

## JOURNAL OF THE HOUSE

## Fifty-second Legislative Assembly

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Bismarck, February 28, 1991

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

The prayer was offered by the Rev. Paul Baker, Sterling and Moffit United Methodist Church, Sterling.

The roll was called and all members were present except Representatives Gorman, Hausauer, and Stofferahn.

A quorum was declared by the Speaker.

## MOTION

REP. KLOUBEC MOVED that Joint Rule 203, which speaks to Crossover and limitation on messaging of measures, be suspended until 1:15 p.m., today, February 28, 1991, which motion prevailed.

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

MR. SPEAKER: The Senate has passed and your favorable consideration is requested on SB 2004.

## THE HOUSE RECOGNIZED THE PRESENCE OF:

Former Representative Paul DuBord  
Former Representative Emil Riehl

## SECOND READING OF SENATE BILLS

SB 2114: A BILL for an Act to amend and reenact subsection 3 of section 62.1-04-03 of the North Dakota Century Code, relating to concealed weapons license fee.

## 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 80 YEAS, 24 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Belter; Berg, G.; Bodine; Boehm; Boucher; Brokaw; Byerly; Carlson; Clayburgh; Cleary; Coats; DeMers; Dorso; Enget; Flaagan; Gabrielson; Gates; Gilmore; Goffe; Gorder; Grumbo; Hanson; Henegar; Hokana; Howard; Huether; Jacobson; Jensen; Kelsch; Kloubec; Kolbo; Kretschmar; Kroeber; Kunkel; Larson; Laughlin; Linderman; Mahoney; Martin; Meyer; Miller; Muhs; Mutzenberger; Myrdal; Nelson; Nicholas; Nichols; Nowatzki; Oban; Olson, A.; Peterson; Porter; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schneider; Skar; Skjerven; Snyder; Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Thompson; Thorpe; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Whalen; Williams; Speaker R. Anderson

NAYS: Aarsvold; Bateman; Berg, R.; Bernstein; Brown; Carlisle; Dalrymple; Delzer; DeWitz; Erickson; Freier; Gerntholz; Grosz; Kaldor; Kerzman; Martinson; Olsen, D.; Payne; Schimke; Schindler; Schmidt; Shide; Timm; Wilkie

ABSENT AND NOT VOTING: Gorman; Hausauer

SB 2114 passed and the title was agreed to.

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SB 2156: A BILL for an Act to amend and reenact section 23-07-01 of the North Dakota Century Code, relating to human diseases or conditions that must be reported.

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

YEAS: Aarsvold; Anderson, B.; Bateman; Belter; Berg, G.; Berg, R.; Bernstein; Bodine; Boehm; Boucher; Brokaw; Byerly; Carlisle; Carlson; Clayburgh; Cleary; Coats; Dalrymple; Delzer; DeMers; DeWitz; Dorso; Enget; Erickson; Flaagan; Freier; Gabrielson; Gates; Gerntholz; Gilmore; Goffe; Gorder; Grosz; Grumbo; Hanson; Henegar; Hokana; Howard; Huether; Jacobson; Jensen; Kaldor; Kelsch; Kerzman; Kloubec; Kolbo; Kretschmar; Kroeber; Kunkel; Larson; Laughlin; Linderman; Mahoney; Martin; Martinson; Meyer; Miller; Muhs; 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

ABSENT AND NOT VOTING: Brown; Gorman; Hausauer; Mutzenberger

SB 2156 passed and the title was agreed to.

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SB 2157: A BILL for an Act to amend and reenact section 23-07-07 of the North Dakota Century Code, relating to a requirement that individuals infected with a sexually transmitted disease be tested for antibodies or antigens of the human immunodeficiency virus.

#### 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; Grosz; Grumbo; Hanson; 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; Wardner; Wentz; Whalen; Wilkie; Williams; Speaker R. Anderson

ABSENT AND NOT VOTING: Gorman; Hausauer; Wald

SB 2157 passed and the title was agreed to.

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SB 2216: A BILL for an Act to amend and reenact subsection 12 of section 47-30.1-01, section 47-30.1-18, and subsection 1 of section 47-30.1-19.1 of the North Dakota Century Code, relating to the definition of "person", publication requirements for abandoned property, and abandoned property lists.

## 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 100 YEAS, 4 NAYS, 0 EXCUSED, 2 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; Grosz; Grumbo; Hanson; 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; Olsen, D.; Olson, A.; Payne; Peterson; Porter; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schimke; Schindler; Schmidt; 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; Oban; Schneider; Stofferahn

ABSENT AND NOT VOTING: Gorman; Hausauer

SB 2216 passed and the title was agreed to.

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SB 2222: A BILL for an Act to amend and reenact section 54-17-07.3 of the North Dakota Century Code, relating to the number of housing finance programs of the state housing finance agency.

## 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; Grosz; Grumbo; Hanson; 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; Wardner; Wentz; Whalen; Wilkie; Williams; Speaker R. Anderson

ABSENT AND NOT VOTING: Gorman; Hausauer; Wald

SB 2222 passed and the title was agreed to.

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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.

## MOTION

REP. TOLLEFSON MOVED that the House waive the reading of the title to SB 2268, 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 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; Grosz; Grumbo; Hanson; 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

ABSENT AND NOT VOTING: Gorman; Hausauer

SB 2268 passed and the title was agreed to.

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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.

## 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 99 YEAS, 5 NAYS, 0 EXCUSED, 2 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; DeWitz; Dorso; Enget; Erickson; Flaagan; Freier; Gabrielson; Gates; Gerntholz; Gilmore; Goffe; Gorder; Grosz; Grumbo; Hanson; 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; Nowatzki; Oban; Olsen, D.; Olson, A.; Payne; 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: Boucher; DeMers; Nichols; Peterson; Wilkie

ABSENT AND NOT VOTING: Gorman; Hausauer

SB 2286 passed and the title was agreed to.

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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.

## 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; Grosz; Grumbo; Hanson; 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

ABSENT AND NOT VOTING: Gorman; Hausauer

SB 2292 passed and the title was agreed to.

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SB 2392: A BILL for an Act to amend and reenact section 25-06-03 of the North Dakota Century Code, relating to the superintendent of the school for the blind.

## 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; Grosz; Grumbo; Hanson; 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

ABSENT AND NOT VOTING: Gorman; Hausauer

Engrossed SB 2392 passed and the title was agreed to.

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SB 2535: A BILL for an Act authorizing the state board of higher education to convey certain real property in Grand Forks, North Dakota; and to declare an emergency.

## 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; Grosz; Grumbo; Hanson; 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

ABSENT AND NOT VOTING: Gorman; Hausauer

Engrossed SB 2535 passed, the title was agreed to, and the emergency clause carried.

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#### POINT OF PERSONAL PRIVILEGE

REP. SKJERVEN: Mr. Speaker: I rise on a point of personal privilege and request that my remarks be printed in the Journal.

Representative Gorder from Grafton and Representative Skjerven from Park River wish to congratulate and commend the Park River-Grafton hockey team for their tremendous record and accomplishment last weekend in winning the State Hockey Championship and wish to praise the two schools for their cooperative efforts in sports and other areas.

#### MOTIONS

REP. GATES MOVED that the House reconsider its action whereby SB 2106 passed, which motion prevailed.

REP. GATES MOVED that SB 2106 be rereferred to the Committee on Education, which motion prevailed. Pursuant to Rep. Gates' motion, SB 2106 was rereferred.

#### SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3051: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of community ownership and control or privatization of the state higher education institutions.

The question being on the final adoption of the resolution, which has been read, and has committee recommendation of DO NOT PASS.

HCR 3051 was declared adopted on a verification vote.

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#### REQUESTS

REP. KLOUBEC REQUESTED that HCR 3048 be removed from the Consent Calendar and placed on the Eleventh order for second reading and final passage, which request was granted.

REP. BYERLY REQUESTED that HCR 3054 be removed from the Consent Calendar and placed on the Eleventh order for second reading and final passage, which request was granted.

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

HCR 3046: A concurrent resolution directing the Legislative Council to study the problems associated with unification of the state's judicial system into a one-level trial system.

HCR 3050: A concurrent resolution directing the Legislative Council to study laws governing licensing and regulation of various occupations and professions.

HCR 3053: A concurrent resolution directing the Legislative Council to study various methods of delivering medical care to students with disabilities.

HCR 3055: A concurrent resolution directing the Legislative Council to study the enrollment of North Dakota students in public schools or institutions of bordering states.

HCR 3058: A concurrent resolution directing the Legislative Council to study the use of flexible curricula in North Dakota high schools and the team approach to course selections.

HCR 3060: A concurrent resolution directing the Legislative Council to study the need for a long-term energy policy for North Dakota.

SCR 4024: A concurrent resolution urging Congress and the President to take action to encourage citizens to plan for retirement needs to reduce the reliance of senior citizens on public financial assistance.

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

The resolutions were adopted on a voice vote.

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#### SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

HCR 3048: A concurrent resolution directing the Legislative Council to study the feasibility of restructuring school districts along county lines.

The question being on the final adoption of the resolution, which has been read, and has committee recommendation of DO PASS.

HCR 3048 was declared lost on a voice vote.

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HCR 3054: A concurrent resolution directing the Legislative Council to study the current and future role of the North Dakota early childhood tracking system.

The question being on the final adoption of the resolution, which has been read, and has committee recommendation of DO PASS.

HCR 3054 was declared adopted on a voice vote.

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

MR. SPEAKER: The Senate has passed and your favorable consideration is requested on: SCR 4007, SCR 4017, SCR 4019, SCR 4031, SCR 4032, SCR 4033, SCR 4034, SCR 4036, SCR 4039, SCR 4040, SCR 4041, SCR 4043, SCR 4044.

#### MOTIONS

REP. KLOUBEC MOVED that the absent members 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 Seventh order of business, and at the conclusion of the Seventh order, the House be on the Ninth order of business, and at the conclusion of the Ninth order, the House be on the Thirteenth order of business, and at the conclusion of the

Thirteenth order, the House stand adjourned until 12:30 p.m., Friday, March 1, 1991, which motion prevailed.

#### REPORTS OF STANDING COMMITTEES

SB 2037: Committee on Natural Resources (Rep. A. Olson, Chairman) recommends DO PASS (11 YEAS, 0 NAYS, 5 ABSENT AND NOT VOTING). SB 2037 was placed on the Fourteenth order on the calendar.

SB 2042: Committee on Natural Resources (Rep. A. Olson, Chairman) recommends DO PASS (13 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). SB 2042 was placed on the Fourteenth order on the calendar.

SB 2043, as engrossed: Committee on Natural Resources (Rep. A. Olson, Chairman) recommends DO PASS (14 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2043 was placed on the Fourteenth order on the calendar.

SB 2063, as engrossed: 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 11, after "tax" insert "and interest"

Renumber accordingly

SB 2086: Committee on Appropriations (Rep. Thompson, Chairman) recommends DO PASS (19 YEAS, 1 NAY, 3 ABSENT AND NOT VOTING). SB 2086 was placed on the Fourteenth order on the calendar.

SB 2122: Committee on Transportation (Rep. Belter, Chairman) recommends DO PASS (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2122 was placed on the Fourteenth order on the calendar.

SB 2127: Committee on Appropriations (Rep. Thompson, Chairman) recommends DO PASS (18 YEAS, 1 NAY, 4 ABSENT AND NOT VOTING). SB 2127 was placed on the Fourteenth order on the calendar.

SB 2131: Committee on Appropriations (Rep. Thompson, Chairman) recommends DO PASS (19 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING). SB 2131 was placed on the Fourteenth order on the calendar.

SB 2141: Committee on Transportation (Rep. Belter, Chairman) recommends DO PASS (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2141 was placed on the Fourteenth order on the calendar.

SB 2195, as engrossed: Committee on Political Subdivisions (Rep. Martin, Chairman) recommends DO PASS (14 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). SB 2195 was placed on the Fourteenth order on the calendar.

SB 2251: Committee on Transportation (Rep. Belter, Chairman) recommends DO PASS (10 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). SB 2251 was placed on the Fourteenth order on the calendar.

SB 2261: Committee on Transportation (Rep. Belter, Chairman) recommends DO NOT PASS (13 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2261 was placed on the Fourteenth order on the calendar.

SB 2295: Committee on Political Subdivisions (Rep. Martin, Chairman) recommends DO PASS (14 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). SB 2295 was placed on the Fourteenth order on the calendar.

SB 2299: Committee on Political Subdivisions (Rep. Martin, Chairman) recommends DO PASS (16 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2299 was placed on the Fourteenth order on the calendar.



SB 2302: Committee on Political Subdivisions (Rep. Martin, Chairman) recommends DO PASS (15 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2302 was placed on the Fourteenth order on the calendar.

SB 2482, as engrossed: Committee on State and Federal Government (Rep. Martinson, Chairman) recommends DO PASS (14 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2482 was placed on the Fourteenth order on the calendar.

HCR 3008: Joint Constitutional Revision Committee (Rep. Kretschmar, Chairman) recommends DO NOT PASS (9 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HCR 3008 was placed on the Eleventh order on the calendar.

HCR 3047: Committee on Political Subdivisions (Rep. Martin, Chairman) recommends DO PASS and BE PLACED ON THE CONSENT CALENDAR (15 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HCR 3047 was placed on the Tenth order.

HCR 3049: Committee on Natural Resources (Rep. A. Olson, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (12 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 1, line 15, replace "WHEREAS, the propagation of captive wildlife and exotic wildlife may" with "WHEREAS, captive wildlife, as well as native wildlife and domestic livestock, are subject to carrying the same diseases, and whether in confinement or roaming free, can pass disease on to other livestock, wildlife, and in some instances, such as tuberculosis and brucellosis, to humans;"

Page 1, remove lines 16 and 17

Renumber accordingly

HCR 3052: Committee on Industry, Business and Labor (Rep. Dorso, Chairman) recommends DO PASS and BE PLACED ON THE CONSENT CALENDAR (15 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HCR 3052 was placed on the Tenth order.

HCR 3056: Committee on Natural Resources (Rep. A. Olson, Chairman) recommends DO PASS (10 YEAS, 3 NAYS, 3 ABSENT AND NOT VOTING). HCR 3056 was placed on the Eleventh order on the calendar.

HCR 3057: Joint Constitutional Revision Committee (Rep. Kretschmar, Chairman) recommends DO PASS and BE PLACED ON THE CONSENT CALENDAR (10 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3057 was placed on the Tenth order.

HCR 3059: Committee on Natural Resources (Rep. A. Olson, Chairman) recommends DO PASS and BE PLACED ON THE CONSENT CALENDAR (13 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). HCR 3059 was placed on the Tenth order.

HCR 3061: Committee on State and Federal Government (Rep. Martinson, Chairman) recommends DO PASS and BE PLACED ON THE CONSENT CALENDAR (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3061 was placed on the Tenth order.

HCR 3062: Committee on Agriculture (Rep. Shide, Vice Chairman) recommends DO PASS and BE PLACED ON THE CONSENT CALENDAR (17 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3062 was placed on the Tenth order.

#### REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER: Your procedural Committee on Delayed Bills (Rep. Kloubec, Chairman) has examined a bill for an act to amend and reenact sections 54-35-02.3 and 54-35-02.4 of the North Dakota Century Code, relating to the membership of the legislative council's committee on public employees

retirement programs and its jurisdiction over workers' compensation and public employee and retiree health plans.

It shall be numbered HB 1603.

Your Committee on Delayed Bills cast a ballot of 4 YEAS, 1 NAY, 0 EXCUSED, 0 ABSENT AND NOT VOTING in favor of accepting this bill.

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

#### FIRST READING OF HOUSE BILL

Rep. Martinson introduced:

(Approved by the Committee on Delayed Bills)

HB 1603: A BILL for an Act to amend and reenact sections 54-35-02.3 and 54-35-02.4 of the North Dakota Century Code, relating to the membership of the legislative council's committee on public employees retirement programs and its jurisdiction over workers' compensation and public employee and retiree health plans.

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

#### REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER: Your procedural Committee on Delayed Bills (Rep. Kloubec, Chairman) has examined a bill for an act to amend and reenact section 11-11-26 of the North Dakota Century Code, relating to bid requirements for purchases by counties.

It shall be numbered HB 1604.

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

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

#### FIRST READING OF HOUSE BILL

Rep. Kretschmar introduced:

(Approved by the Committee on Delayed Bills)

HB 1604: A BILL for an Act to amend and reenact section 11-11-26 of the North Dakota Century Code, relating to bid requirements for purchases by counties.

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

#### REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER: Your procedural Committee on Delayed Bills (Rep. Kloubec, Chairman) has examined a bill for an act to amend and reenact subsection 21 of section 43-17-31 of the North Dakota Century Code, relating to grounds for disciplinary action by the state board of medical examiners.

It shall be numbered HB 1605.

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

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

#### FIRST READING OF HOUSE BILL

Rep. Tollefson introduced:

(Approved by the Committee on Delayed Bills)

HB 1605: A BILL for an Act to amend and reenact subsection 21 of section 43-17-31 of the North Dakota Century Code, relating to grounds for disciplinary action by the state board of medical examiners.

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

## REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER: Your procedural Committee on Delayed Bills (Rep. Kloubec, Chairman) has examined a bill for an act to amend and reenact subsection 5 of section 57-60-02 of the North Dakota Century Code, relating to exemption from the privilege tax on coal facilities during the first five years of production from a new electrical generating plant; and to provide an effective date.

It shall be numbered HB 1606.

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

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

## FIRST READING OF HOUSE BILL

Reps. Timm, Williams and Sens. Dotzenrod, Goetz introduced:

(Approved by the Committee on Delayed Bills)

HB 1606: A BILL for an Act to amend and reenact subsection 5 of section 57-60-02 of the North Dakota Century Code, relating to exemption from the privilege tax on coal facilities during the first five years of production from a new electrical generating plant; and to provide an effective date.

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

## REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER: Your procedural Committee on Delayed Bills (Rep. Kloubec, Chairman) has examined a bill for an act to create and enact a new section to chapter 15-39.1, a new section to chapter 39-03.1, a new subsection to section 54-35-02.4, and a new section to chapter 54-52 of the North Dakota Century Code, relating to required actuarial margins for the teachers' fund for retirement, North Dakota highway patrolmen's retirement fund, and the public employees retirement system and to the powers and duties of the legislative council's committee on public employees retirement programs.

It shall be numbered HB 1607.

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

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

## FIRST READING OF HOUSE BILL

Rep. Clayburgh introduced:

(Approved by the Committee on Delayed Bills)

HB 1607: A BILL for an Act to create and enact a new section to chapter 15-39.1, a new section to chapter 39-03.1, a new subsection to section 54-35-02.4, and a new section to chapter 54-52 of the North Dakota Century Code, relating to required actuarial margins for the teachers' fund for retirement, North Dakota highway patrolmen's retirement fund, and the public employees retirement system and to the powers and duties of the legislative council's committee on public employees retirement programs.

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

## REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER: Your procedural Committee on Delayed Bills (Rep. Kloubec, Chairman) has examined a bill for an act to amend and reenact section 2 of chapter 701 of the 1989 Session Laws of North Dakota, relating to an expiration date for withdrawals from school district special reserve funds.

It shall be numbered HB 1608.

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

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

#### FIRST READING OF HOUSE BILL

Reps. Larson, Pyle and Sen. Lindgren introduced:

(Approved by the Committee on Delayed Bills)

HB 1608: A BILL for an Act to amend and reenact section 2 of chapter 701 of the 1989 Session Laws of North Dakota, relating to an expiration date for withdrawals from school district special reserve funds.

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

#### REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER: Your procedural Committee on Delayed Bills (Rep. Kloubec, Chairman) has examined a bill for an act relating to physician assistants prescribing medications.

It shall be numbered HB 1609.

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

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

#### FIRST READING OF HOUSE BILL

Rep. Kloubec introduced:

(Approved by the Committee on Delayed Bills)

HB 1609: A BILL for an Act relating to physician assistants prescribing medications.

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

#### REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER: Your procedural Committee on Delayed Bills (Rep. Kloubec, Chairman) has examined a bill for an Act to create and enact a new subsection to section 12.1-30-03 of the North Dakota Century Code and a new subsection to the new section to chapter 34-06 of the North Dakota Century Code as created by section 7 of House Bill No. 1046, as approved by the fifty-second legislative assembly, relating to businesses allowed to operate on Sunday; and to amend and reenact subsections 32 and 33 of section 12.1-30-03 of the North Dakota Century Code, relating to businesses allowed to operate on Sunday and days of rest.

It shall be numbered HB 1610.

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

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

#### FIRST READING OF HOUSE BILL

Reps. Martinson, Whalen, Timm and Sens. Bowman, Krebsbach, Maxson introduced:

(Approved by the Committee on Delayed Bills)

HB 1610: A BILL for an Act to create and enact a new subsection to section 12.1-30-03 of the North Dakota Century Code and a new subsection to the new section to chapter 34-06 of the North Dakota Century Code as created by section 7 of House Bill No. 1046, as approved by the fifty-second legislative assembly, relating to businesses allowed to operate on Sunday; and to amend and reenact subsections 32 and 33 of section 12.1-30-03 of the North Dakota Century Code, relating to businesses allowed to operate on Sunday and days of rest.

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

#### REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER: Your procedural Committee on Delayed Bills (Rep. Kloubec, Chairman) has examined a resolution urging the National Credit Union Administration to refrain from regulations on agricultural lending which

would reduce the ability of North Dakota credit unions to provide agricultural loans to their members.

It shall be numbered HCR 3063.

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

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

#### FIRST READING OF HOUSE CONCURRENT RESOLUTION

Reps. Brokaw, B. Anderson, Nicholas, Byerly, Jacobson introduced:  
(Approved by the Committee on Delayed Bills)

HCR 3063: A concurrent resolution urging the National Credit Union Administration to refrain from regulations on agricultural lending which would reduce the ability of North Dakota credit unions to provide agricultural loans to their members.

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

#### REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER: Your procedural Committee on Delayed Bills (Rep. Kloubec, Chairman) has examined a resolution to create a new section to article X of the Constitution of North Dakota, relating to allocation of certain oil and gas production or extraction tax revenues to the petroleum reserve fund and providing for use of the revenues in the petroleum reserve fund; and to provide an effective date.

It shall be numbered HCR 3064.

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

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

#### FIRST READING OF HOUSE CONCURRENT RESOLUTION

Reps. Tollefson, Jensen, Skjerven and Sens. Krebsbach, Maxson introduced:  
(Approved by the Committee on Delayed Bills)

HCR 3064: A concurrent resolution to create a new section to article X of the Constitution of North Dakota, relating to allocation of certain oil and gas production or extraction tax revenues to the petroleum reserve fund and providing for use of the revenues in the petroleum reserve fund; and to provide an effective date.

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

#### REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER: Your procedural Committee on Delayed Bills (Rep. Kloubec, Chairman) has examined a resolution directing the Legislative Council to study privatization of and contracting for services by the Department of Human Services to provide services that the department is obligated to provide.

It shall be numbered HCR 3065.

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

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

#### FIRST READING OF HOUSE CONCURRENT RESOLUTION

Reps. Scherber, Larson introduced:  
(Approved by the Committee on Delayed Bills)

HCR 3065: A concurrent resolution directing the Legislative Council to study privatization of and contracting for services by the Department of Human Services to provide services that the department is obligated to provide.

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

#### REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER: Your procedural Committee on Delayed Bills (Rep. Kloubec, Chairman) has examined a resolution urging the Governor and all North Dakotans to join in welcoming home all North Dakota personnel called to active military duty in the Persian Gulf War.

It shall be numbered HCR 3066.

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

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

#### FIRST READING OF HOUSE CONCURRENT RESOLUTION

Reps. Kelsch, Oban, Henegar, Coats introduced:

(Approved by the Committee on Delayed Bills)

HCR 3066: A concurrent resolution urging the Governor and all North Dakotans to join in welcoming home all North Dakota personnel called to active military duty in the Persian Gulf War.

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

#### FIRST READING OF SENATE BILL

SB 2004: A BILL for an Act to make an appropriation for defraying the expenses of the various divisions under the supervision of the director of the office of management and budget; to provide an exemption from the provisions of section 54-44.1-11 of the North Dakota Century Code; to provide a statement of legislative intent relating to state employee compensation adjustments; and to establish a committee to authorize public sector supported employment in state agencies and institutions.

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

#### FIRST READING OF SENATE CONCURRENT RESOLUTIONS

SCR 4007: A concurrent resolution directing the Legislative Council to study the feasibility of establishing programs for families and individuals receiving public assistance to permit them to develop skills that will lead to gainful employment.

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

SCR 4017: A concurrent resolution directing the Legislative Council to study the operation and effect of North Dakota's no-fault insurance law in comparison with no-fault insurance laws in other states.

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

SCR 4019: A concurrent resolution directing the Legislative Council to study methods for funding law enforcement training facilities and programs.

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

SCR 4031: A concurrent resolution directing the Legislative Council to study the desirability and feasibility of establishing a public guardianship program for indigent persons.

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

SCR 4032: A concurrent resolution directing the Legislative Council to study the desirability and feasibility of enhancing and improving the ability of existing civil legal services programs to provide for the delivery of civil legal services to the poor and developing equal access to civil legal services for the poor.

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

SCR 4033: A concurrent resolution directing the Legislative Council to study the cost containment effect of the certificate of need law.

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

SCR 4034: A concurrent resolution directing the Legislative Council to study the financial support for mandated special education programs and the method by which the Department of Public Instruction distributes the state grant program funds.

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

SCR 4036: A concurrent resolution directing the Legislative Council to study the structure, organization, and administration of the Workers Compensation Bureau, including the qualifications of the bureau's claims analysts and rehabilitation staff.

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

SCR 4039: A concurrent resolution directing the Legislative Council to study the priority of water rights and North Dakota's water permitting process.

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

SCR 4040: A concurrent resolution directing the Legislative Council to study the conduct of administrative hearings by state agencies.

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

SCR 4041: A concurrent resolution directing the Legislative Council to study tax preferences under existing law, with emphasis on prevention of unfair competitive advantages to entities receiving tax preferences.

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

SCR 4043: A concurrent resolution directing the Legislative Council to review and monitor the implementation of legislation establishing a single trial court of general jurisdiction.

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

SCR 4044: A concurrent resolution directing the Legislative Council to study court cases and state law regarding claim and delivery, as well as attachment.

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

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

ROY GILBREATH, Chief Clerk