

JOURNAL OF THE HOUSE

Fifty-second Legislative Assembly

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Bismarck, January 30, 1991

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

The prayer was offered by Father Marvin Klemmer, Church of the Ascension, Bismarck.

The roll was called and all members were present except Representative Nicholas.

A quorum was declared by the Speaker.

REQUEST

REP. NICHOLAS REQUESTED that the record show that he was present, which request was granted.

LEGISLATIVE CHAPLAINCY SCHEDULE
OF DATES FOR THE HOUSE OF REPRESENTATIVES

DATE	FEBRUARY	CHURCH
1	Rev. Barry Lee	Church of God of Prophecy, Bismarck
4	Rev. Steve Berntsen	Pembina Hills Lutheran Church, Mandan
5	Rev. Ed Bartel	Bismarck Baptist Church, Bismarck
6	Rev. Andrea DeGroot-Nesdahl	Evangelical Lutheran Church of America, Bismarck
7	Rev. Carol Hatlen	Fargo
8	Fr. Daniel Maloney	Annunciation Priory, Bismarck
11	Rev. Carlyle Roth	St. Mark Lutheran Church, Minot
12	Rev. Kerwin Sletto	Calvary Free Lutheran Church, Bismarck
13	Captain Richard Hartman	Salvation Army, Bismarck
14	Deacon Ed. J. Johnson, Sr.	United Tribes Catholic Chapel, Bismarck
15	Rev. Arthur Houim	First Lutheran Church, Bottineau
18	Fr. Julian Nix	St. Alexius Medical Center, Bismarck
19	Mrs. Joanne Spears	Society of Friends, Bismarck
20	Rev. Randy Mitrovich	Century Baptist Church, Bismarck
21	Deacon Robert Schuller	Corpus Christi Catholic Church, Bismarck
22	Pastor Mark Kolbo	United Lutheran Church, Brocket
25	Deacon Steven M. Harmon	St. Joseph Catholic Church, Mandan
26	Rev. Doug Roberts	United Church of Christ, Bismarck
27	Sister Karen Dubord	Fargo
28	Sister Agnes Reinert	St. Alexius Medical Center, Bismarck

MESSAGE to the HOUSE from the SENATE (Marion Houn, Secretary)

MR. SPEAKER: The Senate has passed and your favorable consideration is requested on: SB 2063, SB 2083, SB 2290, SCR 4005, SCR 4011.

HOUSE ENGROSSING REPORT

The following bills were engrossed: HB 1071, HB 1151, HB 1159, HB 1167, HB 1239, HB 1246, HB 1320, HB 1353, HB 1359, HB 1363.

HOUSE ENROLLING REPORT

The following resolution was enrolled: HR 1.

MESSAGE to the HOUSE from the SENATE (Marion Houn, Secretary)

MR. SPEAKER: The President has signed: HCR 3025.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following resolution was delivered to the Secretary of State for his filing at the hour of 10:28 a.m., January 30, 1991: HCR 3025.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following resolution was delivered to the Secretary of State for his filing at the hour of 11:25 a.m., January 30, 1991: HR 1.

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

MR. PRESIDENT: The House has passed and your favorable consideration is requested on: HB 1022, HB 1050, HB 1053, HB 1091, HB 1106, HB 1133, HB 1140, HB 1142, HB 1192, HB 1224, HB 1272, HB 1294, HB 1366, HCR 3013.

SECOND READING OF HOUSE BILLS

HB 1239: A BILL for an Act to amend and reenact section 39-04-10.3 of the North Dakota Century Code, relating to personalized plates for a collector's motor vehicle.

ROLL CALL

The question being on the final passage of the amended bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 106 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Bateman; Belter; Berg, G.; Berg, R.; Bernstein; Bodine; Boehm; Boucher; Brokaw; Brown; Byerly; Carlisle; Carlson; Clayburgh; Cleary; Coats; Dalrymple; Delzer; DeMers; DeWitz; Dorso; Enget; Erickson; Flaagan; Freier; Gabrielson; Gates; Gerntholz; Gilmore; Goffe; Gorder; Gorman; Grosz; Grumbo; Hanson; Hausauer; Henegar; Hokana; Howard; Huether; Jacobson; Jensen; Kaldor; Kelsch; Kerzman; Kloubec; Kolbo; Kretschmar; Kroeber; Kunkel; Larson; Laughlin; Linderman; Mahoney; Martin; Martinson; Meyer; Miller; Muhs; Mutzenberger; Myrdal; Nelson; Nicholas; Nichols; Nowatzki; Oban; Olsen, D.; Olson, A.; Payne; Peterson; Porter; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schimke; Schindler; Schmidt; Schneider; Shide; Skar; Skjerven; Snyder; Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Thompson; Thorpe; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Whalen; Wilkie; Williams; Speaker R. Anderson

HB 1239 passed and the title was agreed to.

HB 1246: A BILL for an Act to amend and reenact section 39-22.1-02 of the North Dakota Century Code, relating to providing a cash deposit or certificate of deposit as a condition for licensure as a trailer dealer.

ROLL CALL

The question being on the final passage of the amended bill, which has been read and has committee recommendation of DO NOT PASS, the roll was called and there were 5 YEAS, 101 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Kretschmar; Nichols; Schmidt; Wald; Speaker R. Anderson

NAYS: Aarsvold; Anderson, B.; Bateman; Belter; Berg, G.; Berg, R.; Bernstein; Bodine; Boehm; Boucher; Brokaw; Brown; Byerly; Carlisle; Carlson; Clayburgh; Cleary; Coats; Dalrymple; Delzer; DeMers; DeWitz; Dorso; Enget; Erickson; Flaagan; Freier; Gabrielson; Gates; Gerntholz; Gilmore; Goffe; Gorder; Gorman; Grosz; Grumbo; Hanson; Hausauer; Henegar; Hokana; Howard; Huether; Jacobson; Jensen; Kaldor; Kelsch; Kerzman; Kloubec; Kolbo; Kroeber; Kunkel; Larson; Laughlin; Linderman; Mahoney; Martin; Martinson; Meyer; Miller; Muhs; Mutzenberger; Myrdal; Nelson; Nicholas; Nowatzki; Oban; Olsen, D.; Olson, A.; Payne; Peterson; Porter; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schimke; Schindler; Schneider; Shide; Skar; Skjerven; Snyder; Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Thompson; Thorpe; Timm; Tollefson; Trautman; Urlacher; Wardner; Wentz; Whalen; Wilkie; Williams

HB 1246 was declared lost.

HB 1320: A BILL for an Act to amend and reenact subsection 2 of section 47-05-02.1 of the North Dakota Century Code, relating to the duration of wetlands reserve program easements.

ROLL CALL

The question being on the final passage of the amended bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 101 YEAS, 4 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Bateman; Belter; Berg, G.; Berg, R.; Bernstein; Bodine; Boehm; Boucher; Brokaw; Brown; Byerly; Carlson; Clayburgh; Cleary; Coats; Dalrymple; Delzer; DeMers; DeWitz; Enget; Erickson; Flaagan; Freier; Gabrielson; Gates; Gerntholz; Gilmore; Goffe; Gorder; Gorman; Grosz; Grumbo; Hausauer; Hokana; Huether; Jacobson; Jensen; Kaldor; Kelsch; Kerzman; Kloubec; Kolbo; Kretschmar; Kroeber; Kunkel; Larson; Laughlin; Linderman; Mahoney; Martin; Martinson; Meyer; Miller; Muhs; Mutzenberger; Myrdal; Nelson; Nicholas; Nichols; Nowatzki; Oban; Olsen, D.; Olson, A.; Payne; Peterson; Porter; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schimke; Schindler; Schmidt; Schneider; Shide; Skar; Skjerven; Snyder; Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Thompson; Thorpe; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Whalen; Wilkie; Williams; Speaker R. Anderson

NAYS: Carlisle; Hanson; Henegar; Howard

ABSENT AND NOT VOTING: Dorso

HB 1320 passed and the title was agreed to.

HB 1353: A BILL for an Act to amend and reenact section 50-25.1-05.05 of the North Dakota Century Code, relating to interviews on school property.

ROLL CALL

The question being on the final passage of the amended bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 101 YEAS, 5 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Bateman; Belter; Berg, G.; Berg, R.; Bernstein; Bodine; Boehm; Brokaw; Brown; Byerly; Carlisle; Carlson; Clayburgh; Cleary; Coats; Dalrymple; Delzer; DeMers; DeWitz; Dorso; Enget; Erickson; Flaagan; Freier; Gabrielson; Gates; Gerntholz; Gilmore; Goffe; Gorder; Gorman; Grosz; Grumbo; Hanson; Hausauer; Henegar; Hokana; Howard; Huether; Jacobson; Jensen; Kaldor; Kelsch; Kerzman; Kloubec; Kolbo; Kretschmar; Kroeber; Kunkel; Laughlin; Linderman; Mahoney; Martin; Martinson; Meyer; Miller; Muhs; Mutzenberger; Myrdal; Nelson; Nicholas; Nichols; Nowatzki; Oban; Olsen, D.; Olson, A.; Payne; Peterson; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schimke; Schindler; Schmidt; Schneider; Shide; Skar; Skjerven; Snyder; Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Thompson; Thorpe; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Whalen; Wilkie; Williams; Speaker R. Anderson

NAYS: Boucher; Larson; Porter; Price; Wentz

HB 1353 passed and the title was agreed to.

HB 1359: A BILL for an Act to amend and reenact section 15-40.1-16.1 of the North Dakota Century Code, relating to transportation aid for pupils enrolled in area vocational and technology centers and multidistrict special education programs.

ROLL CALL

The question being on the final passage of the amended bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 106 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Bateman; Belter; Berg, G.; Berg, R.; Bernstein; Bodine; Boehm; Boucher; Brokaw; Brown; Byerly; Carlisle; Carlson; Clayburgh; Cleary; Coats; Dalrymple; Delzer; DeMers; DeWitz; Dorso; Enget; Erickson; Flaagan; Freier; Gabrielson; Gates; Gerntholz; Gilmore; Goffe; Gorder; Gorman; Grosz; Grumbo; Hanson; Hausauer; Henegar; Hokana; Howard; Huether; Jacobson; Jensen; Kaldor; Kelsch; Kerzman; Kloube; Kolbo; Kretschmar; Kroeber; Kunkel; Larson; Laughlin; Linderman; Mahoney; Martin; Martinson; Meyer; Miller; Muhs; Mutzenberger; Myrdal; Nelson; Nicholas; Nichols; Nowatzki; Oban; Olsen, D.; Olson, A.; Payne; Peterson; Porter; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schimke; Schindler; Schmidt; Schneider; Shide; Skar; Skjerven; Snyder; Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Thompson; Thorpe; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Whalen; Wilkie; Williams; Speaker R. Anderson

HB 1359 passed and the title was agreed to.

HB 1102: A BILL for an Act to create and enact chapter 30.1-31 of the North Dakota Century Code, relating to nonprobate transfers on death; to amend and reenact sections 6-03-67 and 30.1-17-04 of the North Dakota Century Code, relating to protection of financial institutions and bonds of personal representatives; to repeal the present chapter 30.1-31 of the North Dakota Century Code, relating to nonprobate transfers; and to provide for application of this Act.

ROLL CALL

The question being on the final passage of the bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 106 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Bateman; Belter; Berg, G.; Berg, R.; Bernstein; Bodine; Boehm; Boucher; Brokaw; Brown; Byerly; Carlisle; Carlson; Clayburgh; Cleary; Coats; Dalrymple; Delzer; DeMers; DeWitz; Dorso; Enget; Erickson; Flaagan; Freier; Gabrielson; Gates; Gerntholz; Gilmore; Goffe; Gorder; Gorman; Grosz; Grumbo; Hanson; Hausauer; Henegar; Hokana; Howard; Huether; Jacobson; Jensen; Kaldor; Kelsch; Kerzman; Kloube; Kolbo; Kretschmar; Kroeber; Kunkel; Larson; Laughlin; Linderman; Mahoney; Martin; Martinson; Meyer; Miller; Muhs; Mutzenberger; Myrdal; Nelson; Nicholas; Nichols; Nowatzki; Oban; Olsen, D.; Olson, A.; Payne; Peterson; Porter; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schimke; Schindler; Schmidt; Schneider; Shide; Skar; Skjerven; Snyder; Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Thompson; Thorpe; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Whalen; Wilkie; Williams; Speaker R. Anderson

HB 1102 passed and the title was agreed to.

THE HOUSE RECOGNIZED THE PRESENCE OF:

Former Representative Ted Lang
Former Representative Walt Meyer

MOTION

REP. TOLLEFSON MOVED that the House waive the reading of the titles to HB 1200 and HB 1430, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1200: A BILL for an Act to create and enact a new section to chapter 57-57 of the North Dakota Century Code, relating to forest stewardship recognition; and to amend and reenact sections 57-57-01, 57-57-02, 57-57-03, 57-57-04, 57-57-05, 57-57-06, 57-57-07, 57-57-08, 57-57-09, and 57-57-10 of the North Dakota Century Code, relating to changing the name of the native woodland tax to the forest stewardship tax, describing the land that may be subject to the tax setting the rate and the manner of collection of the tax, describing the duties of the state forester and local assessor under the chapter, providing for a hearing; and providing an effective date.

ROLL CALL

The question being on the final passage of the bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 96 YEAS, 10 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Bateman; Belter; Berg, G.; Berg, R.; Bernstein; Bodine; Boehm; Boucher; Brokaw; Brown; Byerly; Carlisle; Carlson; Clayburgh; Cleary; Coats; Dalrymple; DeMers; DeWitz; Dorso; Erickson; Gabrielson; Gates; Gerntholz; Gilmore; Goffe; Gorder; Gorman; Grumbo; Hanson; Hausauer; Henegar; Hokana; Howard; Huether; Jacobson; Jensen; Kaldor; Kelsch; Kerzman; Kolbo; Kretschmar; Kroeber; Kunkel; Larson; Linderman; Martin; Martinson; Meyer; Miller; Muhs; Mutzenberger; Myrdal; Nelson; Nicholas; Nowatzki; Oban; Olsen, D.; Olson, A.; Payne; Peterson; Porter; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schimke; Schindler; Schmidt; Schneider; Shide; Skar; Skjerven; Snyder; Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Thompson; Thorpe; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Whalen; Williams; Speaker R. Anderson

NAYS: Delzer; Enget; Flaagan; Freier; Grosz; Kloubec; Laughlin; Mahoney; Nichols; Wilkie

HB 1200 passed and the title was agreed to.

MESSAGE TO THE HOUSE from the SENATE (Marion Houn, Secretary)

MR. SPEAKER: The Senate has passed unchanged: HCR 3028.

SECOND READING OF HOUSE BILLS

HB 1226: A BILL for an Act to create and enact a new subsection to section 40-18-01 of the North Dakota Century Code, relating to the jurisdiction of municipal courts to try alcohol-related traffic offenses.

ROLL CALL

The question being on the final passage of the bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 78 YEAS, 28 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Bateman; Belter; Berg, G.; Berg, R.; Bodine; Boehm; Brokaw; Byerly; Carlisle; Carlson; Clayburgh; Coats; Dalrymple; DeMers; Dorso; Erickson; Flaagan; Freier; Gabrielson; Gates; Gerntholz; Goffe; Gorder; Gorman; Grumbo; Hanson; Hausauer; Henegar; Hokana; Huether; Jacobson; Jensen; Kelsch; Kloubec; Kolbo; Kretschmar; Kroeber; Kunkel; Larson; Laughlin; Linderman; Mahoney; Martin; Martinson; Miller; Muhs; Myrdal; Nelson; Nicholas; Nowatzki; Payne; Peterson; Porter; Price; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schimke; Schneider; Skjerven; Snyder; Soukup; St. Aubyn; Starke; Svedjan; Thompson; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Whalen; Williams

NAYS: Aarsvold; Bernstein; Boucher; Brown; Cleary; Delzer; DeWitz; Enget; Gilmore; Grosz; Howard; Kaldor; Kerzman; Meyer; Mutzenberger; Nichols; Oban; Olsen, D.; Olson, A.; Pyle; Schindler; Schmidt; Shide; Skar; Stofferahn; Thorpe; Wilkie; Speaker R. Anderson

HB 1226 passed and the title was agreed to.

HB 1255: A BILL for an Act to amend and reenact section 51-15-09 of the North Dakota Century Code, relating to remedies for violation of consumer protection provisions.

ROLL CALL

The question being on the final passage of the bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 106 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Bateman; Belter; Berg, G.; Berg, R.; Bernstein; Bodine; Boehm; Boucher; Brokaw; Brown; Byerly; Carlisle; Carlson; Clayburgh; Cleary; Coats; Dalrymple; Delzer; DeMers; DeWitz; Dorso; Enget; Erickson; Flaagan; Freier; Gabrielson; Gates; Gerntholz; Gilmore; Goffe; Gordier; Gorman; Grosz; Grumbo; Hanson; Hausauer; Henegar; Hokana; Howard; Huether; Jacobson; Jensen; Kaldor; Kelsch; Kerzman; Kloube; Kolbo; Kretschmar; Kroeber; Kunkel; Larson; Laughlin; Linderman; Mahoney; Martin; Martinson; Meyer; Miller; Muhs; Mutzenberger; Myrdal; Nelson; Nicholas; Nichols; Nowatzki; Oban; Olsen, D.; Olson, A.; Payne; Peterson; Porter; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schimke; Schindler; Schmidt; Schneider; Shide; Skar; Skjerven; Snyder; Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Thompson; Thorpe; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Whalen; Wilkie; Williams; Speaker R. Anderson

HB 1255 passed and the title was agreed to.

HB 1288: A BILL for an Act to create and enact a new section to chapter 15-36 of the North Dakota Century Code, providing for a special education course requirement for teachers.

ROLL CALL

The question being on the final passage of the bill, which has been read and has committee recommendation of DO NOT PASS, the roll was called and there were 30 YEAS, 76 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Belter; Brokaw; Carlisle; Carlson; Freier; Gabrielson; Gates; Henegar; Hokana; Jacobson; Kolbo; Kretschmar; Martin; Mutzenberger; Myrdal; Oban; Olsen, D.; Olson, A.; Peterson; Pyle; Scherber; Shide; Snyder; Stofferahn; Thompson; Thorpe; Urlacher; Wentz; Williams

NAYS: Aarsvold; Bateman; Berg, G.; Berg, R.; Bernstein; Bodine; Boehm; Boucher; Brown; Byerly; Clayburgh; Cleary; Coats; Dalrymple; Delzer; DeMers; DeWitz; Dorso; Enget; Erickson; Flaagan; Gerntholz; Gilmore; Goffe; Gordier; Gorman; Grosz; Grumbo; Hanson; Hausauer; Howard; Huether; Jensen; Kaldor; Kelsch; Kerzman; Kloube; Kroeber; Kunkel; Larson; Laughlin; Linderman; Mahoney; Martinson; Meyer; Miller; Muhs; Nelson; Nicholas; Nichols; Nowatzki; Payne; Porter; Price; Rennerfeldt; Ring; Ritter; Rydell; Schimke; Schindler; Schmidt; Schneider; Skar; Skjerven; Soukup; St. Aubyn; Starke; Svedjan; Timm; Tollefson; Trautman; Wald; Wardner; Whalen; Wilkie; Speaker R. Anderson

HB 1288 was declared lost.

HB 1348: A BILL for an Act to amend and reenact section 15-34.1-01 of the North Dakota Century Code, relating to compulsory school attendance.

ROLL CALL

The question being on the final passage of the bill, which has been read and has committee recommendation of DO NOT PASS, the roll was called and there were 4 YEAS, 100 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Carlson; Muhs; Peterson; Scherber

NAYS: Aarsvold; Anderson, B.; Belter; Berg, G.; Berg, R.; Bernstein; Bodine; Boehm; Boucher; Brokaw; Brown; Byerly; Carlisle; Clayburgh; Cleary; Coats; Dalrymple; Delzer; DeMers; DeWitz; Enget; Erickson; Flaagan; Freier; Gabrielson; Gates; Gerntholz; Gilmore; Goffe; Gorder; Gorman; Grosz; Grumbo; Hanson; Hausauer; Henegar; Hokana; Howard; Huether; Jacobson; Jensen; Kaldor; Kelsch; Kerzman; Kloubec; Kolbo; Kretschmar; Kroeber; Kunkel; Larson; Laughlin; Linderman; Mahoney; Martin; Martinson; Meyer; Miller; Mutzenberger; Myrdal; Nelson; Nicholas; Nichols; Nowatzki; Oban; Olsen, O.; Olson, A.; Payne; Porter; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Schimke; Schindler; Schmidt; Schneider; Shide; Skar; Skjerven; Snyder; Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Thompson; Thorpe; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Whalen; Wilkie; Williams; Speaker R. Anderson

ABSENT AND NOT VOTING: Bateman; Dorso

HB 1348 was declared lost.

HB 1413: A BILL for an Act to amend and reenact section 40-18-06.2 of the North Dakota Century Code, relating to the abolition of the office of municipal judge upon transfer of all municipal cases to county court.

ROLL CALL

The question being on the final passage of the bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 103 YEAS, 1 NAY, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Bateman; Belter; Berg, G.; Berg, R.; Bernstein; Bodine; Boehm; Boucher; Brokaw; Brown; Byerly; Carlisle; Carlson; Clayburgh; Cleary; Coats; Dalrymple; Delzer; DeMers; DeWitz; Dorso; Enget; Erickson; Flaagan; Freier; Gabrielson; Gates; Gerntholz; Gilmore; Goffe; Gorder; Gorman; Grosz; Grumbo; Hanson; Hausauer; Henegar; Hokana; Howard; Huether; Jacobson; Jensen; Kaldor; Kelsch; Kerzman; Kloubec; Kolbo; Kretschmar; Kroeber; Kunkel; Larson; Laughlin; Linderman; Mahoney; Martin; Martinson; Meyer; Miller; Muhs; Mutzenberger; Myrdal; Nelson; Nicholas; Nichols; Oban; Olson, A.; Payne; Peterson; Porter; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schimke; Schindler; Schmidt; Schneider; Shide; Skar; Skjerven; Snyder; Soukup; St. Aubyn; Stofferahn; Svedjan; Thompson; Thorpe; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Whalen; Wilkie; Williams; Speaker R. Anderson

NAYS: Olsen, D.

ABSENT AND NOT VOTING: Nowatzki; Starke

HB 1413 passed and the title was agreed to.

HB 1415: A BILL for an Act to amend and reenact subsection 2 of section 16.1-05-01 of the North Dakota Century Code, relating to appointment of election officers.

ROLL CALL

The question being on the final passage of the bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 104 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Bateman; Belter; Berg, G.; Berg, R.; Bernstein; Bodine; Boehm; Boucher; Brokaw; Brown; Byerly; Carlisle; Carlson; Clayburgh; Cleary; Coats; Dalrymple; Delzer; DeMers; DeWitz; Dorso; Enget; Erickson; Flaagan; Freier; Gabrielson; Gates; Gerntholz; Gilmore; Goffe; Gorder; Gorman; Grosz; Grumbo; Hanson; Hausauer; Henegar; Hokana; Howard; Huether; Jacobson; Jensen; Kaldor; Kelsch; Kerzman; Kloube; Kolbo; Kretschmar; Kroeber; Kunkel; Larson; Laughlin; Linderman; Mahoney; Martin; Martinson; Meyer; Muhs; Mutzenberger; Myrdal; Nelson; Nicholas; Nichols; Nowatzki; Oban; Olsen, D.; Olson, A.; Payne; Peterson; Porter; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schimke; Schindler; Schmidt; Schneider; Shide; Skar; Skjervan; Snyder; Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Thompson; Thorpe; Timm; Tollefson; Trautman; Wald; Wardner; Wentz; Whalen; Wilkie; Williams; Speaker R. Anderson

ABSENT AND NOT VOTING: Miller; Urlacher

HB 1415 passed and the title was agreed to.

HB 1425: A BILL for an Act to amend and reenact section 26.1-17-21 of the North Dakota Century Code, relating to limitations on dental and optometric service contracts.

ROLL CALL

The question being on the final passage of the bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 105 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Bateman; Berg, G.; Berg, R.; Bernstein; Bodine; Boehm; Boucher; Brokaw; Brown; Byerly; Carlisle; Carlson; Clayburgh; Cleary; Coats; Dalrymple; Delzer; DeMers; DeWitz; Dorso; Enget; Erickson; Flaagan; Freier; Gabrielson; Gates; Gerntholz; Gilmore; Goffe; Gorder; Gorman; Grosz; Grumbo; Hanson; Hausauer; Henegar; Hokana; Howard; Huether; Jacobson; Jensen; Kaldor; Kelsch; Kerzman; Kloube; Kolbo; Kretschmar; Kroeber; Kunkel; Larson; Laughlin; Linderman; Mahoney; Martin; Martinson; Meyer; Miller; Muhs; Mutzenberger; Myrdal; Nelson; Nicholas; Nichols; Nowatzki; Oban; Olsen, D.; Olson, A.; Payne; Peterson; Porter; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schimke; Schindler; Schmidt; Schneider; Shide; Skar; Skjervan; Snyder; Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Thompson; Thorpe; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Whalen; Wilkie; Williams; Speaker R. Anderson

ABSENT AND NOT VOTING: Belter

HB 1425 passed and the title was agreed to.

HB 1430: A BILL for an Act to create and enact a new subsection to section 10-28-01 and a new subsection to section 45-10.1-15 of the North Dakota Century Code, relating to fees for filing documents related to nonprofit corporations and to limited partnerships; and to amend and reenact subsection 2 of section 10-24-07, section 10-27-03, subsection 5 of section 45-10.1-02, sections 45-11-01, 47-25-03, and 47-25-04 of the North Dakota Century Code, relating to deceptively similar corporate, limited partnership, fictitious partnership, and trade names.

ROLL CALL

The question being on the final passage of the bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 105 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Bateman; Belter; Berg, G.; Berg, R.; Bernstein; Bodine; Boehm; Boucher; Brokaw; Brown; Byerly; Carlisle; Carlson; Clayburgh; Cleary; Coats; Dalrymple; Delzer; DeMers; DeWitz; Dorso; Enget; Erickson; Flaagan; Freier; Gabrielson; Gates; Gerntholz; Gilmore; Goffe; Gorder; Gorman; Grosz; Grumbo; Hanson; Hausauer; Henegar; Hokana; Howard; Huether; Jacobson; Jensen; Kaldor; Kelsch; Kerzman; Kloubec; Kolbo; Kretschmar; Kroeber; Kunkel; Larson; Laughlin; Linderman; Mahoney; Martin; Martinson; Meyer; Miller; Muhs; Mutzenberger; Myrdal; Nelson; Nicholas; Nichols; Nowatzki; Oban; Olsen, D.; Payne; Peterson; Porter; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schimke; Schindler; Schmidt; Schneider; Shide; Skar; Skjerven; Snyder; Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Thompson; Thorpe; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Whalen; Wilkie; Williams; Speaker R. Anderson

ABSENT AND NOT VOTING: Olson, A.

HB 1430 passed and the title was agreed to.

HB 1440: A BILL for an Act to amend and reenact section 44-06-03 of the North Dakota Century Code, relating to the bond of notaries public.

ROLL CALL

The question being on the final passage of the bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 30 YEAS, 76 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Bateman; Bodine; Boehm; Carlson; Cleary; Coats; DeMers; Grumbo; Henegar; Hokana; Huether; Kaldor; Kolbo; Kunkel; Linderman; Miller; Mutzenberger; Nicholas; Oban; Peterson; Porter; Price; Pyle; Ring; Ritter; Scherber; Snyder; Wentz

NAYS: Belter; Berg, G.; Berg, R.; Bernstein; Boucher; Brokaw; Brown; Byerly; Carlisle; Clayburgh; Dalrymple; Delzer; DeWitz; Dorso; Enget; Erickson; Flaagan; Freier; Gabrielson; Gates; Gerntholz; Gilmore; Goffe; Gorder; Gorman; Grosz; Hanson; Hausauer; Howard; Jacobson; Jensen; Kelsch; Kerzman; Kloubec; Kretschmar; Kroeber; Larson; Laughlin; Mahoney; Martin; Martinson; Meyer; Muhs; Myrdal; Nelson; Nichols; Nowatzki; Olsen, D.; Olson, A.; Payne; Rennerfeldt; Rydell; Schimke; Schindler; Schmidt; Schneider; Shide; Skar; Skjerven; Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Thompson; Thorpe; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Whalen; Wilkie; Williams; Speaker R. Anderson

HB 1440 was declared lost.

HB 1467: A BILL for an Act to amend and reenact section 32-08.1-13 of the North Dakota Century Code, relating to care of property and collection of debts under attachment.

ROLL CALL

The question being on the final passage of the bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 106 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Bateman; Belter; Berg, G.; Berg, R.; Bernstein; Bodine; Boehm; Boucher; Brokaw; Brown; Byerly; Carlisle; Carlson; Clayburgh; Cleary; Coats; Dalrymple; Delzer; DeMers; DeWitz; Dorso; Enget; Erickson; Flaagan; Freier; Gabrielson; Gates; Gerntholz;

Gilmore; Goffe; Gorder; Gorman; Grosz; Grumbo; Hanson; Hausauer; Henegar; Hokana; Howard; Huether; Jacobson; Jensen; Kaldor; Kelsch; Kerzman; Kloube; Kolbo; Kretschmar; Kroeber; Kunkel; Larson; Laughlin; Linderman; Mahoney; Martin; Martinson; Meyer; Miller; Muhs; Mutzenberger; Myrdal; Nelson; Nicholas; Nichols; Nowatzki; Oban; Olsen, D.; Olson, A.; Payne; Peterson; Porter; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schimke; Schindler; Schmidt; Schneider; Shide; Skar; Skjervan; Snyder; Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Thompson; Thorpe; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Whalen; Wilkie; Williams; Speaker R. Anderson

HB 1467 passed and the title was agreed to.

HB 1480: A BILL for an Act to create and enact a new subdivision to subsection 1 of section 28-32-01 and a new chapter to title 54 of the North Dakota Century Code, relating to the legislative intent of the lignite research, development, and marketing program; priority projects, processes, and activities under the lignite research, development, and marketing program; and the powers of the industrial commission in carrying out the lignite research, development, and marketing program.

ROLL CALL

The question being on the final passage of the bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 104 YEAS, 1 NAY, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Bateman; Belter; Berg, G.; Berg, R.; Bernstein; Bodine; Boehm; Boucher; Brokaw; Brown; Byerly; Carlisle; Carlson; Clayburgh; Cleary; Coats; Dalrymple; Delzer; DeMers; DeWitz; Dorso; Enget; Erickson; Flaagan; Freier; Gabrielson; Gates; Gertholz; Gilmore; Goffe; Gorder; Gorman; Grosz; Grumbo; Hausauer; Henegar; Hokana; Howard; Huether; Jacobson; Jensen; Kaldor; Kelsch; Kerzman; Kloube; Kolbo; Kretschmar; Kroeber; Kunkel; Larson; Laughlin; Linderman; Mahoney; Martin; Martinson; Meyer; Miller; Muhs; Mutzenberger; Myrdal; Nelson; Nicholas; Nichols; Nowatzki; Oban; Olsen, D.; Olson, A.; Payne; Peterson; Porter; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schindler; Schmidt; Schneider; Shide; Skar; Skjervan; Snyder; Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Thompson; Thorpe; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Whalen; Wilkie; Williams; Speaker R. Anderson

NAYS: Schimke

ABSENT AND NOT VOTING: Hanson

HB 1480 passed and the title was agreed to.

HB 1481: A BILL for an Act to amend and reenact section 33-06-02 of the North Dakota Century Code, relating to service of the written notice of intention to evict.

ROLL CALL

The question being on the final passage of the bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 87 YEAS, 19 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Bateman; Belter; Berg, G.; Berg, R.; Bernstein; Bodine; Boehm; Boucher; Brown; Byerly; Carlisle; Clayburgh; Cleary; Coats; Dalrymple; DeWitz; Dorso; Enget; Erickson; Flaagan; Freier; Gates; Gertholz; Goffe; Gorder; Gorman; Grosz; Grumbo; Hanson; Hausauer;

Henegar; Howard; Jacobson; Jensen; Kelsch; Kerzman; Kloubec; Kolbo; Kretschmar; Kroeber; Kunkel; Larson; Laughlin; Linderman; Martin; Martinson; Meyer; Miller; Muhs; Myrdal; Nicholas; Nichols; Nowatzki; Olsen, D.; Olson, A.; Payne; Peterson; Porter; Price; Pyle; Rennerfeldt; Ritter; Rydell; Scherber; Schimke; Schindler; Schmidt; Shide; Skar; Skjerven; Soukup; St. Aubyn; Starke; Svedjan; Thompson; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Whalen; Wilkie; Williams; Speaker R. Anderson

NAYS: Anderson, B.; Brokaw; Carlson; Delzer; DeMers; Gabrielson; Gilmore; Hokana; Huether; Kaldor; Mahoney; Mutzenberger; Nelson; Oban; Ring; Schneider; Snyder; Stofferahn; Thorpe

HB 1481 passed and the title was agreed to.

THE HOUSE RECOGNIZED THE PRESENCE OF:

Former Representative Grant Shaft

MESSAGE to the HOUSE from the SENATE (Marion Houn, Secretary)

MR. SPEAKER: The Senate has passed and your favorable consideration is requested on: SCR 4026.

MESSAGE to the HOUSE from the SENATE (Marion Houn, Secretary)

MR. SPEAKER: The Senate has passed and your favorable consideration is requested on: SB 2491.

MOTIONS

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

REP. KLOUBEC MOVED that the House be on the Fifth order of business, and at the conclusion of the Fifth order, the House be on the Ninth order of business, and at the conclusion of the Ninth order, the House be on the Thirteenth order of business, and at the conclusion of the Thirteenth order, the House stand adjourned until 1:00 p.m., Thursday, January 31, 1991, which motion prevailed.

REPORTS OF STANDING COMMITTEES

HB 1072: Committee on Industry, Business and Labor (Rep. Dorso, Chairman) recommends DO PASS (15 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1072 was placed on the Eleventh order on the calendar.

HB 1150: Committee on Finance and Taxation (Rep. Timm, Chairman) recommends DO PASS (14 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). HB 1150 was placed on the Eleventh order on the calendar.

HB 1191: Committee on Industry, Business and Labor (Rep. Dorso, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO NOT PASS (12 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 1, line 20, remove "A"

Page 1, line 21, remove "certification must be verified every five years."

Renumber accordingly

HB 1240: Committee on Education (Rep. Gates, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO NOT PASS (13 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 1, line 17, after the second "institution" insert "or 501(c)(3) foundation established to support a state institution"

Page 1, line 19, replace "The funds received" with "When a state institution or qualifying foundation has received one or more contributions totaling four hundred thousand dollars for the purpose of an endowed chair, the institution or foundation may qualify for matching endowed income from the Dakota scholars trust fund. The qualifying state institution or foundation shall certify to the board of higher education the validity of the gifts and the private funds available for this designated purpose. The state institution or foundation shall maintain an identified endowed chair account. It may, however, commingle these funds with other funds for investment purposes. When an endowment is certified for participation in the Dakota scholars trust fund, the state treasurer shall transfer four hundred thousand dollars, subject to legislative appropriations, from the state general fund to the Dakota scholars trust fund. The state investment board shall maintain a separate account for moneys transferred from the state general fund in the Dakota scholars trust fund for each established named endowment approved to be matched from the Dakota scholars trust fund. The state investment board may commingle the funds for purposes of investment. On a periodic basis, but not less than annually, the return from the investment of the endowment account, under the control of the state investment board, must be transferred to the state institution to be added to income from the matching named endowment account, which is under the control, management, and investment of the institution or qualifying foundation."

Page 1, remove lines 20 through 22

Page 2, remove lines 1 through 5

Page 2, line 9, replace "Any person who donates funds to establish a chair may name" with "The institution may expend investment income within the limits of legislative appropriations from Dakota scholar fund accounts"

Page 2, remove line 10

Page 2, line 11, remove "appropriations, investment income of the fund"

Page 2, line 14, replace "also not until all other institutions have had an opportunity to" with "the board of higher education shall ensure that each of the state institutions under its control has an equitable opportunity to obtain state matching accounts when it qualifies for them"

Page 2, line 15, remove "establish a chair"

ReNUMBER accordingly

HB 1244: Committee on Finance and Taxation (Rep. Timm, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO NOT PASS (9 YEAS, 6 NAYS, 1 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 1, line 3, after "contractors" insert "of property to be installed in certain health care facilities"

Page 1, line 5, after "contractors" insert "of property to be installed in certain health care facilities"

Page 1, line 20, after "taxes" insert "under subsection 24 of section 57-39.2-04"

Page 3, line 13, after "taxes" insert "under subsection 24 of section 57-39.2-04"

ReNUMBER accordingly

HB 1280: Committee on Human Services and Veterans Affairs (Rep. Larson, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS and BE REREFERRED to the Committee on Appropriations (11 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 1, line 11, remove the overstrike over "~~three~~" and remove "four"

Renumber accordingly

HB 1286: Committee on Finance and Taxation (Rep. Timm, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (15 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 1, line 22, after "at" insert "fifty percent of the true and full value or" and after the underscored comma insert "whichever is greater,"

Page 2, line 2, after the underscored period insert "An ordinance or resolution adopted pursuant to this section must apply equally to all qualifying property within the city or county. If the property that has been specially valued under this section is later sold or transferred, the valuation must revert to the true and full valuation upon that transfer."

Renumber accordingly

HB 1295: Committee on Judiciary (Rep. Kretschmar, Chairman) recommends DO NOT PASS (13 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1295 was placed on the Eleventh order on the calendar.

HB 1336: Committee on Finance and Taxation (Rep. Timm, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (13 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 1, line 10, remove the overstrike over "~~March~~"

Page 1, line 11, remove "April"

Page 1, line 16, replace "for" with "during"

Page 2, line 7, replace "for" with "during"

Page 2, line 28, replace "the first" with "each"

Page 3, line 2, replace "first" with "final"

Page 3, line 12, replace "\$126,400" with "\$82,200"

Page 3, line 16, remove "However,"

Page 3, remove lines 17 through 23

Renumber accordingly

HB 1388: Committee on Education (Rep. Gates, Chairman) recommends DO PASS and BE REREFERRED to the Committee on Appropriations (11 YEAS, 4 NAYS, 2 ABSENT AND NOT VOTING).

HB 1397: Committee on Industry, Business and Labor (Rep. Dorso, Chairman) recommends DO PASS (14 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1397 was placed on the Eleventh order on the calendar.

HB 1405: Committee on Education (Rep. Gates, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (10 YEAS, 6 NAYS,

1 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 1, line 15, remove ", one of which must be geography" and after the period insert "Effective July 1, 1994, social studies must include one unit of world history and one unit of United States history, each of which must be integrated with a strong geography component."

Renumber accordingly

HB 1412: Committee on Industry, Business and Labor (Rep. Dorso, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (13 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 1, line 11, remove the overstrike over "~~six-G~~" and remove "three-G and"

Page 1, line 12, remove "four-G"

Page 1, line 20, remove "A"

Page 1, line 21, remove "certification must be verified every three years."

Renumber accordingly

HB 1424: Committee on Human Services and Veterans Affairs (Rep. Larson, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 1, line 7, after "~~Every~~" insert "Except as provided in this section, every" and remove the overstrike over "physician, oral surgeon,"

Page 1, remove the overstrike over lines 8 through 10

Page 1, line 11, remove the overstrike over "~~may be~~", after "~~be~~" insert ", but the governing board of a corporation may refuse to contract or may terminate a contract if the board determines that a physician, oral surgeon, dentist, or practitioner is providing inappropriate or substandard care to the corporation's subscribers", and remove the overstrike over the overstruck period

Renumber accordingly

HB 1429: Committee on Industry, Business and Labor (Rep. Dorso, Chairman) recommends DO PASS (15 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1429 was placed on the Eleventh order on the calendar.

HB 1436: Committee on Industry, Business and Labor (Rep. Dorso, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO NOT PASS (11 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 1, line 3, after "residential" insert "energy"

Page 1, line 8, after "of" insert "energy"

Page 1, line 9, after "residential" insert "energy"

Page 1, line 10, after "for" insert "energy"

Page 1, remove lines 16 through 22

Page 2, remove lines 1 through 7

Page 2, line 8, replace "4" with "2"

Page 2, line 13, replace "5" with "3"

Renumber accordingly

HB 1442: Committee on Industry, Business and Labor (Rep. Dorso, Chairman) recommends DO PASS (13 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1442 was placed on the Eleventh order on the calendar.

HB 1469: Committee on Finance and Taxation (Rep. Timm, Chairman) recommends DO PASS (11 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). HB 1469 was placed on the Eleventh order on the calendar.

HB 1487: Committee on Judiciary (Rep. Kretschmar, Chairman) recommends DO PASS (14 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1487 was placed on the Eleventh order on the calendar.

HB 1550: Committee on Industry, Business and Labor (Rep. Dorso, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO NOT PASS (13 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 1, line 5, remove "the public service commission to implement this Act or"

Page 1, line 11, remove "1."

Page 1, line 17, replace "determined under subsection 2 or 3 of section 2" with "as defined in 18 CFR 292.101(b)(6), the factors listed in 18 CFR 292.304, and all other relevant factors."

Page 1, remove lines 18 through 22

Page 2, remove lines 1 through 29

Page 3, remove lines 1 through 5

Page 3, line 17, after "commission" insert "or the district court for rural electric cooperatives,"

Page 3, line 21, after "commission" insert "or the district court for rural electric cooperatives,"

Page 3, remove lines 24 through 29

Page 4, remove lines 1 through 28

Page 5, remove lines 1 through 10

Renumber accordingly

FIRST READING OF HOUSE CONCURRENT RESOLUTIONS

Reps. Bateman, Brown, Schmidt, R. Berg introduced:

HCR 3032: A concurrent resolution directing the Legislative Council to study the problems caused by and associated with severed mineral interests. Was read the first time and referred to the Committee on Natural Resources.

Reps. Gorder, Skjerven introduced:

HCR 3033: A concurrent resolution urging Congress to provide assistance for the education of all handicapped children, as provided for in Public Law 94-142.

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

Reps. Oban, Rydell, Gilmore and Sens. Lindgren, Mathern, Mushik introduced:

HCR 3034: A concurrent resolution urging continued funding for library resources and services dedicated to the needs of blind and physically handicapped persons.

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

Reps. Rydell, Hokana and Sens. Mushik, Holmberg introduced:

HCR 3035: A concurrent resolution to create and enact a new section to article X of the Constitution of North Dakota, relating to the creation of a Bicentennial trust fund; and to provide an effective date.

Was read the first time and referred to the Joint Constitutional Revision Committee.

Rep. Kretschmar introduced:

HCR 3036: A concurrent resolution to create a new article V of the Constitution of North Dakota, relating to the executive branch of government; to repeal the present article V of the Constitution of North Dakota, relating to the executive branch of government; and to provide an effective date.

Was read the first time and referred to the Joint Constitutional Revision Committee.

Reps. Freier, Meyer, Kerzman and Sens. Naaden, Krauter introduced:

HCR 3037: A concurrent resolution urging Congress to provide funds to the appropriate agency to construct a bridge over the Missouri River approximately midway between Bismarck, North Dakota, and Mobridge, South Dakota, in the vicinity of Fort Yates and Emmons County, North Dakota.

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

Reps. Martin, Urlacher, Wald and Sens. David, Krauter introduced:

HCR 3038: A concurrent resolution urging the Office of Surface Mining, Reclamation and Enforcement of the United States Department of the Interior and the North Dakota Public Service Commission to exempt surface coal mining permits of five acres or less in size from the requirements of the Surface Mining Control and Reclamation Act of 1977 and the North Dakota surface mining and reclamation operations laws.

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

FIRST READING OF SENATE BILLS

SB 2013: A BILL for an Act making an appropriation for defraying the expenses of various agricultural councils and commissions.

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

SB 2060: A BILL for an Act to amend and reenact sections 6-03-13.1, 6-03-13.3, and 6-03-13.4 of the North Dakota Century Code, relating to separate bank facilities; and to repeal section 6-03-13.2 of the North Dakota Century Code, relating to limitations on drive-in bank facilities.

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

SB 2076: A BILL for an Act to amend and reenact section 54-21.3-03 of the North Dakota Century Code, relating to the state building code.

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

SB 2115: A BILL for an Act to create and enact two new subsections of section 24-05-20 of the North Dakota Century Code, relating to grasshopper control and other plant pest control programs in township and county road rights of way.

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

SB 2143: A BILL for an Act to provide for the education of homeless children and the adoption of administrative rules by the superintendent of public instruction.

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

SB 2179: A BILL for an Act to amend and reenact section 15-59-02.1 of the North Dakota Century Code, relating to legislative intent and special education cost sharing.

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

SB 2181: A BILL for an Act to create and enact a new section to chapter 43-17 of the North Dakota Century Code, relating to the costs of prosecution by the board of medical examiners.

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

SB 2194: A BILL for an Act to amend and reenact sections 54-51-04 and 54-51-09 of the North Dakota Century Code, relating to the duration of exchange for the interchange of government employees and the salary or wage of those employees.

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

SB 2219: A BILL for an Act to amend and reenact subsections 1, 6, and 10 of section 53-06.1-01, subsections 1 and 9 of section 53-06.1-06, subsection 2 of section 53-06.1-06.1, subsection 4 of section 53-06.1-07.2, and subsections 2, 3, and 4 of section 53-06.1-14 of the North Dakota Century Code, relating to games of chance laws, definitions of adjusted gross proceeds, distributor, and entire net proceeds, persons permitted to conduct games of chance, the frequency of work permit renewals, the assessable fee in poker, and to provide for the distribution of games of chance equipment.

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

SB 2223: A BILL for an Act to amend and reenact subdivision c of subsection 1 of section 57-38-01.3, sections 57-38-05, 57-38-34.3, subsection 6 of section 57-38-42, subsection 6 of section 57-38-60, and section 57-38.1-04 of the North Dakota Century Code, and section 2 of chapter 27 of the 1989 Session Laws of North Dakota, relating to the elimination of cash basis federal income tax deductions for corporations, the exemption of certain income of nonresidents, limiting to individuals the optional contributions to the centennial tree program trust fund and wildlife fund, providing a penalty for failure to file a partnership return, removing the maximum bond limit to ensure the payment of income taxes withheld from wages, and the allocation of nonbusiness income; to provide a penalty; and to provide an effective date.

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

SB 2241: A BILL for an Act to amend and reenact section 54-44-04 of the North Dakota Century Code, relating to the powers and duties of the director of the office of management and budget.

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

SB 2261: A BILL for an Act to amend and reenact section 39-21-01 of the North Dakota Century Code, relating to the display of vehicle lights during inclement weather.

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

SB 2268: A BILL for an Act to amend and reenact sections 14-05-23, 14-06-02, subsection 1 of section 14-14-15, sections 14-14-16, 14-14-17, subsections 4 and 5 of section 50-01-09, and sections 50-03-07 and 50-06-05.1 of the North Dakota Century Code, relating to references to family courts; and to repeal chapter 27-05.1 of the North Dakota Century Code, relating to the establishment of family courts.

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

SB 2274: A BILL for an Act to amend and reenact sections 14-05-17 and 14-06-06 of the North Dakota Century Code, relating to residency requirements for the granting of divorce and separation decrees.

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

SB 2286: A BILL for an Act to amend and reenact subsection 3 of section 49-04.1-02 of the North Dakota Century Code, relating to damages for bypassing, tampering, or unauthorized metering of utility services.

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

SB 2291: A BILL for an Act to amend and reenact section 31-04-06 of the North Dakota Century Code, relating to affidavits of publication.

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

SB 2292: A BILL for an Act to amend and reenact section 59-02-05.1 of the North Dakota Century Code, relating to investment of trust funds.

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

SB 2295: A BILL for an Act to amend and reenact sections 23-04-01, 40-02-11, 40-08-01, 40-08-03, 40-08-03.1, 40-08-03.2, 40-08-04, 40-08-04.1, 40-08-05, 40-08-06, 40-08-06.1, 40-08-07, 40-08-08, 40-09-05, 40-14-01, 40-14-02, 40-14-06, 40-21-03, 40-21-09, and 40-52-08 of the North Dakota Century Code, relating to city council members and removing references to alderman and aldermen.

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

SB 2298: A BILL for an Act to amend and reenact section 16.1-09-02 of the North Dakota Century Code, relating to filing of statement of interests of candidates for elective office.

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

SB 2322: A BILL for an Act to amend and reenact section 43-23-08 of the North Dakota Century Code, relating to license standards for real estate brokers and salesmen.

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

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

ROY GILBREATH, Chief Clerk