberg; Sorensen; Strinden; Thompson; Tokach; Tollefson; Trautman; Vander Vorst; Wald; Watne; Wentz; Whalen; Winkelman; Speaker Kloubec

NAYS: Brokaw; DeMers, J.; DeMers, P.; Frey; Hanson, L.; Hill; Hoffner; Hokana; Kelly; Klundt; Linderman; Marks; Mertens; Nelson, C.; Oban; O'Shea; Riehl; Scherber; Schneider; Shockman; Skjerven; Starke; Stofferahn; Tomac; Ulmer; Wilkie; Williams, A.; Williams, C.; Williams, W.

ABSENT AND NOT VOTING: Belter; Graba; Hausauer, R.; Meyer

HB 1600 passed and the title was agreed to.

MOTION

REP. STRINDEN MOVED that the House stand in recess for fifteen minutes, which motion prevailed.

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

REPORTS OF STANDING COMMITTEES

MR. SPEAKER: Your Committee on Appropriations to which was referred HB 1001 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:

On page 1, line 16, delete the numerals "3,419,733" and insert in lieu thereof the numerals "3,300,733"

On page 1, line 17, delete the numerals "1,550,105" and insert in lieu thereof the numerals "1,469,105"

On page 1, line 20, delete the numerals "5,093,106" and insert in lieu thereof the numerals "4,893,106"

On page 1, line 23, delete the numerals "2,290,066" and insert in lieu thereof the numerals "2,246,165"

On page 1, line 24, delete the numerals "1,473,562" and insert in lieu thereof the numerals "1,298,562"

On page 1, line 26, delete the numerals "3,774,715" and insert in lieu thereof the numerals "3,555,814"

On page 1, line 27, delete the numerals "8,867,821" and insert in lieu thereof the numerals "8,448,920"

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Legislative Assembly

The amount of funding for the Legislative Assembly is decreased by \$200,000, \$119,000 from salaries and wages and \$81,000 from operating expenses. Funding is provided for a 60 legislative day (85 calendar day) 1989 Legislative Assembly. The bill as introduced provides for a 65 legislative day (90 calendar day) 1989 Legislative Assembly.

Legislative Council

The general fund compensation increases of \$43,901 included in the executive budget of two percent plus \$50 per month for the last year of the biennium are deleted from the appropriation. To the extent that salary increases are provided by the 50th Legislative Assembly, they will be provided in separate legislation.

Operating expenses are decreased by \$175,000. Funding for interim committee work is reduced by \$100,000, which will require a reduction in the number and membership of interim committees. Funding for other interim activity, including out-of-state travel, is reduced by \$75,000.

REP. PETERSON, Chairman

HB 1001 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Appropriations to which was referred HB 1004 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:

On page 1, line 15, delete the numerals "2,007,301" and insert in lieu thereof the numerals "1,963,816"

On page 1, line 19, delete the numerals "15,005,931" and insert in lieu thereof the numerals "14,549,720"

On page 1, line 20, delete the numerals "4,048,187" and insert in lieu thereof the numerals "3,876,566"

On page 1, line 23, delete the numerals "21,802,776" and insert in lieu thereof the numerals "21,131,459"

On page 1, line 24, delete the numerals "7,826,235" and insert in lieu thereof the numerals "7,801,197"

On page 1, line 25, delete the numerals "13,976,541" and insert in lieu thereof the numerals "13,330,262"

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

State Board of Vocational Education

The compensation increases of \$43,485, of which \$18,447 is from the general fund, included in the executive budget of two percent plus \$50 per month for the last year of the biennium are deleted from the appropriation. To the extent that salary increases are provided by the 50th Legislative Assembly, they will be provided in separate legislation.

The grants line item is decreased by a total of \$627,832 from the general fund. Of the total reduction in grants, \$456,211 is from the grants, benefits, and claims line item and \$171,621 is from the grants to postsecondary institutions line item. The reduction in the two grant line items is in proportion to each line item's funding from the general fund. The Board of Vocational Education shall determine the amount of reductions in the grants it administers and distributes.

REP. PETERSON, Chairman

HB 1004 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Appropriations to which was referred HB 1027 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:

On page 1, line 14, delete the numerals "311,045" and insert in lieu thereof the numerals "304,368"

On page 1, line 15, delete the numerals "253,702" and insert in lieu thereof the numerals "270,277"

On page 1, line 18, delete the numerals "269,000" and insert in lieu thereof the numerals "186,123"

On page 1, line 19, delete the numerals "835,447" and insert in lieu thereof the numerals "762,468"

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Soil Conservation Committee

The compensation increases of \$6,677 from the general fund included in the executive budget of two percent plus \$50 per month for the last year of the biennium are deleted from the appropriation. To the extent that salary increases are provided by the 50th Legislative Assembly, they will be provided in separate legislation.

An analysis of the general fund change of \$89,554 is as follows:

<u>Description</u>	<u>Total General Fund Increase/(Decrease)</u>
<u>Salaries and wages</u>	
Remove salary increase of two percent plus \$50/month	\$ (6,677)
<u>Operating expenses</u>	
Increase in soil survey program - professional services and travel	16,575
<u>Grants</u>	
Reduce the soil conservation technician grants program	(82,877)
Total increase/(decrease)	<u>\$ (72,979)</u>

REP. PETERSON, Chairman

HB 1027 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Appropriations to which was referred HB 1037 has had the same under consideration and recommends by a vote of 20 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 3, line 5, delete the word "may" and insert in lieu thereof the word "shall"

On page 3, line 7, after the period insert the words "School districts may offer high school summer school physical education programs, but may not receive proportionate payments for providing those programs."

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

HB 1037 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Appropriations to which was rereferred HB 1204 has had the same under consideration and recommends by a vote of 15 YEAS, 7 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

REP. PETERSON, Chairman

HB 1204 was placed on the Eleventh 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 1625 has had the same under consideration and recommends by a vote of 11 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION:

On page 1, line 14, delete the words ", or their spouse"

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

HB 1625 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 1633 has had the same under consideration and recommends by a vote of 10 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 27, after the underscored period insert the words "The industrial commission shall appoint a committee of

seven persons to act as incorporators of North Dakota Venture Capital, Incorporated, pursuant to the Business Corporation Act and subject to the terms and conditions enumerated in this section."

On page 1, line 28, delete the word "in"

On page 2, line 1, delete the words "the amount of five million dollars,"

On page 2, line 6, delete the word "five" and insert in lieu thereof the word "one"

On page 2, line 8, after the underscored period insert the words "Subsequent to the initial, private investment of one million dollars in voting common stock, the Bank of North Dakota shall purchase nonvoting preferred stock of North Dakota Venture Capital, Incorporated, in an amount equal to purchases of voting common stock of the corporation made by banks, savings and loan associations, individuals, corporations, or other entities but not to exceed five million dollars."

On page 3, line 20, after the underscored period insert the words "The president of North Dakota Venture Capital, Incorporated, shall manage the corporation's investment capital fund under the direction of the board of directors."

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

HB 1633 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MOTION

REP. STRINDEN MOVED that HB 1079, HB 1151, HB 1272, HB 1319, HB 1421, HB 1454, HB 1468, HB 1495, HB 1530, HB 1554, HB 1593, and HB 1597 be placed at the top of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILLS

HB 1079: A BILL for an Act to provide immunity from civil liability to directors, officers, and trustees of nonprofit organizations; and to amend and reenact subsection 14 of section 10-24-05 of the North Dakota Century Code, relating to indemnification of directors and officers of nonprofit corporations.

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 80 YEAS, 1 NAY, 25 ABSENT AND NOT VOTING.

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

NAYS: Kuchera

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

HB 1079 passed and the title was agreed to.

HB 1151: A BILL for an Act to create and enact a new section to chapter 14-07.1 of the North Dakota Century Code, relating to the appointment of a guardian ad litem to represent a minor in an action for a protection order involving custody, support or visitation.

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 78 YEAS, 0 NAYS, 28 ABSENT AND NOT VOTING.

YEAS: Aas; Almlie; Anderson; Berg, R.; Brokaw; Christman; Cleveland; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Dotzenrod; Enget; Flaagan; Frey; Gates; Goetz; Gorman; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hokana; Klundt; Knell; Knudson; Koland; Kolbo; Kretschmar; Lang; Larson; Lautenschlager; Linderman; Lindgren; Marks; Martinson; Melby; Meyer; Moore; Murphy; Myrdal; Nelson, C.;

Nelson, J.; Nicholas; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Riehl; Rydell; Scherber; Schindler; Schneider; Shaft; Shaw; Shide; Shockman; Skjerven; Sorensen; Starke; Strinden; Tokach; Tollefson; Tomac; Trautman; Ulmer; Vander Vorst; Watne; Wentz; Wilkie; Williams, A.; Williams, C.; Williams, W.

NAYS: None

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

HB 1151 passed and the title was agreed to.

HB 1272: A BILL for an Act to create and enact two new sections to chapter 23-12 of the North Dakota Century Code, relating to enforcement of public smoking restrictions; and to amend and reenact sections 23-12-09, 23-12-10, and 23-12-11 of the North Dakota Century Code, relating to designated smoking areas in places of public assembly.

Which has been read.

MOTION

REP. O'SHEA MOVED the previous question, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 62 YEAS, 19 NAYS, 25 ABSENT AND NOT VOTING.

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

NAYS: Anderson; Berg, R.; Dorso; Hanson, O.; Haugen; Hokana; Klundt; Meyer; Murphy; Nelson, J.; Olsen, D.; O'Shea; Riehl; Shaft; Shockman; Skjerven; Tokach; Tomac; Williams, C.

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

HB 1272 passed and the title was agreed to.

HB 1319: A BILL for an Act to amend and reenact subsections 7 and 8 of section 57-39.2-01, section 57-39.2-03.3, and subsection 5 of section 57-40.2-01 of the North Dakota Century Code, relating to imposition of sales and use taxes for property which is or will be sold through vending machines.

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 77 YEAS, 0 NAYS, 29 ABSENT AND NOT VOTING.

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

NAYS: None

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

HB 1319 passed and the title was agreed to.

HB 1389: A BILL for an Act to amend and reenact subsections 1 and 4 of section 39-10-46, subsection 2 of section 39-21-18, and sections 39-21-27 and 39-21-27.1 of the North Dakota Century Code, relating to safety requirements for schoolbuses; and to provide for application.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 75 YEAS, 3 NAYS, 28 ABSENT AND NOT VOTING.

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

NAYS: Meyer; Riehl; Watne

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

HB 1389 passed and the title was agreed to.

HB 1421: A BILL for an Act to require the office of management and budget and the state highway department to award contracts for the purchase of highway grade stakes to facilities for the physically handicapped, developmentally disabled, and chronically mentally ill; and to amend and reenact sections 24-02-19 and 54-44.4-05 of the North Dakota Century Code, relating to competitive bidding procedures.

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 76 YEAS, 0 NAYS, 30 ABSENT AND NOT VOTING.

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

NAYS: None

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

HB 1421 passed and the title was agreed to.

HB 1454: A BILL for an Act to provide for freedom of choice for employees in selecting a dentist.

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 73 YEAS, 5 NAYS, 28 ABSENT AND NOT VOTING.

YEAS: Aas; Almlie; Anderson; Berg, R.; Brokaw; Cleveland; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Dotzenrod; Flaagan; Frey; Gates; Goetz; Gorman; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hokana; Klundt; Knell; Knudson; Koland; Kolbo; Kretschmar; Lang; Larson; Lautenschlager; Linderman; Lindgren; Marks; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Myrdal; Nelson, C.; Nelson, J.; Nicholas; Oban; Olsen, D.; Olson, V.; O'Shea; Riehl; Shaft; Shaw; Shide; Shockman; Skjerven;

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

NAYS: Enget; O'Connell; Scherber; Schindler; Schneider

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

HB 1454 passed and the title was agreed to.

HB 1468: A BILL for an Act to amend and reenact sections
47-16-03 and 47-16-04 of the North Dakota Century Code,
relating to agricultural lease title reservations.

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 78 YEAS, 0 NAYS, 28 ABSENT AND
NOT VOTING.

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

NAYS: None

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

HB 1468 passed and the title was agreed to.

RECOGNITION

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

SECOND READING OF HOUSE BILLS

HB 1495: A BILL for an Act to amend and reenact section 24-08-02.1 of the North Dakota Century Code, relating to the duty of counties to furnish culverts on certain township roads.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 10 YEAS, 69 NAYS, 27 ABSENT AND NOT VOTING.

YEAS: Brokaw; Cleveland; Flaagan; Hanson, O.; Hokana; Kolbo; O'Shea; Scherber; Wentz; Whalen

NAYS: Aas; Almlie; Anderson; Berg, R.; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Dotzenrod; Enget; Frey; Gates; Goetz; Gorman; Halmrast; Hamerlik; Hanson, L.; Haugen; Haugland; Hausauer, A.; Klundt; Knell; Knudson; Kretschmar; Lang; Larson; Lautenschlager; Linderman; Lindgren; Marks; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Myrdal; Nelson, C.; Nelson, J.; Nicholas; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Riehl; Rydell; Schindler; Schneider; Shaft; Shaw; Shide; Shockman; Skjerven; Sorensen; Starke; Strinden; Tokach; Tollefson; Trautman; Ulmer; Vander Vorst; Watne; Wilkie; Williams, A.; Williams, C.; Williams, W.; Speaker Kloubec

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

HB 1495 was declared lost.

HB 1530: A BILL for an Act to amend and reenact section 57-60-02 of the North Dakota Century Code, relating to the imposition of taxes upon the operator of a coal conversion facility; and to declare an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 72 YEAS, 6 NAYS, 28 ABSENT AND NOT VOTING.

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

NAYS: Brokaw; Enget; Murphy; O'Connell; Shockman; Ulmer

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

HB 1530 passed, the title was agreed to, and the emergency clause carried.

REQUEST

REP. ULMER REQUESTED that the record show he intended to vote "yea" on HB 1530, which request was granted.

SECOND READING OF HOUSE BILLS

HB 1545: A BILL for an Act to amend and reenact subsection 2 of section 4-09-03 of the North Dakota Century Code, relating to the membership of the state seed commission.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 79 YEAS, 0 NAYS, 27 ABSENT AND NOT VOTING.

YEAS: Aas; Almlie; Anderson; Berg, R.; Brokaw; Cleveland; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Dotzenrod; Enget; Flaagan; Frey; Gates; Goetz; Gorman; Halmrast;

Hamerlik; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hokana; Klundt; Knell; Knudson; Kolbo; Kretschmar; Lang; Larson; Lautenschlager; Linderman; Lindgren; Marks; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Myrdal; Nelson, C.; Nelson, J.; Nicholas; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Riehl; Rydell; Scherber; Schindler; Schneider; Shaft; Shaw; Shide; Shockman; Skjerven; Sorensen; Starke; Strinden; Tokach; Tollefson; Trautman; Ulmer; Vander Vorst; Watne; Wentz; Whalen; Wilkie; Williams, A.; Williams, C.; Williams, W.; Speaker Kloubec

NAYS: None

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

HB 1545 passed and the title was agreed to.

HB 1554: A BILL for an Act to amend and reenact sections 61-16.1-48 and 61-21-43 of the North Dakota Century Code, relating to the maintenance of drains.

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 80 YEAS, 0 NAYS, 26 ABSENT AND NOT VOTING.

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

NAYS: None

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

HB 1554 passed and the title was agreed to.

HB 1593: A BILL for an Act to amend and reenact sections 15-52-02, 15-52-03, 15-52-04, 15-52-07, 15-52-16, 15-52-20, 15-52-29, and subsection 1 of section 15-52-30 of the North Dakota Century Code, relating to control and operation of the state medical center, members and terms of the medical center advisory council, duties of the council, use of center facilities by political subdivisions, qualifications of loan applicants, loan conditions, training and scholarships for psychiatric personnel, and authorized contracts or agreements; and to repeal section 15-52-06 of the North Dakota Century Code, relating to fees and charges of the medical center.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 79 YEAS, 0 NAYS, 27 ABSENT AND NOT VOTING.

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

NAYS: None

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

HB 1593 passed and the title was agreed to.

HB 1597: A BILL for an Act to create and enact a new subsection to section 39-04-02 of the North Dakota Century Code, relating to disclosure of certain information concerning registration of motor vehicle trailers; to amend and reenact subsection 4 of section 39-04-19 of the North Dakota Century Code, relating to motor vehicle trailer registration fees; to provide a penalty; and to provide for application of this Act.

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 76 YEAS, 4 NAYS, 26 ABSENT AND NOT VOTING.

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

NAYS: Brokaw; DeMers, P.; Murphy; O'Connell

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

HB 1597 passed and the title was agreed to.

MOTION

REP. STRINDEN MOVED that HB 1622, HB 1430, HB 1465, HB 1509, HB 1518, HB 1552, HB 1553, HB 1566, HB 1582, HB 1619, HB 1598, HB 1637, and HB 1644 be placed at the top of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILLS

HB 1622: A BILL for an Act to amend and reenact section 26.1-39-05 of the North Dakota Century Code, relating to payment of proceeds of property and casualty insurance policies.

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 78 YEAS, 1 NAY, 27 ABSENT AND NOT VOTING.

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

NAYS: Kretschmar

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

HB 1622 passed and the title was agreed to.

HB 1598: A BILL for an Act to amend and reenact subsection 2 of section 39-12-05 of the North Dakota Century Code, relating to weight limitations on motor vehicles.

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 74 YEAS, 5 NAYS, 27 ABSENT AND NOT VOTING.

YEAS: Aas; Almlie; Anderson; Berg, R.; Brokaw; Christman; Cleveland; Dalrymple; DeMers, P.; Dorso; Dotzenrod;

Enget; Frey; Gates; Goetz; Gorman; Halmrast; Hamerlik;
 Hanson, O.; Haugen; Haugland; Hausauer, A.; Klundt;
 Knell; Knudson; Kolbo; Kretschmar; Lang; Larson;
 Lautenschlager; Linderman; Lindgren; Marks; Martin;
 Martinson; Melby; Mertens; Meyer; Moore; Murphy;
 Myrdal; Nelson, C.; Nelson, J.; Nicholas; Oban;
 Olsen, D.; Olson, A.; Olson, V.; O'Shea; Riehl; Rydell;
 Scherber; Schindler; Schneider; Shaft; Shaw; Shide;
 Shockman; Skjerven; Sorensen; Starke; Strinden; Tokach;
 Tollefson; Trautman; Ulmer; Vander Vorst; Watne; Wentz;
 Whalen; Wilkie; Williams, C.; Williams, W.;
 Speaker Kloubec

NAYS: DeMers, J.; Flaagan; Hokana; O'Connell;
 Williams, A.

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

HB 1598 passed and the title was agreed to.

HB 1430: A BILL for an Act to create and enact a new section to chapter 32-15 of the North Dakota Century Code, relating to limitations on eminent domain proceedings concerning electrical transmission facilities.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 15 YEAS, 64 NAYS, 27 ABSENT AND NOT VOTING.

YEAS: Almlie; Anderson; Brokaw; Hanson, O.; Kolbo; Marks;
 Melby; Mertens; Meyer; Murphy; Nelson, J.; Olson, A.;
 O'Shea; Shockman; Watne

NAYS: Aas; Berg, R.; Christman; Cleveland; Dalrymple;
 DeMers, J.; DeMers, P.; Dorso; Dotzenrod; Enget;
 Flaagan; Frey; Gates; Goetz; Gorman; Halmrast;
 Hamerlik; Hanson, L.; Haugen; Haugland; Hausauer, A.;
 Hokana; Klundt; Knell; Knudson; Kretschmar; Lang;
 Larson; Lautenschlager; Linderman; Lindgren; Martin;
 Martinson; Moore; Myrdal; Nelson, C.; Oban; O'Connell;
 Olsen, D.; Olson, V.; Riehl; Rydell; Scherber;
 Schindler; Schneider; Shaft; Shaw; Shide; Skjerven;
 Sorensen; Starke; Strinden; Tokach; Tollefson;
 Trautman; Ulmer; Vander Vorst; Wentz; Whalen; Wilkie;
 Williams, A.; Williams, C.; Williams, W.;
 Speaker Kloubec

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

HB 1430 was declared lost.

HB 1465: A BILL for an Act to create and enact a new section to chapter 50-06.1 of the North Dakota Century Code, relating to the operation of vending facilities on federal property by blind persons; and to provide a continuing appropriation.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 82 YEAS, 0 NAYS, 24 ABSENT AND NOT VOTING.

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

NAYS: None

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

HB 1465 passed and the title was agreed to.

MOTION

REP. STRINDEN MOVED that HCR 3020, HCR 3021, HCR 3023, HCR 3032, HCR 3049, HCR 3050, HCR 3057, HCR 3058, and HCR 3060 be placed on the consent calendar, which motion prevailed.

REQUEST

REP. STRINDEN REQUESTED the unanimous consent of the House to amend HB 1509 as follows:

FLOOR AMENDMENT TO HB 1509

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

On page 1, after line 24, insert the following section:

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

There being no objection, the floor amendment to HB 1509 was adopted.

MOTION

REP. STRINDEN MOVED that the rules be suspended and that HB 1509 be deemed properly engrossed and be placed on the Eleventh order, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE BILLS

HB 1509: A BILL for an Act to create and enact a new section to chapter 12.1-20 of the North Dakota Century Code, relating to sexual exploitation by a therapist; to provide a penalty; and to declare an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 88 YEAS, 0 NAYS, 18 ABSENT AND NOT VOTING.

YEAS: Aas; Almlie; Anderson; Berg, R.; Christman; Cleveland; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Dotzenrod; Enget; Flaagan; Frey; Gates; Gerntholz; Goetz; Gorman; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hokana; Klundt; Knell; Knudson; Kolbo; Kretschmar; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Marks; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Myrdal; Nelson, C.; Nelson, J.; Nicholas; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Peterson; Riehl; Rydell; Scherber; Schindler; Schneider; Shaft; Shaw; Shide; Shockman; Skjervén;

Smette; Solberg; Sorensen; Starke; Stofferahn;
Strinden; Tokach; Tollefson; Tomac; Trautman;
Vander Vorst; Wald; Watne; Wentz; Whalen; Wilkie;
Williams, A.; Williams, C.; Williams, W.; Winkelman;
Speaker Kloubec

NAYS: None

ABSENT AND NOT VOTING: Belter; Berg, G.; Brokaw; Graba;
Gunsch; Hausauer, R.; Hill; Hoffner; Kelly; Kent;
Kingsbury; Koland; Kuchera; Nowatzki; Payne; Rice;
Thompson; Ulmer

HB 1509 passed, the title was agreed to, and the emergency clause carried.

HB 1644: A BILL for an Act to create and enact a new subsection to section 57-02-08, a new subsection to section 57-39.2-04, and a new subsection to section 57-40.2-04 of the North Dakota Century Code, relating to a property tax exemption for certain property used for academic or research purposes by students or faculty of a state institution of higher education, sales or use tax exemption of equipment for use in a building used for such purposes, and a sales and use tax exemption for property incorporated in the physical structure or attached as a fixture to such a building.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 66 YEAS, 29 NAYS, 11 ABSENT AND NOT VOTING.

YEAS: Aas; Almlie; Anderson; Berg, R.; Christman;
Cleveland; Dalrymple; DeMers, J.; Dorso; Dotzenrod;
Flaagan; Gates; Gertholz; Goetz; Gorman; Gunsch;
Halmrast; Hamerlik; Hanson, O.; Haugen; Haugland;
Hokana; Kelly; Kingsbury; Klundt; Knell; Knudson;
Kolbo; Kretschmar; Kuchera; Lang; Larson; Laughlin;
Lindgren; Martin; Martinson; Mertens; Moore; Myrdal;
Nelson, C.; Nicholas; Olsen, D.; Olson, A.; Olson, V.;
Peterson; Rice; Rydell; Schindler; Shaft; Shaw; Shide;
Skjerven; Smette; Sorensen; Starke; Strinden;
Tollefson; Trautman; Ulmer; Vander Vorst; Wald; Wentz;
Whalen; Williams, C.; Winkelman; Speaker Kloubec

NAYS: Brokaw; DeMers, P.; Enget; Frey; Hanson, L.;
Hausauer, A.; Lautenschlager; Linderman; Marks; Melby;
Meyer; Murphy; Nelson, J.; Oban; O'Connell; Opedahl;
O'Shea; Riehl; Scherber; Schneider; Shockman; Solberg;

Stofferahn; Tokach; Tomac; Watne; Wilkie; Williams, A.;
Williams, W.

ABSENT AND NOT VOTING: Belter; Berg, G.; Graba;
Hausauer, R.; Hill; Hoffner; Kent; Koland; Nowatzki;
Payne; Thompson

HB 1644 passed and the title was agreed to.

HB 1518: A BILL for an Act to amend and reenact subsection 1 of
section 52-06-02 of the North Dakota Century Code, relating
to disqualification for unemployment benefits under certain
circumstances.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was
called and there were 5 YEAS, 89 NAYS, 12 ABSENT AND NOT VOTING.

YEAS: Hamerlik; Meyer; Olson, A.; Skjervén; Sorensen

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

ABSENT AND NOT VOTING: Belter; Berg, G.; Graba;
Hausauer, R.; Hill; Hoffner; Kent; Koland; Kuchera;
Nowatzki; Payne; Thompson

HB 1518 was declared lost.

HB 1552: A BILL for an Act to amend and reenact section 55-08-05
of the North Dakota Century Code, relating to the sale of
beer and wine by concessionaires operating within state
parks and state recreation areas.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 47 YEAS, 46 NAYS, 13 ABSENT AND NOT VOTING.

YEAS: Almlie; Anderson; Berg, R.; Brokaw; Cleveland; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Flaagan; Gates; Goetz; Gorman; Halmrast; Hamerlik; Hanson, L.; Haugen; Hausauer, A.; Hokana; Kelly; Klundt; Knell; Kretschmar; Larson; Laughlin; Lindgren; Martin; Martinson; Mertens; Meyer; Moore; Nelson, C.; Nicholas; Oban; O'Shea; Peterson; Riehl; Scherber; Schneider; Shaft; Starke; Stofferahn; Strinden; Ulmer; Wald; Wilkie; Speaker Kloubec

NAYS: Aas; Christman; Dotzenrod; Enget; Frey; Gerntholz; Gunsch; Hanson, O.; Haugland; Kingsbury; Knudson; Kolbo; Lang; Lautenschlager; Linderman; Marks; Melby; Murphy; Myrdal; Nelson, J.; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; Rice; Rydell; Schindler; Shaw; Shide; Shockman; Skjerven; Smette; Solberg; Sorensen; Tokach; Tollefson; Tomac; Trautman; Vander Vorst; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Winkelman

ABSENT AND NOT VOTING: Belter; Berg, G.; Graba; Hausauer, R.; Hill; Hoffner; Kent; Koland; Kuchera; Nowatzki; Payne; Thompson; Whalen

HB 1552 was declared lost for want of a Constitutional majority.

HB 1553: A BILL for an Act to amend and reenact subsection 4 of section 23-06-03 of the North Dakota Century Code, relating to the duty of burial.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 8 YEAS, 84 NAYS, 14 ABSENT AND NOT VOTING.

YEAS: Aas; Dorso; Kretschmar; Melby; Olson, A.; Olson, V.; Schindler; Trautman

NAYS: Almlie; Anderson; Berg, R.; Brokaw; Christman; Cleveland; Dalrymple; DeMers, J.; DeMers, P.; Dotzenrod; Enget; Flaagan; Frey; Gates; Gerntholz; Goetz; Gorman; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugen; Haugland; Hokana; Kelly; Kingsbury; Klundt; Knell; Knudson; Kolbo; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Marks;

Martin; Martinson; Mertens; Meyer; Moore; Murphy;
 Myrdal; Nelson, C.; Nelson, J.; Nicholas; Oban;
 O'Connell; Olsen, D.; Opedahl; O'Shea; Peterson; Rice;
 Riehl; Rydell; Scherber; Schneider; Shaft; Shaw; Shide;
 Shockman; Skjervén; Smette; Solberg; Sørensen; Starke;
 Stofferahn; Strinden; Tokach; Tollefson; Tomac;
 Vander Vorst; Wald; Watne; Wentz; Wilkie; Williams, A.;
 Williams, C.; Williams, W.; Winkelman; Speaker Kloubec

ABSENT AND NOT VOTING: Belter; Berg, G.; Graba;
 Hausauer, A.; Hausauer, R.; Hill; Hoffner; Kent;
 Koland; Nowatzki; Payne; Thompson; Ulmer; Whalen

HB 1553 was declared lost.

HB 1566: A BILL for an Act to amend and reenact subsection 1 of section 22-01-01 of the North Dakota Century Code, relating to the liability of an individual partner to answer for an obligation secured by a mortgage on real property granted by a partnership.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 10 YEAS, 82 NAYS, 14 ABSENT AND NOT VOTING.

YEAS: Anderson; Brokaw; Hanson, O.; Haugen; Mertens;
 Meyer; Riehl; Schneider; Shockman; Tomac

NAYS: Aas; Almlie; Berg, R.; Christman; Cleveland;
 Dalrymple; DeMers, J.; DeMers, P.; Dorso; Dotzenrod;
 Enget; Flaagan; Frey; Gates; Gerntholz; Goetz; Gorman;
 Gunsch; Halmrast; Hamerlik; Hanson, L.; Haugland;
 Hausauer, A.; Hokana; Kelly; Kingsbury; Klundt; Knell;
 Knudson; Kolbo; Kretschmar; Kuchera; Lang; Larson;
 Laughlin; Lautenschlager; Linderman; Lindgren; Marks;
 Martin; Martinson; Moore; Murphy; Myrdal; Nelson, C.;
 Nelson, J.; Nicholas; Oban; O'Connell; Olson, A.;
 Olson, V.; Opedahl; O'Shea; Peterson; Rice; Rydell;
 Scherber; Schindler; Shaft; Shaw; Shide; Skjervén;
 Smette; Solberg; Sørensen; Starke; Stofferahn;
 Strinden; Tokach; Tollefson; Trautman; Ulmer;
 Vander Vorst; Wald; Watne; Wentz; Wilkie; Williams, A.;
 Williams, C.; Williams, W.; Winkelman; Speaker Kloubec

ABSENT AND NOT VOTING: Belter; Berg, G.; Graba;
 Hausauer, R.; Hill; Hoffner; Kent; Koland; Melby;
 Nowatzki; Olsen, D.; Payne; Thompson; Whalen

HB 1566 was declared lost.

HB 1582: A BILL for an Act to amend and reenact section 60-02-05 of the North Dakota Century Code, relating to the determination of quality, price discount, or price premium factors of grain by federal licensed inspectors.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 87 YEAS, 3 NAYS, 16 ABSENT AND NOT VOTING.

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

NAYS: Murphy; Tokach; Trautman

ABSENT AND NOT VOTING: Belter; Berg, G.; Graba; Hausauer, R.; Hill; Hoffner; Kent; Koland; Mertens; Nowatzki; Olsen, D.; Payne; Peterson; Rydell; Strinden; Thompson

HB 1582 passed and the title was agreed to.

HB 1619: A BILL for an Act to amend and reenact subdivision c of subsection 1 of section 57-38-01.3 of the North Dakota Century Code, relating to the federal income tax deduction for corporation income tax purposes; 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 36 YEAS, 57 NAYS, 13 ABSENT AND NOT VOTING.

YEAS: Brokaw; DeMers, J.; DeMers, P.; Enget; Flaagan; Frey; Halmrast; Hanson, L.; Hokana; Kelly; Klundt; Laughlin; Lautenschlager; Linderman; Marks; Mertens; Meyer; Murphy; Nelson, C.; Nelson, J.; Nicholas; Oban; O'Connell; Opedahl; O'Shea; Riehl; Scherber; Shockman; Skjerven; Solberg; Starke; Ulmer; Wilkie; Williams, A.; Williams, C.; Williams, W.

NAYS: Aas; Almlie; Anderson; Berg, R.; Christman; Cleveland; Dalrymple; Dorso; Dotzenrod; Gates; Gerntholz; Goetz; Gorman; Gunsch; Hamerlik; Hanson, O.; Haugen; Haugland; Hausauer, A.; Kingsbury; Knell; Knudson; Kolbo; Kretschmar; Kuchera; Lang; Larson; Lindgren; Martin; Martinson; Melby; Moore; Myrdal; Olsen, D.; Olson, A.; Olson, V.; Rice; Rydell; Schindler; Schneider; Shaft; Shaw; Shide; Smette; Sorensen; Stofferahn; Tokach; Tollefson; Tomac; Trautman; Vander Vorst; Wald; Watne; Wentz; Whalen; Winkelman; Speaker Kloubec

ABSENT AND NOT VOTING: Belter; Berg, G.; Graba; Hausauer, R.; Hill; Hoffner; Kent; Koland; Nowatzki; Payne; Peterson; Strinden; Thompson

HB 1619 was declared lost.

HB 1637: A BILL for an Act to amend and reenact sections 40-57.1-02 and 40-57.1-04.1 of the North Dakota Century Code, relating to tax exemptions for new industries.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 83 YEAS, 12 NAYS, 11 ABSENT AND NOT VOTING.

YEAS: Aas; Almlie; Anderson; Berg, R.; Christman; Cleveland; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Dotzenrod; Enget; Flaagan; Gates; Gerntholz; Goetz; Gorman; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hokana; Kelly; Kingsbury; Klundt; Knell; Knudson; Kolbo; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Lindgren; Marks; Martin; Martinson; Melby; Meyer; Moore; Myrdal; Nicholas; Oban; Olsen, D.; Olson, A.; Olson, V.; Opedahl; Peterson; Rice; Riehl; Rydell; Scherber; Schneider; Shaft; Shaw; Shide; Shockman; Skjerven; Smette; Solberg; Sorensen; Starke; Stofferahn; Strinden; Tokach; Tollefson; Tomac; Trautman; Ulmer; Vander Vorst; Wald; Watne; Wentz; Whalen; Williams, C.; Williams, W.; Winkelman; Speaker Kloubec

NAYS: Brokaw; Frey; Linderman; Mertens; Murphy;
Nelson, C.; Nelson, J.; O'Connell; O'Shea; Schindler;
Wilkie; Williams, A.

ABSENT AND NOT VOTING: Belter; Berg, G.; Graba;
Hausauer, R.; Hill; Hoffner; Kent; Koland; Nowatzki;
Payne; Thompson

HB 1637 passed and the title was agreed to.

MOTIONS

REP. STRINDEN MOVED that HB 1045, HB 1309, HB 1377, HB 1473, HB 1498, HB 1549, HB 1562, HB 1583, HB 1599, HB 1621, and HB 1304 be placed at the top of the calendar, which motion prevailed.

REP. GOETZ MOVED that HB 1549 be placed at the bottom of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILLS

HB 1045: A BILL for an Act to amend and reenact section 9-10-07 of the North Dakota Century Code, relating to comparative fault.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 5 YEAS, 88 NAYS, 13 ABSENT AND NOT VOTING.

YEAS: DeMers, J.; Peterson; Scherber; Schneider;
Williams, W.

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

ABSENT AND NOT VOTING: Belter; Berg, G.; DeMers, P.;
Graba; Hausauer, R.; Hill; Hoffner; Kelly; Kent;
Koland; Nowatzki; Payne; Thompson

HB 1045 was declared lost.

HB 1309: A BILL for an Act to amend and reenact section 9-10-07 of the North Dakota Century Code, relating to joint and several liability; and to repeal chapter 32-38 of the North Dakota Century Code, relating to contribution among tort-feasors.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 0 YEAS, 94 NAYS, 12 ABSENT AND NOT VOTING.

YEAS: None

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

ABSENT AND NOT VOTING: Belter; Berg, G.; Graba; Hausauer, R.; Hill; Hoffner; Kent; Koland; Nowatzki; Payne; Thompson; Whalen

HB 1309 was declared lost.

HB 1377: A BILL for an Act to amend and reenact section 9-10-07 of the North Dakota Century Code, relating to joint and several liability for damages.

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, 93 NAYS, 12 ABSENT AND NOT VOTING.

YEAS: Vander Vorst

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

ABSENT AND NOT VOTING: Belter; Berg, G.; Graba; Hausauer, R.; Hill; Hoffner; Kent; Koland; Nowatzki; Payne; Thompson; Whalen

HB 1377 was declared lost.

HB 1473: A BILL for an Act to amend and reenact sections 28-01-18 and 28-01-19 of the North Dakota Century Code, relating to a notice requirement and statutes of limitations for actions brought under the Dram Shop Act.

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, 91 NAYS, 13 ABSENT AND NOT VOTING.

YEAS: Dalrymple; Rydell

NAYS: Aas; Almlie; Anderson; Berg, R.; Brokaw; Christman; Cleveland; DeMers, J.; DeMers, P.; Dorso; Dotzenrod; Enget; Flaagan; Frey; Gates; Gerntholz; Goetz; Gorman; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hokana; Kelly; Kingsbury; Klundt; Knell; Knudson; Kolbo; Kretschmar; Kuchera; Lang; Laughlin; Lautenschlager; Linderman; Marks; Martin; Martinson; Melby; Mertens; Meyer; Moore;

Murphy; Myrdal; Nelson, C.; Nelson, J.; Nicholas; Oban;
 O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl;
 O'Shea; Peterson; Rice; Riehl; Scherber; Schindler;
 Schneider; Shaft; Shaw; Shide; Shockman; Skjerven;
 Smette; Solberg; Sorensen; Starke; Stofferahn;
 Strinden; 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: Belter; Berg, G.; Graba;
 Hausauer, R.; Hill; Hoffner; Kent; Koland; Larson;
 Lindgren; Nowatzki; Payne; Thompson

HB 1473 was declared lost.

HB 1498: A BILL for an Act to amend and reenact section 9-10-07 of the North Dakota Century Code, relating to joint and several liability.

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, 93 NAYS, 11 ABSENT AND NOT VOTING.

YEAS: Berg, R.; Vander Vorst

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

ABSENT AND NOT VOTING: Belter; Berg, G.; Graba;
 Hausauer, R.; Hill; Hoffner; Kent; Koland; Nowatzki;
 Payne; Thompson

HB 1498 was declared lost.

HB 1562: A BILL for an Act to provide limitations on liability in actions brought against public accountants for negligence in performing accounting services and to require proof of actual knowledge in actions against public accountants for aiding and abetting others in the commission of wrongful acts.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 3 YEAS, 91 NAYS, 12 ABSENT AND NOT VOTING.

YEAS: Aas; Berg, R.; Vander Vorst

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

ABSENT AND NOT VOTING: Anderson; Belter; Berg, G.; Graba; Hausauer, R.; Hill; Hoffner; Kent; Koland; Nowatzki; Payne; Thompson

HB 1562 was declared lost.

HB 1583: A BILL for an Act to amend and reenact section 23-06-03.1 of the North Dakota Century Code, relating to pre-need funeral contracts.

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, 56 NAYS, 17 ABSENT AND NOT VOTING.

YEAS: Almlie; Berg, R.; DeMers, J.; DeMers, P.; Dorso; Frey; Gerntholz; Goetz; Haugland; Hokana; Kingsbury; Klundt; Laughlin; Nelson, C.; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; Peterson; Schindler; Shaw; Shide; Sorensen; Stofferahn; Strinden; Vander Vorst; Wald; Watne; Wilkie; Williams, A.; Williams, C.

NAYS: Aas; Christman; Dalrymple; Dotzenrod; Enget; Flaagan; Gates; Gorman; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugen; Hausauer, A.; Kelly; Knell; Knudson; Kolbo; Kretschmar; Kuchera; Lang; Larson; Lautenschlager; Linderman; Lindgren; Marks; Martin; Martinson; Melby; Mertens; Moore; Murphy; Myrdal; Nelson, J.; O'Shea; Rice; Riehl; Rydell; Scherber; Schneider; Shaft; Shockman; Skjervan; Smette; Solberg; Starke; Tokach; Tollefson; Tomac; Trautman; Wentz; Whalen; Williams, W.; Winkelman; Speaker Kloubec

ABSENT AND NOT VOTING: Anderson; Belter; Berg, G.; Brokaw; Cleveland; Graba; Hausauer, R.; Hill; Hoffner; Kent; Koland; Meyer; Nicholas; Nowatzki; Payne; Thompson; Ulmer

HB 1583 was declared lost.

HB 1599: A BILL for an Act to amend and reenact sections 26.1-01-07, 26.1-09-09, and 46-05-03 of the North Dakota Century Code, relating to publication of abstracts of annual statements of insurers; and to repeal section 26.1-03-10 of the North Dakota Century Code, relating to publication of abstracts of annual statements of insurers.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 5 YEAS, 90 NAYS, 11 ABSENT AND NOT VOTING.

YEAS: Dorso; Hamerlik; Kingsbury; Murphy; Olson, A.

NAYS: Aas; Almlie; Anderson; Berg, R.; Brokaw; Christman; Cleveland; Dalrymple; DeMers, J.; DeMers, P.; Dotzenrod; Enget; Flaagan; Frey; Gates; Gerntholz; Goetz; Gorman; Gunsch; Halmrast; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hokana; Kelly; Klundt; Knell; Knudson; Kolbo; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Marks; Martin; Martinson; Melby; Mertens; Meyer; Moore; Myrdal; Nelson, C.; Nelson, J.; Nicholas; Oban; O'Connell; Olsen, D.; Olson, V.; Opedahl; O'Shea; Peterson; Rice; Riehl; Rydell;

Scherber; Schindler; Schneider; Shaft; Shaw; Shide;
Shockman; Skjerven; Smette; Solberg; Sorensen; Starke;
Stofferahn; Strinden; 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: Belter; Berg, G.; Graba;
Hausauer, R.; Hill; Hoffner; Kent; Koland; Nowatzki;
Payne; Thompson

HB 1599 was declared lost.

MOTION

REP. STRINDEN MOVED that HB 1621 be placed at the bottom of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1304: A BILL for an Act to provide for notification of firemen and emergency medical technicians after exposure to infectious diseases; and to amend and reenact subdivision d of subsection 12 of section 65-01-02 of the North Dakota Century Code, relating to definition of diseases fairly traceable to employment under the workmen's compensation law.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 92 YEAS, 0 NAYS, 14 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Belter; Berg, G.; Graba;
Hausauer, R.; Hill; Hoffner; Kent; Koland; Meyer;
Nowatzki; Payne; Peterson; Thompson; Whalen

HB 1304 passed and the title was agreed to.

MOTION

REP. STRINDEN MOVED that HCR 3020, HCR 3027, and HCR 3050 be removed from the consent calendar, which motion prevailed.

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS ON CONSENT CALENDAR

- HCR 3021: A concurrent resolution directing the Legislative Council to study the feasibility and desirability for revision of the Charitable Solicitations Act.
- HCR 3022: A concurrent resolution requesting the United States Congress and the United States Army Corps of Engineers to assume the responsibility for Missouri River bank erosion in North Dakota and to complete a program of bank stabilization and maintenance along the Missouri River between the Garrison Dam and the Oahe Reservoir.
- HCR 3023: A concurrent resolution directing the Legislative Council to study the procedures and requirements for review of rate filings by health insurers.
- HCR 3028: A concurrent resolution urging the United States District Court for the District of North Dakota to recognize the good faith efforts of the state of North Dakota in attempting to comply with the district court's order concerning the deinstitutionalization of developmentally disabled persons and to modify the order to allow the state to emphasize the individual needs of developmentally disabled persons rather than institution population levels.
- HCR 3031: A concurrent resolution directing the Legislative Council to study the nonagricultural real estate foreclosure laws of the state of North Dakota in relation to the foreclosure laws adopted by other states.
- HCR 3032: A concurrent resolution expressing appreciation for the contributions made by community action agencies on behalf of the low income population of this state and urging the Congress of the United States to continue funding the community services block grant program.
- HCR 3035: A concurrent resolution recommending that the State Board of Higher Education take remedial action concerning problems created by the instructional staff at the state

institutions of higher education who have difficulty speaking English.

- HCR 3045: A concurrent resolution urging the Governor to consider delaying the start of the upland game season on grouse and Hungarian partridge.
- HCR 3046: A concurrent resolution directing the Legislative Council to study the potential benefits to be derived from offering courses through the use of electronic media, including satellite dishes, cable television, video cassettes, and video and telephone audiosystems.
- HCR 3047: A concurrent resolution directing the Legislative Council to study the North Dakota state employees health insurance program.
- HCR 3048: A concurrent resolution directing the Legislative Council to study the use of near infrared reflectance analyzers to test grain protein content.
- HCR 3049: A concurrent resolution directing the Legislative Council to study methods of reducing losses incurred by the Comprehensive Health Association.
- HCR 3051: A concurrent resolution urging state agencies, especially the Economic Development Commission and the State Highway Department, to give recognition and publicity to the International Peace Garden in their publications.
- HCR 3053: A concurrent resolution directing the Legislative Council to study the problems caused by and associated with waterfowl.
- HCR 3056: A concurrent resolution directing the Legislative Council to study methods to encourage contributions to nonprofit organizations in North Dakota.
- HCR 3057: A concurrent resolution directing the North Dakota Departments of Public Instruction and Human Services to jointly study the financing, type, and potential location of group or residential child treatment facilities needed for foster care or educational placements and establish a demonstration facility.
- HCR 3058: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of developing a program for competency testing of elementary and secondary students and of providing remedial programs for students who need assistance mastering basic skills.
- HCR 3059: A concurrent resolution directing the Legislative Council to study methods of stabilizing receipts from taxes imposed on oil production.

HCR 3060: A concurrent resolution directing the Legislative Council to study small but necessary schools to determine what needs to be done to capitalize upon the strengths as well as correct the deficiencies of those schools.

HCR 3062: A concurrent resolution urging the Farm Credit Administration to adopt debt restructuring initiatives and develop lending programs and policies to aid young and beginning farmers in becoming established in agriculture.

HCR 3063: A concurrent resolution directing the Legislative Council to study the makeup of the advisory councils appointed under the North Dakota unemployment insurance law, to monitor the status of the unemployment insurance trust fund reserve during the interim, and to examine other approaches to the problem of unemployment.

Which have been read.

ROLL CALL

The question being on the final adoption of the resolutions, including amended HCR 3022.

So the resolutions were adopted.

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

HCR 3020: A concurrent resolution urging an end to disparities in Social Security benefits for persons born in certain years.

Which has been read.

The question being on the final adoption of the resolution.

HCR 3020 was declared adopted on a voice vote.

HCR 3027: A concurrent resolution urging the State Board of Higher Education to implement changes in higher education in North Dakota.

Which has been read.

ROLL CALL

The question being on the adoption of the resolution.

HCR 3027 was declared adopted on a voice vote.

MOTION

REP. GOETZ MOVED that HCR 3050, which is on the Eleventh order, be laid over one legislative day, which motion prevailed.

SECOND READING OF HOUSE BILLS

HB 1534: A BILL for an Act providing an appropriation to the superintendent of public instruction for the purpose of establishing programs offering school districts the funds to provide instructional courses by electronic media.

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 87 YEAS, 5 NAYS, 14 ABSENT AND NOT VOTING.

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

NAYS: Dorso; Gunsch; Murphy; Tokach; Tomac

ABSENT AND NOT VOTING: Belter; Berg, G.; Graba; Hausauer, R.; Hill; Hoffner; Kent; Koland; Nowatzki; Payne; Thompson; Wentz; Whalen; Williams, C.

HB 1534 passed and the title was agreed to.

HB 1538: A BILL for an Act to amend and reenact section 24-02-25.1 of the North Dakota Century Code, relating to the filing of a claim against a highway construction project.

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 91 YEAS, 2 NAYS, 13 ABSENT AND NOT VOTING.

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

NAYS: Aas; Haugen

ABSENT AND NOT VOTING: Belter; Berg, G.; Graba; Halmrast; Hausauer, R.; Hill; Hoffner; Kent; Koland; Nicholas; Nowatzki; Payne; Thompson

HB 1538 passed and the title was agreed to.

MOTION

REP. STRINDEN MOVED that HB 1610 and HB 1589 be placed at the foot of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILLS

HB 1007: A BILL for an Act making an appropriation for defraying the expenses of the Indian affairs commission of the state of North Dakota.

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 69 YEAS, 23 NAYS, 14 ABSENT AND NOT VOTING.

YEAS: Aas; Almlie; Anderson; Berg, R.; Brokaw; Christman; Dalrymple; DeMers, J.; Dorso; Dotzenrod; Flaagan; Gerntholz; Goetz; Gorman; Gunsch; Hamerlik; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hokana; Kingsbury; Knell; Knudson; Kolbo; Kretschmar; Kuchera;

Larson; Laughlin; Linderman; Lindgren; Martin;
 Martinson; Melby; Meyer; Moore; Myrdal; Nelson, C.;
 Nelson, J.; Nicholas; O'Connell; Olsen, D.; Olson, A.;
 Olson, V.; Opedahl; Peterson; Rice; Rydell; Shaft;
 Shaw; Shide; Skjerven; Smette; Solberg; Stofferahn;
 Strinden; Tokach; Tollefson; Tomac; Trautman;
 Vander Vorst; Wald; Watne; Wentz; Williams, A.;
 Williams, C.; Winkelman; Speaker Kloubec

NAYS: Cleveland; DeMers, P.; Enget; Frey; Gates;
 Halmrast; Kelly; Klundt; Lang; Lautenschlager; Marks;
 Mertens; Oban; O'Shea; Riehl; Scherber; Schindler;
 Schneider; Shockman; Starke; Ulmer; Wilkie;
 Williams, W.

ABSENT AND NOT VOTING: Belter; Berg, G.; Graba;
 Hausauer, R.; Hill; Hoffner; Kent; Koland; Murphy;
 Nowatzki; Payne; Sorensen; Thompson; Whalen

HB 1007 passed and the title was agreed to.

HB 1009: A BILL for an Act making an appropriation for defraying the expenses of the veterans' home and the department of veterans' affairs of the state of North Dakota; to provide for a transfer of principal and earnings from the veterans' postwar trust fund; and to amend and reenact section 37-14-14 of the North Dakota Century Code, relating to use of the veterans' postwar trust fund.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 91 YEAS, 0 NAYS, 15 ABSENT AND NOT VOTING.

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

Watne; Wentz; Wilkie; Williams, A.; Williams, C.;
Williams, W.; Winkelman; Speaker Kloubec

NAYS: None

ABSENT AND NOT VOTING: Belter; Berg, G.; Graba; Gunsch;
Hausauer, R.; Hill; Hoffner; Kent; Koland; Murphy;
Nowatzki; Payne; Sorensen; Thompson; Whalen

HB 1009 passed and the title was agreed to.

MOTION

REP. STRINDEN MOVED that HB 1064 be placed at the bottom of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILLS

HB 1091: A BILL for an Act to create and enact a new section to chapter 15-34.2 of the North Dakota Century Code, relating to a requirement for school districts to provide transportation for certain students residing within school districts; to amend and reenact section 15-27.3-20, subsection 3 of section 15-40.1-15, and sections 15-40.1-16.2, 15-40.1-16.3, 15-40.2-05, 15-40.2-09, 15-47-02.1, and 57-15-55.1 of the North Dakota Century Code, relating to the provision of and reimbursement for family-type transportation of students to schools and school district transportation of students; and to repeal sections 15-27.3-10, 15-34.2-01, 15-34.2-03, 15-34.2-04, 15-34.2-05, and 15-34.2-06.1 of the North Dakota Century Code, relating to transportation of students to schools and student transportation required in reorganized school districts.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 39 YEAS, 53 NAYS, 14 ABSENT AND NOT VOTING.

YEAS: Almlie; Brokaw; Frey; Gorman; Halmrast; Haugland; Hausauer, A.; Hokana; Klundt; Knudson; Kuchera; Lang; Lautenschlager; Marks; Martin; Martinson; Meyer; Oban; O'Connell; Olsen, D.; Olson, V.; O'Shea; Peterson; Riehl; Rydell; Scherber; Schindler; Schneider; Shaft; Shaw; Shockman; Skjerven; Sorensen; Stofferahn; Trautman; Ulmer; Wentz; Williams, C.; Winkelman

NAYS: Aas; Anderson; Berg, R.; Christman; Cleveland; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Dotzenrod; Enget; Flaagan; Gates; Gerntholz; Goetz; Gunsch; Hamerlik; Hanson, L.; Hanson, O.; Haugen; Kelly;

Kingsbury; Knell; Kolbo; Kretschmar; Larson; Laughlin;
 Linderman; Lindgren; Melby; Mertens; Murphy; Myrdal;
 Nelson, C.; Nelson, J.; Nicholas; Olson, A.; Opedahl;
 Rice; Shide; Smette; Solberg; Starke; Strinden; Tokach;
 Tollefson; Tomac; Vander Vorst; Watne; Wilkie;
 Williams, A.; Williams, W.; Speaker Kloubec

ABSENT AND NOT VOTING: Belter; Berg, G.; Graba;
 Hausauer, R.; Hill; Hoffner; Kent; Koland; Moore;
 Nowatzki; Payne; Thompson; Wald; Whalen

HB 1091 was declared lost.

HB 1123: A BILL for an Act to create and enact a new section to chapter 39-08 of the North Dakota Century Code, relating to liability insurance cards being carried with a vehicle; and to provide a penalty.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 49 YEAS, 47 NAYS, 10 ABSENT AND NOT VOTING.

YEAS: Aas; Almlie; Berg, R.; Brokaw; DeMers, J.;
 DeMers, P.; Dorso; Enget; Flaagan; Frey; Goetz; Gorman;
 Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugen;
 Haugland; Hokana; Kelly; Kent; Klundt; Kolbo;
 Kretschmar; Laughlin; Lautenschlager; Linderman; Marks;
 Mertens; Moore; Nelson, C.; Nicholas; Oban; O'Connell;
 Olson, V.; Payne; Peterson; Riehl; Scherber; Schneider;
 Shaw; Starke; Stofferahn; Strinden; Wentz; Wilkie;
 Williams, A.; Williams, C.; Williams, W.

NAYS: Anderson; Christman; Cleveland; Dalrymple;
 Dotzenrod; Gates; Gerntholz; Gunsch; Hausauer, A.;
 Kingsbury; Knell; Knudson; Kuchera; Lang; Larson;
 Lindgren; Martin; Martinson; Melby; Meyer; Murphy;
 Myrdal; Nelson, J.; Olsen, D.; Olson, A.; Opedahl;
 O'Shea; Rice; Rydell; Schindler; Shaft; Shide;
 Shockman; Skjerven; Smette; Solberg; Sorensen; Tokach;
 Tollefson; Tomac; Trautman; Ulmer; Vander Vorst; Watne;
 Whalen; Winkelman; Speaker Kloubec

ABSENT AND NOT VOTING: Belter; Berg, G.; Graba;
 Hausauer, R.; Hill; Hoffner; Koland; Nowatzki;
 Thompson; Wald

HB 1123 was declared lost for want of a Constitutional majority.

HB 1192: A BILL for an Act to amend and reenact subsection 1 of section 26.1-03-17 of the North Dakota Century Code, relating to the rate of the premium tax on accident and health insurance and property and casualty insurance.

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 82 YEAS, 13 NAYS, 11 ABSENT AND NOT VOTING.

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

NAYS: Kingsbury; Larson; Lindgren; Melby; Meyer; Myrdal; O'Connell; Olson, A.; Payne; Schindler; Skjerven; Tomac; Watne

ABSENT AND NOT VOTING: Belter; Berg, G.; Graba; Hausauer, R.; Hill; Hoffner; Kent; Koland; Nowatzki; Olsen, D.; Thompson

HB 1192 passed and the title was agreed to.

MOTION

REP. STRINDEN MOVED that HB 1296 be placed at the bottom of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILL

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.

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 71 YEAS, 28 NAYS, 7 ABSENT AND NOT VOTING.

YEAS: Almlie; Berg, G.; Brokaw; Cleveland; Dalrymple; DeMers, J.; DeMers, P.; Flaagan; Frey; Gates; Gerntholz; Gorman; Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer, A.; Hill; Hoffner; Hokana; Kelly; Klundt; Knudson; Kolbo; Kretschmar; Kuchera; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Marks; Martin; Martinson; Mertens; Meyer; Moore; Murphy; Myrdal; Nelson, C.; Nelson, J.; Oban; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Riehl; Rydell; Scherber; Schneider; Shaft; Shaw; Shockman; Skjerven; Smette; Solberg; Sorensen; Starke; Stoferahn; Tokach; Tollefson; Tomac; Trautman; Ulmer; Watne; Wentz; Wilkie; Williams, A.; Williams, W.; Winkelman

NAYS: Aas; Anderson; Berg, R.; Christman; Dorso; Dotzenrod; Enget; Goetz; Gunsch; Hanson, O.; Haugen; Kent; Kingsbury; Knell; Lang; Melby; Nicholas; O'Connell; Payne; Rice; Schindler; Shide; Strinden; Thompson; Vander Vorst; Whalen; Williams, C.; Speaker Kloubec

ABSENT AND NOT VOTING: Belter; Graba; Hausauer, R.; Koland; Nowatzki; Peterson; Wald

HB 1338 passed and the title was agreed to.

MOTIONS

REP. STRINDEN MOVED that the rules be suspended, that HB 1188 be held at the desk for reconsideration by a simple majority, which motion prevailed.

REP. STRINDEN MOVED that House Rule 507 be suspended until the Thirty-fourth Legislative Day, which motion prevailed.

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 8:00 a.m., Friday, February 20, 1987, which motion prevailed.

REPORTS OF STANDING COMMITTEES

MR. SPEAKER: Your Committee on Appropriations to which was referred HB 1022 has had the same under consideration and recommends by a vote of 21 YEAS, 1 NAY, 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 15, delete the numerals "2,659,297" and insert in lieu thereof the numerals "2,668,403"
- On page 1, line 16, delete the numerals "861,984" and insert in lieu thereof the numerals "680,184"
- On page 1, line 18, delete the numerals "39,695" and insert in lieu thereof the numerals "16,895"
- On page 1, line 19, delete the numerals "184,000" and insert in lieu thereof the numerals "88,800"
- On page 1, line 21, delete the numerals "4,259,076" and insert in lieu thereof the numerals "3,968,382"
- On page 1, line 22, delete the numerals "873,000" and insert in lieu thereof the numerals "940,352"
- On page 1, line 23, delete the numerals "3,386,076" and insert in lieu thereof the numerals "3,028,030"
- On page 1, line 26, delete the numerals "381,120" and insert in lieu thereof the numerals "371,592"
- On page 1, line 27, delete the numerals "381,120" and insert in lieu thereof the numerals "371,592"
- On page 1, line 28, delete the numerals "3,767,196" and insert in lieu thereof the numerals "3,399,622"
- On page 2, line 1, delete the numerals "873,000" and insert in lieu thereof the numerals "940,352"
- On page 2, line 2, delete the numerals "4,640,196" and insert in lieu thereof the numerals "4,339,974"

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

State Historical Society

The compensation increases of \$58,694, of which \$55,446 is from the general fund, \$2,197 is from federal funds, and \$1,051 is from other funds, included in the executive budget of two percent plus \$50 per month for the last year of the biennium are deleted from the appropriation. To the extent that salary increases are

provided by the 50th Legislative Assembly, they will be provided in separate legislation.

An analysis of the general fund change of \$358,046 and the special fund change of \$3.248 is as follows:

<u>Description</u>	<u>Total Increase/ (Decrease)</u>	<u>General Fund</u>	<u>Estimated Income</u>
<u>Salaries and wages</u>			
Remove salary increase of two percent plus \$50/month	\$ (58,694)	\$ (55,446)	\$ (3,248)
Increase in salaries and wages due to federal grant	67,800		67,800
<u>Operating expenses</u>			
Eliminate funding for exhibition development - museum division - professional services and hardware and building supplies	(184,600)	(184,600)	
Increase in operating expenses due to federal grant	2,800		2,800
<u>Equipment</u>			
Eliminate funding for equipment for all divisions except: Historic sites - \$ 6,695 Administration - \$10,200	(22,800)	(22,800)	
<u>Capital improvements</u>			
Reduces capital improvements; \$88,800 remains for areas such as maintenance of historic sites	(95,200)	(95,200)	
Total increase/(decrease)	\$ (290,694)	\$ (358,046)	\$ 67,352

International Peace Garden

The grants, benefits, and claims line item is reduced \$9,528 from the general fund.

REP. PETERSON, Chairman

HB 1022 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Appropriations to which was rereferred HB 1030 has had the same under consideration and recommends by a vote of 21 YEAS, 1 NAY, 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 3, delete the words "and creation of the state department of"

On page 1, delete line 4

On page 1, line 5, delete the word "purposes"

On page 1, line 12, after the word "~~the~~" insert the word "The", remove the overstrike over the words "~~board of higher education shall~~", after the word "~~be~~" insert the words "appoint the", and remove the overstrike over the words "~~state forester.~~"

On page 1, line 14, delete everything after the period

On page 1, delete lines 15 through 17

On page 1, line 20, delete the words "The office of the state"

On page 1, delete lines 21 and 22

On page 2, delete lines 20 through 34

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

HB 1030 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Appropriations to which was rereferred HB 1193 has had the same under consideration and recommends by a vote of 21 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1 of the engrossed bill, line 3, delete the words "; to provide an appropriation; and"

On page 1 of the engrossed bill, line 4, delete the words "to provide an effective date"

On page 2 of the engrossed bill, delete line 13

On page 2 of the engrossed bill, line 14, delete the words "and general state purposes"

On page 5 of the engrossed bill, delete lines 13 through 21

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

These amendments delete from the engrossed bill the \$1,500,000 general fund appropriation for oil and gas development impact

grants, the effective date clause, and changes relating to the allocation of the oil and gas gross production tax.

REP. PETERSON, Chairman

HB 1193 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 1243 has had the same under consideration and recommends by a vote of 9 YEAS, 6 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 2, line 16, after the word "insurance" insert the words "or certificate"

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

HB 1243 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 1305 has had the same under consideration and recommends by a vote of 14 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 1, delete the words "sections 65-05.2-01 and" and insert in lieu thereof the word "section"

On page 1, line 3, after the word "benefits" insert the words "; and to provide for application of this Act"

On page 1, delete lines 6 through 21

On page 1, line 25, remove the overstrike over the words "Claimants who are"

On page 1, lines 26 and 27, remove the overstrike

On page 1, line 28, immediately after the word "~~shall~~" insert the words "are entitled to", remove the overstrike over the words "~~receive a weekly benefit~~", immediately after the word "~~than~~" insert the words "of at least", and remove the overstrike over the word "~~one~~"

On page 2, line 1, remove the overstrike over the word "~~hundred~~", immediately after the word "~~forty-three~~" insert the word "fifty", and remove the overstrike over the words "~~dollars per week. Claimants who are eligible~~"

On page 2, line 2, remove the overstrike

On page 2, line 3, immediately after the word "shall" insert the words "are entitled to" and remove the overstrike over the words "receive a weekly benefit"

On page 2, line 4, immediately after the word "eighty-four" insert the words "of at least ninety" and remove the overstrike over the words "dollars per week."

On page 2, delete lines 5 through 15 and insert in lieu thereof the following new section:

"SECTION 2. APPLICATION OF ACT. This Act applies to benefits payable after June 30, 1987."

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

HB 1305 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Appropriations to which was rereferred HB 1438 has had the same under consideration and recommends by a vote of 18 YEAS, 3 NAYS, 2 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 1, delete the word "state-funded" and insert in lieu thereof the word "state"

On page 1, line 6, delete the word "state-funded" and insert in lieu thereof the word "state"

On page 1, line 7, delete the words "and any building"

On page 1, delete line 8

On page 1, line 9, delete the words "any source other than tax refunds"

On page 1, line 10, delete the word "State-funded" and insert in lieu thereof the word "State"

On page 1, line 11, delete the word "state-funded" and insert in lieu thereof the word "state"

On page 1, line 13, delete the word "state-funded" and insert in lieu thereof the word "state"

On page 1, line 14, delete the word "state-funded" and insert in lieu thereof the word "state"

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

HB 1438 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Judiciary to which was referred HB 1474 has had the same under consideration and recommends by a vote of 11 YEAS, 3 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 1, after the words "A BILL" delete the remainder of the bill and insert in lieu thereof the following: "for an Act to create and enact a new section to chapter 5-01 of the North Dakota Century Code, relating to a cause of action for fault or negligence resulting from intoxication; to amend and reenact section 5-01-09 of the North Dakota Century Code, relating to the unlawful delivery of alcoholic beverages; to repeal section 5-01-06 of the North Dakota Century Code, relating to recovery of damages resulting from intoxication; and to provide an effective date.

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

SECTION 1. If House Bill No. 1571 is not approved by the fiftieth legislative assembly or does not become effective, a new section to chapter 5-01 of the North Dakota Century Code is hereby created and enacted to read as follows:

Claim for relief for negligence resulting from intoxication. Every spouse, child, parent, guardian, employer, or other person who is injured by any obviously intoxicated person has a claim for relief for negligence under section 9-10-07 against any person who knowingly disposes, sells, barter, or gives away alcoholic beverages to a person under twenty-one years of age, an incompetent, or an obviously intoxicated person, and if death ensues, the survivors of the decedent are entitled to damages defined in section 32-21-02. No claim for relief pursuant to this section may be had on behalf of the intoxicated person nor on behalf of the intoxicated person's estate or personal representatives; nor may a claim for relief be had on behalf of an adult passenger in an automobile driven by an intoxicated person or on behalf of the passenger's estate or personal representatives.

SECTION 2. If House Bill No. 1571, as approved by the fiftieth legislative assembly, becomes effective, a new section to chapter 5-01 of the North Dakota Century Code is hereby created and enacted to read as follows:

Claim for relief for fault resulting from intoxication. Every spouse, child, parent, guardian,

employer, or other person who is injured by any obviously intoxicated person has a claim for relief for fault under section 2 of House Bill No. 1571 against any person who knowingly disposes, sells, barter, or gives away alcoholic beverages to a person under twenty-one years of age, an incompetent, or an obviously intoxicated person, and if death ensues, the survivors of the decedent are entitled to damages defined in section 32-21-02. No claim for relief pursuant to this section may be had on behalf of the intoxicated person nor on behalf of the intoxicated person's estate or personal representatives; nor may a claim for relief be had on behalf of an adult passenger in an automobile driven by an intoxicated person or on behalf of the passenger's estate or personal representatives.

SECTION 3. If House Bill No. 1571, as approved by the fiftieth legislative assembly, becomes effective and subsequently terminates by its own provisions, a new section to chapter 5-01 of the North Dakota Century Code is hereby created and enacted to read as follows:

Claim for relief for negligence resulting from intoxication. Every spouse, child, parent, guardian, employer, or other person who is injured by any obviously intoxicated person has a claim for relief for negligence under section 9-10-07 against any person who knowingly disposes, sells, barter, or gives away alcoholic beverages to a person under twenty-one years of age, an incompetent, or an obviously intoxicated person, and if death ensues, the survivors of the decedent are entitled to damages defined in section 32-21-02. No claim for relief pursuant to this section may be had on behalf of the intoxicated person nor on behalf of the intoxicated person's estate or personal representatives; nor may a claim for relief be had on behalf of an adult passenger in an automobile driven by an intoxicated person or on behalf of the passenger's estate or personal representatives.

SECTION 4. AMENDMENT. Section 5-01-09 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

5-01-09. Delivery to certain persons unlawful. Any person knowingly delivering alcoholic beverages to a person under twenty-one years of age, an habitual drunkard, an incompetent, or an obviously intoxicated person is guilty of a class A misdemeanor, subject to the provisions of sections 5-01-08, 5-01-08.1, and 5-01-08.2.

SECTION 5. REPEAL. Section 5-01-06 of the 1985 Supplement to the North Dakota Century Code is hereby repealed.

SECTION 6. EFFECTIVE DATE. Section 3 of this Act becomes effective on July 1, 1993."

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

HB 1474 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 1492 has had the same under consideration and recommends by a vote of 10 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 11, delete the letter "a.", overstrike the word "For", and immediately after the word "~~the~~" insert the words "a. Except as required under subdivision f, for"

On page 2, line 14, delete the word "basic"

On page 2, line 18, after the word "employee" insert the words "notwithstanding any provisions to the contrary in section 52-06-31 or in any other section"

On page 2, after line 18, insert the following new subdivision:

"f. For each calendar quarter, the bureau shall determine the status of the trust fund reserve. If the trust fund reserve is negative and if the deficiency is at least eighty percent of the amount that would, if positive, be deemed adequate under subdivision b, then, for each employer whose reserve ratio is greater than zero, and after making the computation required under subdivision b, the bureau shall add one-half of one percent to that employer's basic rate. The rate so computed is the rate applicable to the employer. The addition required under this subdivision must continue to be made until the deficiency in the trust fund reserve is no longer as much as eighty percent of the amount that would, if positive, be deemed adequate under subdivision b. However, the employer shall withhold the additional amount required under this subdivision from wages due the employee."

On page 2, line 23, after the letter "e" insert the word and letter "or f"

On page 2, line 25, after the word "employee" insert the words "notwithstanding any provisions to the contrary in section 52-06-31 or in any other section"

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

HB 1492 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 1504 has had the same under consideration and recommends by a vote of 9 YEAS, 7 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO NOT PASS:

On page 1, line 4, after the word "available" insert the words "state administered or sponsored" and after the word "programs" insert the words " and to provide an expiration date"

On page 1, line 15, after the word "of" insert the words "state administered or sponsored"

On page 1, after line 19, insert the following new section:

"SECTION 2. EXPIRATION DATE. This Act is effective through June 30, 1989, and after that date is ineffective."

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

HB 1504 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 1543 has had the same under consideration and recommends by a vote of 14 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 12, delete the word "shall" and insert in lieu thereof the word "may"

On page 1, line 15, delete the word "shall" and insert in lieu thereof the word "may"

On page 2, line 2, delete the word "shall" and insert in lieu thereof the word "may"

On page 2, line 22, delete the word "shall" and insert in lieu thereof the word "may"

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

HB 1543 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Appropriations to which was referred HB 1544 has had the same under consideration and recommends by a vote of 17 YEAS, 4 NAYS, 2 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 3, delete the words "transfer of funds from the coal" and insert in lieu thereof the words "contingency loan from the coal trust fund."

On page 1, delete line 4

On page 1, line 17, delete the numerals "8,907,653" and insert in lieu thereof the numerals "3,500,000"

On page 1, line 19, delete the words "special funds appropriation" and insert in lieu thereof the words "all funds" and delete the numerals "14,092,346" and insert in lieu thereof the numerals "8,684,693"

On page 1, after line 19, insert the following:

"Less estimated income	<u>5,000,000</u>
Total general fund appropriation	\$3,684,693"

On page 2, after line 2, insert the following new section:

"SECTION 4. CONTINGENCY LOAN. The amount of \$5,000,000 appropriated in section 1 of this Act for an ANG plant closure contingency line item shall be made available to the energy development impact office only if the ANG plant closes. If the ANG plant closes, the board of university and school lands shall lend \$5,000,000 from the coal trust fund, or so much thereof as may be necessary, to the energy development impact office for the purpose of providing grants to political subdivisions which are affected by the plant closure."

On page 2, delete lines 3 through 11

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

The amendments reduce the grants line item from \$8,907,653 to \$3,500,000. Of the \$3,500,000 provided, \$2,500,000 is for coal impact grants and \$1,000,000 is for oil impact grants. The amendments change the funding source for the grants and administration of the Energy Development Impact Office from the coal and oil development impact funds to the general fund.

The amendments add a section which provides \$5,000,000 to be borrowed by the Energy Development Impact Office from the coal trust fund. The \$5,000,000 will be used to provide grants to political subdivisions if the ANG plant closes. As to how the loan shall be repaid will need to be determined by subsequent Legislative Assemblies.

REP. PETERSON, Chairman

HB 1544 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 1560 has had the same under consideration and recommends by a vote of 10 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 12, delete the word "A" and insert in lieu thereof the words "For grievances arising from actions occurring while an employee was a member of a bargaining unit of a management entity with which a labor union or labor organization has a contract, but while that employee was not a member of that union or organization, that"

On page 1, line 13, delete the word "may" and insert in lieu thereof the word "shall"

On page 1, line 14, delete the first word "a" and insert in lieu thereof the word "that" and delete the words "in a bargaining unit of a"

On page 1, delete line 15

On page 1, line 16, delete the words "has a contract"

And renumber the lines, sections, and pages accordingly

REP. WHALEN, Chairman

HB 1560 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Finance and Taxation to which was referred HB 1590 has had the same under consideration and recommends by a vote of 15 YEAS, 1 NAY, 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 1, after the words "A BILL" delete the remainder of the bill and insert in lieu thereof the following: "for an Act to provide for allocation of a portion of sales and use tax collections to personal property tax replacement and state revenue sharing; to create and enact two new sections to chapter 57-58 of the North Dakota Century Code, relating to personal property tax replacement; to repeal sections 54-27-20.1 and 57-58-01 of the North Dakota Century Code, relating to determination of state revenue sharing and personal property tax replacement; to provide a continuing appropriation; to provide an effective date; and to provide an expiration date.

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

SECTION 1. Allocation of sales and use tax revenues to revenue sharing and personal property tax replacement - Continuing appropriation. Notwithstanding any other provision of law, net revenue derived from one-third of the first one percentage point of the rate of sales and use taxes imposed under chapter 57-39.2 or 57-40.2 must be deposited in a special fund in the state treasury, which is hereby created, to be known as the state aid distribution fund. The state treasurer shall allocate revenue in the state aid distribution fund as follows:

1. Fifty percent of the revenues in the fund shall be allocated for state revenue sharing on a quarterly basis as provided in sections 54-27-20.2 and 54-27-20.3.
2. Fifty percent of the revenues in the fund shall be allocated for personal property tax replacement on an annual basis as provided in section 2 of this Act.

The amounts in the state aid distribution fund are hereby provided for distribution or transfer as a standing and continuing appropriation.

SECTION 2. A new section to chapter 57-58 of the North Dakota Century Code is hereby created and enacted to read as follows:

Distribution of personal property tax replacement to political subdivisions. On or before February first of each year the county auditor of each county shall certify to the state tax commissioner, in such form as the tax commissioner may prescribe, the total amount of taxes levied in dollars on locally assessed real property within the county in the previous year by each taxing district within the county. On or before June first of each year, the state tax commissioner shall certify to the state treasurer an amount

for payment, and the state treasurer shall pay the amount certified, from the state aid distribution fund to each county based upon the proportion of personal property tax replacement determined under section 1 of this Act that the total amount of taxes levied in dollars on locally assessed real property within the county by each taxing district within the county bears to the total amount of taxes levied in dollars on locally assessed real property by all taxing districts within the state. Within fifteen days after receipt of the revenue under this section, the county treasurer shall allocate and remit the revenue to taxing districts in the proportion that the total amount of taxes levied in dollars on locally assessed real property within the county by the taxing district bears to the total of all taxes levied in dollars on locally assessed real property within the county by all taxing districts within the county. If a political subdivision has ceased to exist at the time of certification by the tax commissioner it shall receive no money under this Act. The certification by the tax commissioner under this section in 1988 shall be based on state aid distribution fund revenue receipts from July 1987 through March 1988, inclusive. Certifications by the tax commissioner under this section after 1988 shall be based on state aid distribution fund revenue receipts for the twelve-month period from April through March, inclusive.

On or before June first of each year, the state tax commissioner shall certify to the state treasurer an amount for transfer from the general fund to the credit of the North Dakota state medical center. The amount certified and transferred shall be the proportion of total distributions under this Act which the taxes levied in dollars on locally assessed real property for the North Dakota state medical center bears to the total amount of taxes levied in dollars on locally assessed real property by all taxing districts within the state.

SECTION 3. A new section to chapter 57-58 of the North Dakota Century Code is hereby created and enacted to read as follows:

Limitation of decrease in personal property tax replacement payments. Except for school districts and political subdivisions which have ceased to exist, no taxing district may receive ten percent less than it received in personal property tax replacement payments for the previous year, including amounts received under the provisions of chapter 57-58 as it existed prior to July 1, 1987.

SECTION 4. REPEAL. Section 57-58-01 of the North Dakota Century Code and section 54-27-20.1 of the 1985 Supplement to the North Dakota Century Code are hereby repealed.

SECTION 5. EFFECTIVE DATE - EXPIRATION DATE.

Section 1 of this Act is effective for sales and use tax collections received by the state tax commissioner after June 30, 1987. Sections 2 and 4 of this Act are effective July 1, 1987, except that any payments or corrections in amounts paid under the provisions of section 54-27-20.1 or section 57-58-01, as those sections existed before July 1, 1987, may be made after July 1, 1987. Section 3 of this Act is effective through June 30, 1991, and is thereafter ineffective."

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

HB 1590 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 1634 has had the same under consideration and recommends by a vote of 10 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 3, line 7, overstrike the comma, delete the word "with", overstrike the words "one member", and overstrike the words "appointed from each"

On page 3, line 8, overstrike the words "of the seven judicial districts"

On page 3, line 9, after the period insert the words "The governor shall take into account reasonable geographic considerations in making the appointments."

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

HB 1634 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Appropriations to which was referred HB 1635 has had the same under consideration and recommends by a vote of 14 YEAS, 8 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

REP. PETERSON, Chairman

HB 1635 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 1645 has had the same under consideration and recommends by a vote of 12 YEAS, 4 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 20, delete the numerals and letter "30(c)" and insert in lieu thereof the numerals and letter "41(c)"
- On page 1, line 21, delete the numerals and letter "30(c)" and insert in lieu thereof the numerals and letter "41(c)"
- On page 1, line 23, delete the numerals and letter "30(d)" and insert in lieu thereof the numerals and letter "41(d)"
- On page 1, line 24, delete the numerals and letter "30(d)" and insert in lieu thereof the numerals and letter "41(d)"
- On page 1, line 27, delete the word, numerals, and letters "30(b) and 30(e)" and insert in lieu thereof the numerals and letter "41(b)"
- On page 1, line 28, delete the numerals and letters "30(b)(e)" and insert in lieu thereof the numerals and letter "41(b)"
- On page 2, line 32, delete the numerals and letter "30(f)(3)" and insert in lieu thereof the numerals and letter "41(f)(3)"
- On page 2, line 33, delete the numerals and letter "30(f)(3)" and insert in lieu thereof the numerals and letter "41(f)(3)"
- On page 2, line 35, delete the numerals "1986" and insert in lieu thereof the numerals "1987"
- And renumber the lines, sections, and pages accordingly
REP. A. HAUSAUER, Chairman

HB 1645 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Finance and Taxation to which was referred HB 1667 has had the same under consideration and recommends by a vote of 9 YEAS, 7 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 1, delete the word "two" and insert in lieu thereof the word "three"
- On page 1, line 3, after the word "terms" insert the words "development well," and after the words "extension well" insert a comma
- On page 1, line 5, after the second word "from" insert the words "development wells,"
- On page 1, line 6, after the first word "wells" insert a comma
- On page 1, line 9, delete the word "Two" and insert in lieu thereof the word "Three"

On page 1, after line 11, insert the following new subsection:

"Development well" means an oil or gas well located within the boundaries of an established oilfield and which is drilled and completed after March 31, 1987, and before July 1, 1989."

On page 2, line 13, after the word "well" insert the words "or a development well"

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

HB 1667 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

FIRST READING OF HOUSE CONCURRENT RESOLUTIONS

Reps. Kloubec, Martinson, Skjerven and Sens. Nelson, Lodoen, Satrom introduced:

HCR 3069: A concurrent resolution directing the Committee on Public Employees Retirement Programs of the Legislative Council to evaluate health insurance benefits and other benefits administered by public employee retirement boards, and the investment practices and performances of those boards.

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

Rep. Wald introduced:

HCR 3070: A concurrent resolution directing the Legislative Council to study state department surveys, studies, reviews, and audits of long-term care facilities.

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

Reps. Hill, J. DeMers, Gates, Stofferahn introduced:

HCR 3071: A concurrent resolution directing the Legislative Council to study the effects of hospital and health care advertising and competition on the costs of and access to health care.

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

Committee on Judiciary introduced:

HCR 3072: A concurrent resolution directing the Legislative Council to study the statutes of limitations in this state and the feasibility and desirability of shortening, lengthening, or otherwise modifying existing statutes of limitations.

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

Reps. Oban, J. DeMers, Rydell and Sen. Mushik introduced:

HCR 3073: A concurrent resolution directing the Legislative Council to study services to deaf and hearing impaired

children and adults, to examine the role of the North Dakota School for the Deaf in the provision of educational and rehabilitative services to the deaf, and to determine alternative methods of educating and rehabilitating the deaf in communities throughout the state.

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

Reps. Oban, Rydell and Sens. Heinrich, Mushik introduced:

HCR 3074: A concurrent resolution directing the Legislative Council to study services to blind and visually impaired children and adults, to examine the role of the North Dakota School for the Blind in the provision of educational and rehabilitative services to the blind, and to determine alternative methods of educating and rehabilitating the blind in communities throughout the state.

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

Reps. Oban, Scherber, Wentz and Sen. Heinrich introduced:

HCR 3075: A concurrent resolution directing the Legislative Council to study the levels of workmen's compensation benefits and premiums, the exclusiveness principle, and the possibility of allowing negligence actions in limited circumstances.

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

Reps. Hamerlik, Schneider introduced:

HCR 3076: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of adopting administrative alternatives to the application of the exclusionary rule as it relates to search and seizure provisions of the North Dakota and United States Constitutions.

Was read the first time and referred to the **Committee on Joint Constitutional Revision**.

FIRST READING OF SENATE BILLS

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

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

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

abandoned oil and gas well plugging and site reclamation fund; and to provide an appropriation.

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

SB 2190: A BILL for an Act to amend and reenact sections 54-40.1-01, 54-40.1-02, subsection 1 of section 54-40.1-03, and section 54-40.1-05 of the North Dakota Century Code, relating to regional planning and development councils.

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

SB 2191: A BILL for an Act to amend and reenact sections 23-17.2-01, 23-17.2-02, 23-17.2-03, 23-17.2-04, 23-17.2-05, and 23-17.2-09 of the North Dakota Century Code, relating to the certificate of need for expansion of hospital facilities.

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

SB 2192: A BILL for an Act to create and enact four new sections to chapter 25-16 of the North Dakota Century Code, relating to treatment or care centers for the developmentally disabled; to amend and reenact sections 25-16-01, 25-16-02, 25-16-03, 25-16-03.1, 25-16-04, 25-16-06, 25-16-08, 25-16-09, 25-16-10, and 25-16-12 of the North Dakota Century Code, relating to residential care and services for the developmentally disabled; and to provide a penalty.

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

SB 2265: A BILL for an Act to amend and reenact section 50-24.1-02 of the North Dakota Century Code, relating to eligibility for the medical assistance program.

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

SB 2304: A BILL for an Act to create and enact a new section to chapter 61-04 of the North Dakota Century Code, relating to damages awarded by a court for a diminution in quantity or quality of a water supply; and to amend and reenact section 38-11.1-06 of the North Dakota Century Code, relating to the protection of water wells and surface and ground water sources from damage caused by oil and gas exploration.

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

SB 2328: A BILL for an Act to amend and reenact section 39-21-41.2 of the North Dakota Century Code, relating to child restraint devices.

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

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

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

SB 2361: A BILL for an Act to amend and reenact subsections 3 and 5 of section 20.1-03-11 of the North Dakota Century Code, relating to licenses issued to landowners to hunt big game.

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

SB 2387: A BILL for an Act to create and enact a new subsection to section 55-10-08 of the North Dakota Century Code, relating to objections by political subdivisions to state historic site designations by the state historical board.

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

SB 2400: A BILL for an Act to amend and reenact sections 20.1-10-03 and 20.1-10-04 of the North Dakota Century Code, relating to confiscation of property taken or used during game and fish violations.

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

SB 2422: A BILL for an Act to regulate the termination of independent insurance agent contracts.

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

SB 2444: A BILL for an Act to amend and reenact subsection 74 of section 40-05-01 of the North Dakota Century Code, relating to the powers of municipalities in administering community development block grant transactions.

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

SB 2445: A BILL for an Act to amend and reenact subsection 18 of section 11-11-14 of the North Dakota Century Code, relating to the power of a board of county commissioners in administering community development block grant transactions.

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

SB 2450: A BILL for an Act to create and enact a new section to chapter 47-18 of the North Dakota Century Code, relating to notice of waiver of homestead exemption.

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

SB 2455: A BILL for an Act to create and enact a new section to chapter 35-01 of the North Dakota Century Code, relating to lien statement requirements.

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

SB 2484: A BILL for an Act to amend and reenact section 26.1-26-31.1 of the North Dakota Century Code, relating to continuing education requirements of insurance agents.

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

SB 2493: A BILL for an Act to amend and reenact section 29-07-01.1 of the North Dakota Century Code, relating to recoupment of expenses for defense of indigent defendants.

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

SB 2495: A BILL for an Act to amend and reenact section 47-19-14.1 of the North Dakota Century Code, relating to recognition of notarial acts.

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

SB 2505: A BILL for an Act authorizing the state treasurer to provide services to the North Dakota centennial commission to facilitate the centennial commission in successfully administering its various programs; to provide an expiration date; and to declare an emergency.

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

SB 2510: A BILL for an Act to create and enact a new section to chapter 50-10.2 of the North Dakota Century Code, relating to enforcement of rights of health care facility residents; and to amend and reenact sections 50-10.2-01, 50-10.2-02, and 50-10.2-03 of the North Dakota Century Code, relating to the rights of residents of health care facilities.

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

SB 2511: A BILL for an Act to provide for standards and compliance requirements for organic foods.

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

SB 2530: A BILL for an Act to amend and reenact section 39-06-17 of the North Dakota Century Code, relating to the issuance of a restricted motor vehicle operator license to a minor at least fifteen but less than sixteen years of age.

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

SB 2533: A BILL for an Act to repeal section 19-10-03.1 of the North Dakota Century Code, relating to required disclosure of certain contents of gasoline.

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

FIRST READING OF SENATE CONCURRENT RESOLUTIONS

SCR 4006: A concurrent resolution urging the Governor of the State of North Dakota to designate September 17, 1987, as a commemorative day to commemorate the bicentennial of the Constitution of the United States.

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

SCR 4022: A concurrent resolution directing the Legislative Council to study criminal sentencing statutes in misdemeanor and felony cases.

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

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

ROY GILBREATH, Chief Clerk