

JOURNAL OF THE HOUSE

Fifty-second Legislative Assembly

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Bismarck, February 5, 1991

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

The prayer was offered by the Rev. Ed Bartel, Bismarck Baptist Church, Bismarck.

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

A quorum was declared by the Speaker.

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

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

Page 369, line 13, delete the words "are to be" and insert "were"

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

THE HOUSE RECOGNIZED THE PRESENCE OF:

Former Representative Emil Riehl

MOTIONS

REP. KLOUBEC MOVED that the rules be suspended and that the House consider all amendments on the Sixth order in one motion, which motion prevailed.

REP. KLOUBEC MOVED that the rules be suspended and that the amendments on the Sixth order of business to HB 1141, HB 1152, HB 1157, HB 1201, HB 1203, HB 1248, HB 1331, HB 1390, HB 1451, and HB 1497 be adopted, which motion prevailed.

HB 1141, HB 1152, HB 1157, HB 1201, HB 1203, HB 1248, HB 1331, HB 1451, and HB 1497, as amended, were placed on the Eleventh order of business on the calendar for the succeeding legislative day.

HB 1390, as amended, was rereferred to the Committee on Appropriations.

HOUSE ENGROSSING REPORT

The following bills were engrossed: HB 1094, HB 1271, HB 1310, HB 1318, HB 1375, HB 1426, and HB 1496.

HOUSE ENROLLING REPORT

The following bill was enrolled: HB 1046.

SIGNING of BILLS and RESOLUTIONS

The Speaker signed the following enrolled bill: HB 1046.

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

MR. PRESIDENT: The Speaker has signed and your signature is respectfully requested on: HB 1046.

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

MR. SPEAKER: The Senate has passed and your favorable consideration is requested on: SB 2105, SB 2113, SB 2118, SB 2121, SB 2123, SB 2136, SB 2166, SB 2210, SB 2227, SB 2262, SB 2281, SB 2287, SB 2288, SB 2302, SB 2303, SB 2314, SB 2327, SB 2330, SB 2351, SB 2352, SB 2367, SB 2368, SB 2369, SB 2377, SB 2378, SB 2380, SB 2385, SB 2389, SB 2393, SB 2396, SB 2399,

SB 2408, SB 2416, SB 2425, SB 2431, SB 2449, SB 2475, SCR 4001, SCR 4002, SCR 4014.

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

MR. SPEAKER: The President has signed and your signature is respectfully requested on: SB 2491.

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

MR. SPEAKER: The President has signed and your signature is respectfully requested on: SCR 4026.

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

MR. SPEAKER: The President has signed: HB 1046.

RULING BY SPEAKER

SPEAKER R. ANDERSON RULED that in accordance with House Rule 330 that HB 1368 would be rereferred to the Committee on Appropriations.

MOTION

REP. KLOUBEC MOVED that HB 1392 be laid over two legislative days, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1094: A BILL for an Act to amend and reenact subsection 2 of section 4-09-15 of the North Dakota Century Code, relating to recordkeeping requirements for sellers of seed or grain.

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 60 YEAS, 45 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Bateman; Belter; Berg, G.; Bodine; Boehm; Brokaw; Carlson; Clayburgh; Cleary; Coats; DeMers; Enget; Gabrielson; Gates; Gertholz; Gilmore; Goffe; Grumbo; Hokana; Huether; Jacobson; Kaldor; Kerzman; Kolbo; Kretschmar; Kunkel; Larson; Laughlin; Linderman; Mahoney; Meyer; Miller; Muhs; Mutzenberger; Nelson; Nicholas; Nichols; Nowatzki; Oban; Peterson; Porter; Price; Pyle; Ring; Ritter; Rydell; Scherber; Schneider; Shide; Skar; Snyder; Starke; Stofferahn; Svedjan; Thorpe; Tollefson; Whalen; Wilkie

NAYS: Berg, R.; Bernstein; Boucher; Brown; Byerly; Carlisle; Dalrymple; Delzer; DeWitz; Dorso; Erickson; Flaagan; Freier; Gorder; Gorman; Grosz; Hanson; Hausauer; Henegar; Howard; Jensen; Kelsch; Kloubec; Kroeber; Martin; Martinson; Myrdal; Olson, A.; Payne; Rennerfeldt; Schimke; Schindler; Schmidt; Skjerven; Soukup; St. Aubyn; Thompson; Timm; Trautman; Urlacher; Wald; Wardner; Wentz; Williams; Speaker R. Anderson

ABSENT AND NOT VOTING: Olsen, D.

HB 1094 passed and the title was agreed to.

MOTION

REP. WHALEN MOVED that the House reconsider its action whereby HB 1033 failed to pass, which motion prevailed on a verification vote.

SECOND READING OF HOUSE BILL

HB 1033: A BILL for an Act to authorize counties to conduct mail ballot primary elections.

MOTION

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

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 58 YEAS, 46 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Bateman; Berg, G.; Bernstein; Boehm; Brown; Byerly; Carlisle; Clayburgh; Cleary; Dalrymple; Erickson; Flaagan; Freier; Gates; Gerntholz; Hausauer; Henegar; Howard; Jensen; Kerzman; Kloubec; Kolbo; Kretschmar; Kunkel; Larson; Laughlin; Martin; Meyer; Miller; Muhs; Mutzenberger; Myrdal; Nelson; Nicholas; Nowatzki; Olson, A.; Payne; Porter; Price; Pyle; Rennerfeldt; Ritter; Rydell; Schmidt; Shide; Skar; Soukup; St. Aubyn; Svedjan; Thompson; Thorpe; Timm; Tollefson; Trautman; Urlacher; Wentz; Whalen; Speaker R. Anderson

NAYS: Aarsvold; Anderson, B.; Belter; Berg, R.; Bodine; Boucher; Brokaw; Carlson; Coats; Delzer; DeMers; DeWitz; Dorso; Enget; Gabrielson; Gilmore; Goffe; Gorder; Gorman; Grosz; Grumbo; Hanson; Hokana; Huether; Jacobson; Kaldor; Kelsch; Kroeber; Linderman; Mahoney; Martinson; Nichols; Oban; Peterson; Ring; Scherber; Schimke; Schindler; Schneider; Skjerven; Snyder; Starke; Wald; Wardner; Wilkie; Williams

ABSENT AND NOT VOTING: Olsen, D.; Stofferahn

HB 1033 passed and the title was agreed to.

MOTION

REP. TIMM MOVED that HB 1573 be returned to the House floor from the Committee on Finance and Taxation, which motion prevailed.

REQUEST

REP. SCHNEIDER REQUESTED the unanimous consent of the House to withdraw HB 1573. There being no objection, it was so ordered by the Speaker.

MOTION

REP. DORSO MOVED that HB 1332 be returned to the House floor from the Committee on Industry, Business and Labor for the purpose of withdrawal, which motion prevailed.

REQUEST

REP. TIMM REQUESTED the unanimous consent of the House to withdraw HB 1332. There being no objection, it was so ordered by the Speaker.

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS ON CONSENT CALENDAR

HCR 3015: A concurrent resolution directing the Legislative Council to study the feasibility of improving the efficiency of political subdivision government structure and services.

HCR 3019: A concurrent resolution directing the Legislative Council to study the impact of state mandates on political subdivisions and to develop a procedure for the funding of new programs, services, or functions that the Legislative Assembly mandates on political subdivisions.

HCR 3020: A concurrent resolution directing the Legislative Council to study North Dakota laws relating to the joint exercise of governmental powers by political subdivisions to determine whether those laws unnecessarily inhibit the broad authority conferred by the state constitution for joint powers agreements among political subdivisions.

HCR 3021: A concurrent resolution urging Congress to adopt legislation to overturn the 1967 United States Supreme Court National Bellas Hess decision.

HCR 3024: A concurrent resolution urging the federal government to fully fund, simplify, and improve the federal crop insurance program.

HCR 3030: A concurrent resolution urging the United States Congress to support research to determine whether there is scientific basis for the global warming theory prior to adoption of proposals or policies intended to reduce emissions of carbon dioxide from the use of coal, oil, and natural gas.

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

The resolutions were adopted on a voice vote.

MOTION

REP. KLOUBEC MOVED that the rules be suspended and that HCR 3015, HCR 3019, HCR 3020, HCR 3021, HCR 3024, and HCR 3030 be messaged to the Senate immediately, which motion prevailed.

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

MR. PRESIDENT: The House has passed and your favorable consideration is requested on: HCR 3015, HCR 3019, HCR 3020, HCR 3021, HCR 3024, HCR 3030.

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 1165, HB 1253, HB 1267, HB 1286, HB 1309, HB 1313, HB 1367, HB 1405, HB 1424, HB 1501.

SECOND READING OF HOUSE BILLS

HB 1271: A BILL for an Act to amend and reenact sections 4-02-30, 4-22-48, and 23-18-03 of the North Dakota Century Code, relating to vote requirements on certain ballot questions.

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 103 YEAS, 2 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; Olson, A.; Payne; Peterson; Porter; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schindler; Schmidt; Schneider; Shide; Skar; Skjerven; Snyder; Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Thompson; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Whalen; Wilkie; Williams; Speaker R. Anderson

NAYS: Schimke; Thorpe

ABSENT AND NOT VOTING: Olsen, D.

HB 1271 passed and the title was agreed to.

HB 1310: A BILL for an Act to create and enact a new subsection to section 23-06.4-11 of the North Dakota Century Code, relating to declarations governing the use, withholding, or withdrawal of life-prolonging treatment; and to amend and reenact subsection 4 of section 23-06.4-02 and sections 23-06.4-03 and 23-06.4-04 of the North Dakota Century Code, relating to declarations governing the use, withholding, or withdrawal of life-prolonging treatment.

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 103 YEAS, 2 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; 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; Olson, A.; Payne; Peterson; Porter; Price; Pyle; Rennerfeldt; 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: DeMers; Ring

ABSENT AND NOT VOTING: Olsen, D.

HB 1310 passed and the title was agreed to.

HB 1318: A BILL for an Act to provide for a real estate broker trust account program.

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 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; 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

ABSENT AND NOT VOTING: Olsen, D.

HB 1318 passed and the title was agreed to.

HB 1375: A BILL for an Act to create and enact a new section to chapter 40-08 of the North Dakota Century Code, relating to the election of aldermen in council cities; and to amend and reenact section 40-08-05 of the North Dakota Century Code, relating to qualifications of aldermen.

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 102 YEAS, 3 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Bateman; Belter; Berg, G.; Berg, R.; Bernstein; Bodine; Boehm; Boucher; 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; Nicholas; Nichols; Nowatzki; Oban; Olson, A.; Payne; Peterson; Porter; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schimke; Schindler; Schmidt; Schneider; Shide; Skar; Skjerven; Snyder; Soukup; St. Aubyn; Starke; Svedjan; Thompson; Thorpe; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Whalen; Wilkie; Williams; Speaker R. Anderson

NAYS: Brokaw; Nelson; Stofferahn

ABSENT AND NOT VOTING: Olsen, D.

HB 1375 passed and the title was agreed to.

HB 1426: A BILL for an Act to create and enact a new section to chapter 43-17 of the North Dakota Century Code, relating to authorization of physicians to be employed by hospitals incorporated as nonprofit corporations.

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 103 YEAS, 0 NAYS, 0 EXCUSED, 3 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; Larson; Laughlin; Linderman; Mahoney; Martin; Martinson; Meyer; Miller; Muhs; Mutzenberger; Myrdal; Nelson; Nicholas; Nichols; Nowatzki; Oban; Olson, A.; Payne; Peterson; Porter; Price; Pyle; Rennerfeldt; Ring; Ritter; 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: Boucher; Olsen, D.; Rydell

HB 1426 passed and the title was agreed to.

HB 1496: A BILL for an Act to amend and reenact section 15-28-11 of the North Dakota Century Code, relating to the publication of school board proceedings.

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 61 YEAS, 42 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Berg, G.; Berg, R.; Bernstein; Boucher; Brokaw; Brown; Clayburgh; Cleary; Coats; Dalrymple; DeMers; Dorso; Erickson; Flaagan; Gabrielson; Gates; Hanson; Hausauer; Howard; Huether; Jacobson; Kaldor; Kelsch; Kerzman; Kolbo; Kroeber; Kunkel; Larson; Laughlin; Linderman; Martinson; Meyer; Mutzenberger; Nicholas; Nowatzki; Oban; Peterson; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schimke; Schmidt; Schneider; Skar; Snyder; St. Aubyn; Starke; Stofferahn; Thompson; Thorpe; Trautman; Whalen; Wilkie; Williams; Speaker R. Anderson

NAYS: Bateman; Belter; Bodine; Boehm; Byerly; Carlisle; Carlson; Delzer; DeWitz; Enget; Freier; Gerntholz; Gilmore; Goffe; Gorder; Gorman; Grosz; Grumbo; Henegar; Hokana; Jensen; Kretschmar; Mahoney; Martin; Miller; Muhs; Myrdal; Nelson; Nichols; Olson, A.; Payne; Porter; Schindler; Shide; Skjerven; Soukup; Svedjan; Timm; Tollefson; Urlacher; Wardner; Wentz

ABSENT AND NOT VOTING: Kloubec; Olsen, D.; Wald

HB 1496 passed and the title was agreed to.

HB 1374: A BILL for an Act to create and enact a new section to chapter 39-04 of the North Dakota Century Code, relating to submission of motor vehicle registration applications to the county treasurer.

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 2 YEAS, 102 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Kretschmar; Thompson

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; Enget; Freier; 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; Nichols; Nowatzki; Oban; 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; Thorpe; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Wilkie; Williams; Speaker R. Anderson

ABSENT AND NOT VOTING: Olsen, D.; Whalen

HB 1374 was declared lost.

HB 1423: A BILL for an Act to create and enact a new section to chapter 10-15 of the North Dakota Century Code, relating to redemption of stock in cooperative associations.

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 9 YEAS, 96 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Dorso; Gorman; Kloubec; Larson; Payne; Timm; Tollefson; Wald; Wardner

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; Enget; Erickson; Flaagan; Freier; Gabrielson; Gates; Gerntholz; Gilmore; Goffe; Gorder; Grosz; Grumbo; Hanson; Hausauer; Henegar; Hokana; Howard; Huether; Jacobson; Jensen; Kaldor; Kelsch; Kerzman; Kolbo; Kretschmar; Kroeber; Kunkel; Laughlin; Linderman; Mahoney; Martin; Martinson; Meyer; Miller; Muhs; Mutzenberger; Myrdal; Nelson; Nicholas; Nichols; Nowatzki; Oban; Olson, A.; 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; Trautman; Urlacher; Wentz; Whalen; Wilkie; Williams; Speaker R. Anderson

ABSENT AND NOT VOTING: Olsen, D.

HB 1423 was declared lost.

HB 1448: A BILL for an Act to amend and reenact section 45-11-05 of the North Dakota Century Code, relating to changing of names of fictitious partnerships.

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, 0 NAYS, 0 EXCUSED, 3 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; 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; 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; Wald; Wardner; Wentz; Whalen; Wilkie; Williams; Speaker R. Anderson

ABSENT AND NOT VOTING: Grosz; Olsen, D.; Urlacher

HB 1448 passed and the title was agreed to.

HB 1455: A BILL for an Act to amend and reenact section 61-24-03.1 of the North Dakota Century Code, relating to filling vacancies of directors of the Garrison Diversion Conservancy District.

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; 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

ABSENT AND NOT VOTING: Olsen, D.

HB 1455 passed and the title was agreed to.

HB 1512: A BILL for an Act to amend and reenact sections 4-10.1-03, 4-10.1-04, and 4-10.1-13 of the North Dakota Century Code, relating to potato growers; and to repeal section 4-10.1-12 of the North Dakota Century Code, relating to refunds of the tax on potatoes.

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 85 YEAS, 20 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

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

NAYS: Brokaw; Carlson; Delzer; Grosz; Hokana; Jacobson; Kerzman; Kretschmar; Linderman; Meyer; Nelson; Ring; Schimke; Schmidt; Schneider; Stofferahn; Thompson; Thorpe; Timm; Williams

ABSENT AND NOT VOTING: Olsen, D.

HB 1512 passed and the title was agreed to.

MOTION

REP. KLOUBEC MOVED that HB 1577 be laid over two legislative days, which motion prevailed.

SECOND READING OF HOUSE BILLS

HB 1587: A BILL for an Act providing an appropriation to the North Dakota parks and recreation department to provide funds for matching grants for activity-recreational centers for developmentally disabled persons.

MOTION

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

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 40 YEAS, 63 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Berg, G.; Bernstein; Bodine; Brokaw; Byerly; Carlson; Clayburgh; Cleary; Coats; DeMers; Gabrielson; Gilmore; Gorman; Henegar; Hokana; Jacobson; Kaldor; Kolbo; Kretschmar; Larson; Mahoney; Mutzenberger; Nelson; Nichols; Oban; Peterson; Porter; Price; Pyle; Ring; Scherber; Schneider; Snyder; Soukup; St. Aubyn; Svedjan; Thorpe; Tollefson

NAYS: Bateman; Belter; Berg, R.; Boehm; Boucher; Brown; Carlisle; Dalrymple; Delzer; DeWitz; Dorso; Enget; Erickson; Flaagan; Freier; Gates; Gerntholz; Goffe; Gorder; Grosz; Grumbo; Hanson; Hausauer; Howard; Huether; Jensen; Kelsch; Kerzman; Kloubec; Kroeber; Kunkel; Laughlin; Linderman; Martin; Martinson; Meyer; Miller; Muhs; Myrdal; Nowatzki; Olson, A.; Payne; Rennerfeldt; Ritter; Rydell; Schimke; Schindler; Schmidt; Shide; Skar; Skjerven; Starke; Stofferahn; Thompson; Timm; Trautman; Wald; Wardner; Wentz; Whalen; Wilkie; Williams; Speaker R. Anderson

ABSENT AND NOT VOTING: Nicholas; Olsen, D.; Urlacher

HB 1587 was declared lost.

HB 1122: A BILL for an Act to create and enact a new section to chapter 54-17.4 of the North Dakota Century Code, relating to fees for services of the geological survey; and to provide a continuing appropriation.

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 17 YEAS, 87 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Berg, G.; Carlson; DeMers; Enget; Flaagan; Gabrielson; Hokana; Huether; Kaldor; Laughlin; Linderman; Nichols; Pyle; Ring; Ritter

NAYS: Bateman; Belter; Berg, R.; Bernstein; Bodine; Boehm; Boucher; Brokaw; Brown; Byerly; Carlisle; Clayburgh; Cleary; Coats; Dalrymple; Delzer; DeWitz; Erickson; Freier; Gates; Gerntholz; Gilmore; Goffe; Gorder; Gorman; Grosz; Grumbo; Hanson; Hausauer; Henegar; Howard; Jacobson; Jensen; Kelsch; Kerzman; Kloubec; Kolbo; Kretschmar; Kroeber; Kunkel; Larson; Mahoney; Martin; Martinson; Meyer; Miller; Muhs; Mutzenberger; Myrdal; Nelson; Nicholas; Nowatzki; Oban; Olson, A.; Payne; Peterson; Porter; Price; Rennerfeldt; 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: Dorso; Olsen, D.

HB 1122 was declared lost.

HB 1421: A BILL for an Act to create and enact a new section to chapter 20.1-01 of the North Dakota Century Code, relating to the use of motor-driven vehicles for taking coyotes; and to amend and reenact subsection 11 of section 20.1-01-02, section 20.1-01-11, and subsection 2 of section 20.1-03-07 of the North Dakota Century Code, relating to the definition of fur-bearers for game and fish purposes, the use of motor vehicles to hunt game, and to nonresidents taking fur-bearers.

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 48 YEAS, 57 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Bateman; Berg, G.; Bernstein; Boehm; Boucher; Brokaw; Brown; Coats; Dalrymple; DeWitz; Enget; Erickson; Gilmore; Gorman; Grumbo; Hausauer; Hokana; Huether; Jacobson; Kaldor; Kerzman; Kolbo; Kroeber; Kunkel; Laughlin; Meyer; Miller; Muhs; Myrdal; Nichols; Olson, A.; Schindler; Schmidt; Shide; Skar; Snyder; Soukup; Starke; Stofferahn; Thorpe; Timm; Tollefson; Urlacher; Wald; Wardner; Wilkie; Williams; Speaker R. Anderson

NAYS: Aarsvold; Anderson, B.; Belter; Berg, R.; Bodine; Byerly; Carlisle; Carlson; Clayburgh; Cleary; Delzer; DeMers; Dorso; Flaagan; Freier; Gabrielson; Gates; Gerntholz; Goffe; Gorder; Grosz; Hanson; Henegar; Howard; Jensen; Kelsch; Kloubec; Kretschmar; Larson; Linderman; Mahoney; Martin; Martinson; Mutzenberger; Nelson; Nicholas; Nowatzki; Oban; Payne; Peterson; Porter; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schimke; Schneider; Skjerven; St. Aubyn; Svedjan; Thompson; Trautman; Wentz; Whalen

ABSENT AND NOT VOTING: Olsen, D.

HB 1421 was declared lost.

MOTION

REP. KLOUBEC MOVED that HB 1454 and HB 1588 be placed at the head of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILLS

HB 1454: A BILL for an Act to amend and reenact sections 4 and 11 of chapter 394 of the 1989 Session Laws of North Dakota, relating to notice of designation of homesteads and expiration of the homestead 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 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; 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

ABSENT AND NOT VOTING: Olsen, D.

HB 1454 passed and the title was agreed to.

HB 1588: A BILL for an Act to amend and reenact section 16.1-15-25 and subsections 1 and 2 of section 16.1-16-01 of the North Dakota Century Code, relating to voter abstracts and election recounts.

ROLL CALL

The question being on the final passage of the bill, which has been read and has committee recommendation of DD 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; Olson, A.; Payne; Peterson; Porter; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schimke; Schindler; Schmidt; Schneider; Shide; Skar; Skjervén; 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: Olsen, D.

HB 1588 passed and the title was agreed to.

MOTIONS

REP. KLOUBEC MOVED that in accordance with House Rule 506, the time for bills in committee would be extended to the 31st Legislative Day, which motion prevailed.

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 Thirteenth order of business, and at the conclusion of the Thirteenth order, the House be on the Sixteenth order of business, and at the conclusion of the Sixteenth order, the House stand adjourned until 1:00 p.m., Wednesday, February 6, 1991, which motion prevailed.

REPORTS OF STANDING COMMITTEES

HB 1007: Committee on Appropriations (Rep. Thompson, Chairman) recommends DO PASS (23 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1007 was placed on the Eleventh order on the calendar.

HB 1081: Committee on Judiciary (Rep. Kretschmar, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO NOT 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 1, replace "a" with "two" and replace "subsection" with "subsections"

Page 1, line 3, after "offenses" insert "and the remanding of alcohol-related offenses to municipal courts"

Page 1, line 5, replace "A" with "Two" and replace "subsection" with "subsections"

Page 1, line 6, replace "is" with "are"

Page 1, after line 9, insert:

"If a person is charged with violating a municipal ordinance prohibiting driving under the influence of intoxicating liquor or drugs and the prosecution has been transferred from municipal court to the county court pursuant to section 40-18-15.1, and the person fails to

appear for a jury trial in the county court, the case must be remanded to the municipal court for further proceedings. Nothing in this subsection may be construed as infringing upon an individual's right to a jury trial."

Renumber accordingly

HB 1207: Committee on Natural Resources (Rep. A. Olson, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (13 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 2, line 9, replace "pathegens" with "pathogens"

Page 3, line 17, remove "must", overstrike "serve" and after "ten" insert "must have at least fifteen service connections or regularly serve an average of"

Page 3, line 19, after "persons" insert "for at least sixty days a year"

Page 7, line 21, replace "less than five hundred persons" with "other than year-round residents"

Page 7, line 22, replace "form" with "from"

Renumber accordingly

HB 1215: Committee on Natural Resources (Rep. A. Olson, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS and BE REREFERRED to the Committee on Appropriations (9 YEAS, 5 NAYS, 2 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 1, line 17, after "The" insert "department of health and consolidated laboratories in consultation with the"

Page 1, line 18, after "lands" insert "and the department of transportation"

Page 2, line 4, after "The" insert "state department of health and consolidated laboratories in consultation with the"

Page 2, line 5, after "lands" insert "and the department of transportation"

Page 2, line 9, replace "board" with "department of health and consolidated laboratories"

Page 2, line 11, replace "board" with "department of health and consolidated laboratories"

Page 3, line 4, replace "9,330,000" with "11,280,288", replace "8,397,000" with "10,152,259", and replace "933,000" with "1,128,029"

Renumber accordingly

HB 1257: Committee on Human Services and Veterans Affairs (Rep. Larson, Chairman) recommends DO NOT PASS (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1257 was placed on the Eleventh order on the calendar.

HB 1258: Committee on Natural Resources (Rep. A. Olson, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (14 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 1, line 9, remove the overstrike over "~~one from each of the~~"

Page 1, line 10, remove the overstrike over "~~following districts,~~" and remove the overstrike over the overstruck colon

Page 1, remove the overstrike over lines 11 through 22

Page 2, remove the overstrike over lines 1 through 4

Page 2, line 9, replace "the North" with "outdoor, sportsmen, wildlife, and conservation organizations requested by the governor to submit the list

Page 2, remove lines 10 and 11

Page 2, line 12, remove "when making appointments"

Page 2, line 27, remove the overstrike over "~~district~~" and remove "geographical"

Page 2, line 28, remove "area"

Page 3, line 7, remove the overstrike over "~~district~~" and remove "geographical area"

Renumber accordingly

HB 1259: Committee on Education (Rep. Gates, Chairman) recommends DO NOT PASS (15 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1259 was placed on the Eleventh order on the calendar.

HB 1298: Committee on Human Services and Veterans Affairs (Rep. Larson, Chairman) recommends DO NOT PASS (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1298 was placed on the Eleventh order on the calendar.

HB 1305: Committee on Education (Rep. Gates, Chairman) recommends DO PASS and BE REREFERRED to the Committee on Appropriations (13 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING).

HB 1352: Committee on Education (Rep. Gates, Chairman) recommends DO NOT PASS (15 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). HB 1352 was placed on the Eleventh order on the calendar.

HB 1357: 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 (8 YEAS, 6 NAYS, 1 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 1, line 2, remove "state matching of county general assistance and optional supplementation"

Page 1, line 3, remove "payments and"

Page 1, line 10, remove "state matching of county"

Page 1, line 11, remove "general assistance and optional supplementation payments and"

Page 1, replace lines 14 through 22 with:

"Grants, benefits, and claims	\$1,140,768
Less estimated income	828,768
Total general fund appropriation	\$ 312,000"

Page 2, remove line 1

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment deletes the appropriation for the state matching of county general assistance and optional supplementation payments and reduces the appropriation for case mix reimbursement incentive payments to nursing homes from a total of \$3,422,303 to \$1,140,768. The general fund portion is reduced from \$936,000 to \$312,000.

HB 1378: Committee on Industry, Business and Labor (Rep. Dorso, Chairman) recommends DO PASS (15 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1378 was placed on the Eleventh order on the calendar.

HB 1398: Committee on Natural Resources (Rep. A. Olson, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO 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 13, replace "or" with a comma, after "province" insert "or territory", and after "Canada" insert ", or in Mexico"

Renumber accordingly

HB 1410: Committee on Human Services and Veterans Affairs (Rep. Larson, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 2, line 20, after "state" insert "with developmentally disabled persons receiving first priority"

Renumber accordingly

HB 1431: Committee on Education (Rep. Gates, Chairman) recommends DO NOT PASS (10 YEAS, 7 NAYS, 0 ABSENT AND NOT VOTING). HB 1431 was placed on the Eleventh order on the calendar.

HB 1465: Committee on Judiciary (Rep. Kretschmar, Chairman) recommends DO NOT PASS (16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1465 was placed on the Eleventh order on the calendar.

HB 1482: Committee on Natural Resources (Rep. A. Olson, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (11 YEAS, 2 NAYS, 3 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 1, line 14, replace "a" with "the"

Page 1, line 15, replace "lottery or drawing" with "sale" and after the period insert "The first one hundred of any such remaining licenses, or all such licenses if less than one hundred remain, must be for antlered deer only."

Page 1, line 16, replace "four" with "five"

Renumber accordingly

HB 1504: Committee on Natural Resources (Rep. A. Olson, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (13 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 3, line 18, after "one" insert "nontransferable"

Renumber accordingly

HB 1529: Committee on Education (Rep. Gates, Chairman) recommends DO PASS (17 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1529 was placed on the Eleventh order on the calendar.

- HB 1536: Committee on Judiciary (Rep. Kretschmar, Chairman) recommends DO PASS (15 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1536 was placed on the Eleventh order on the calendar.
- HB 1546: Committee on Education (Rep. Gates, Chairman) recommends DO NOT PASS (14 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1546 was placed on the Eleventh order on the calendar.
- HB 1547: Committee on Education (Rep. Gates, Chairman) recommends DO NOT PASS (17 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1547 was placed on the Eleventh order on the calendar.
- HB 1548: Committee on Education (Rep. Gates, Chairman) recommends DO NOT PASS (11 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). HB 1548 was placed on the Eleventh order on the calendar.
- HB 1561: Committee on Judiciary (Rep. Kretschmar, Chairman) recommends DO PASS (14 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1561 was placed on the Eleventh order on the calendar.

FIRST READING OF SENATE BILLS

- SB 2010: A BILL for an Act making an appropriation for insurance premium tax payments distribution to fire departments.
Was read the first time and referred to the Committee on Appropriations.
- SB 2112: A BILL for an Act to create and enact a new section to chapter 54-44.1 of the North Dakota Century Code, relating to authorizing the carryover of one-half of unexpended general fund appropriations balances for one-time purchases or projects.
Was read the first time and referred to the Committee on Appropriations.
- SB 2116: A BILL for an Act to amend and reenact section 54-18-14 of the North Dakota Century Code, relating to the annual audit of the mill and elevator association.
Was read the first time and referred to the Committee on State and Federal Government.
- SB 2127: A BILL for an Act to create and enact a new section to chapter 57-27 of the North Dakota Century Code, relating to the creation of a state refund account; and to declare an emergency.
Was read the first time and referred to the Committee on Appropriations.
- SB 2131: A BILL for an Act to amend and reenact section 54-44-11 of the North Dakota Century Code, relating to the office of management and budget operating funds creation.
Was read the first time and referred to the Committee on Appropriations.
- SB 2317: A BILL for an Act to create and enact a new section to chapter 49-16 of the North Dakota Century Code, relating to the liability of a railroad owner or operator for injury of a person riding on a locomotive or railroad car without authority from the owner or operator of the railroad.
Was read the first time and referred to the Committee on Transportation.

FIRST READING OF SENATE CONCURRENT RESOLUTION

- SCR 4003: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of the privatization of some state government services, including a determination of whether state government is competing unnecessarily and unfairly with the private sector and the advisability of restricting that governmental competition.
Was read the first time and referred to the Committee on State and Federal Government.

SIGNING of BILLS and RESOLUTIONS

The Speaker signed the following enrolled bill: SB 2491.

SIGNING of BILLS and RESOLUTIONS

The Speaker signed the following enrolled resolution: SCR 4026.

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

MR. PRESIDENT: The Speaker has signed: SB 2491.

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

MR. PRESIDENT: The Speaker has signed: SCR 4026.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following bill was delivered to the Governor for his approval at the hour of 3:19 p.m., February 5, 1991: HB 1046.

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

ROY GILBREATH, Chief Clerk