

## JOURNAL OF THE HOUSE

## Fifty-second Legislative Assembly

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Bismarck, March 8, 1991

The House convened at 12:30 p.m., with Speaker R. Anderson presiding.

The prayer was offered by the Rev. Bruce Vold, Trinity Lutheran Church, Edinburg, North Dakota.

The roll was called and all members were present except Representatives Gorman, Nelson, Nicholas, and Porter.

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 Forty-second Day and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 969, after line 18, insert the following:

"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 1030, HB 1034, HB 1038, HB 1055, HB 1056, HB 1065, HB 1096, HB 1104, HB 1107, HB 1115, HB 1118, HB 1198, HB 1267."

Page 969, after line 21, insert the following:

"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 1074, HB 1080, HB 1109, HB 1239, HB 1447, HB 1459."

Page 985, delete lines 27 through 37

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

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

MR. SPEAKER: The Senate has passed unchanged: HB 1593, HCR 3007, HCR 3023, HCR 3024, HCR 3057.

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

MR. SPEAKER: The Senate has passed unchanged: HB 1163.

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

MR. SPEAKER: The Senate has amended and subsequently passed: HB 1108, HB 1152, HB 1157, HB 1159, HB 1161, HB 1313, HB 1317.

## SENATE AMENDMENTS TO HB 1108

Page 1, replace lines 18 through 20 with:

"Notwithstanding any other provision of law, if any statutory provision provides for maintenance of a special fund in the state treasury the office of management and budget may require that it not be maintained as a separate fund in the state treasury but that it be maintained as a separate account for accounting purposes."

Renumber accordingly

## SENATE AMENDMENTS TO ENGROSSED HB 1152

Page 1, line 12, overstrike "twenty-five" and insert immediately thereafter "fifty" and remove "; however, any person who operates an unregistered"

Page 1, remove line 13

Page 1, line 14, remove "department must be assessed a fee of one hundred dollars" and after the period insert "A fee against a person violating section 39-24-02 may be reduced by one-half if the person provides proof that the snowmobile has been registered since the violation."

Renumber accordingly

## SENATE AMENDMENTS TO ENGROSSED HB 1157

Page 1, line 12, overstrike "twenty-five" and insert immediately thereafter "fifty" and remove "; however,"

Page 1, remove line 13

Page 1, line 14, remove "recreation department a fee of one hundred dollars must be assessed" and after the period insert "A fee against a person violating section 39-29-02 may be reduced by one-half if the person provides proof that the all-terrain vehicle has been registered since the violation."

Renumber accordingly

## SENATE AMENDMENTS TO ENGROSSED HB 1159

Page 1, line 5, replace "scholarships" with "educational financial aid"

Page 2, line 9, overstrike "scholarships" and insert immediately thereafter "grants of financial aid"

Page 2, line 14, overstrike "scholarship payments" and insert immediately thereafter "financial aid"

Page 2, line 17, overstrike "he" and insert immediately thereafter "the student"

Page 2, line 20, overstrike "he" and insert immediately thereafter "the student" and overstrike "scholarship" and insert immediately thereafter "financial aid"

Page 2, line 23, overstrike "his" and insert immediately thereafter "that student's"

Page 3, line 6, overstrike "him" and insert immediately thereafter "the student" and overstrike "scholarship" and insert immediately thereafter "financial aid"

Page 3, line 7, overstrike "he" and insert immediately thereafter "the student"

Page 3, line 11, overstrike "scholarships" and insert immediately thereafter "financial aid"

Renumber accordingly

## SENATE AMENDMENTS TO HB 1161

Page 1, line 12, after "November" insert "eighth for the judicial branch and November", remove the overstrike over "fifteenth", replace "eighth" with "for the legislative branch", and after "each" insert "even-numbered"

Renumber accordingly

## SENATE AMENDMENTS TO HB 1313

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

Page 1, line 3, replace "; and to amend and reenact section 20.1-03-12.2 of" with a period

Page 1, remove line 4

Page 1, line 6, replace "Two" with "Three"

Page 1, after line 10, insert:

"For a resident and nonresident sandhill crane license, five dollars."

Page 1, remove lines 11 through 19

Renumber accordingly

## SENATE AMENDMENTS TO HB 1317

Page 1, line 13, after "sale" insert "of a product with a purchase price greater than fifty dollars"

Page 1, line 15, after "chapter" insert ", or must be provided a written agreement that meets the requirements of section 51-18-04"

Page 2, line 23, remove "If,"

Page 2, remove lines 24 and 25

Page 2, line 26, remove "business day after the date of this transaction."

Page 3, line 9, remove "If you are sixty-"

Page 3, remove lines 10 through 12

Page 4, after line 7, insert:

"If the buyer is sixty-five years of age or older, and the purchase price of the product is greater than fifty dollars, the agreement required by this chapter must either state that the buyer may cancel the agreement within fifteen business days in accordance with this chapter, or state in a conspicuous manner that if the buyer is not satisfied with the product for any reason, the buyer may contact the seller within a period of not less than thirty days from the date of purchase for a full refund of the purchase price, if the product has not been intentionally damaged or misused."

Renumber accordingly

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

MR. PRESIDENT: The House has failed to pass: SB 2475.

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

MR. PRESIDENT: The House has amended and subsequently passed: SB 2425.

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

MR. PRESIDENT: The House has passed unchanged: SB 2059, SB 2060, SB 2089, SB 2143, SB 2182, SB 2189, SB 2355, SB 2381, SB 2393, SB 2406, SB 2437, SB 2555, SCR 4064.

## HOUSE ENROLLING REPORT

The following bills were enrolled: HB 1154, HB 1181, HB 1209, HB 1307, HB 1366, HB 1371, HB 1390, HB 1398, HB 1399, HB 1501, HB 1580.

## SIGNING of BILLS and RESOLUTIONS

The Speaker signed the following enrolled bills: HB 1154, HB 1181, HB 1209, HB 1307, HB 1366, HB 1371, HB 1390, HB 1398, HB 1399, HB 1501, HB 1580.

## 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 1154, HB 1181, HB 1209, HB 1307, HB 1366, HB 1371, HB 1390, HB 1398, HB 1399, HB 1501, HB 1580.

## MOTIONS

REP. DORSO MOVED that the House reconsider its action whereby the committee report was accepted and SB 2534 was placed on the Sixth order of business on the calendar, which motion prevailed.

REP. DORSO MOVED that SB 2534 be rereferred to the Committee on Industry, Business and Labor, which motion prevailed. Pursuant to Rep. Dorso's motion, SB 2534 was rereferred.

REP. KLOUBEC MOVED that the House consider all bills on the Sixth order, with the exception of SB 2214, in one motion, which motion prevailed.

REP. KLOUBEC MOVED that SB 2214 be laid over one legislative day, which motion prevailed.

REP. KLOUBEC MOVED that the rules be suspended and that the amendments to SB 2181, SB 2210, SB 2274, SB 2329, SB 2351, SB 2353, and SB 2422 be adopted, which motion prevailed.

SB 2181, SB 2210, SB 2274, SB 2329, SB 2351, SB 2353, and SB 2422, as amended, were placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

## MOTIONS

REP. THORPE MOVED that the House reconsider its action whereby SB 2341 failed to pass.

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

The question being on the motion that the House reconsider its action whereby SB 2341 failed to pass, which motion lost on a verification vote.

## SECOND READING OF SENATE BILLS

SB 2106: A BILL for an Act to amend and reenact subsections 1 and 2 of section 15-47-46 of the North Dakota Century Code, relating to the attainment of certification to teach kindergarten, elementary school, or middle school.

## 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, 0 NAYS, 0 EXCUSED, 5 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; 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; Olsen, D.; Olson, A.; Payne; Peterson; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schimke; Schindler; Schmidt; Schneider; Shide; Skjerven; Snyder; Soukup; St. Aubyn; Starke; Svedjan; Thompson; Thorpe; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Whalen; Wilkie; Williams; Speaker R. Anderson

ABSENT AND NOT VOTING: Gorman; Nelson; Porter; Skar; Stofferahn

SB 2106 passed and the title was agreed to.

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SB 2108: A BILL for an Act to amend and reenact sections 15-27.1-11 and 15-40.2-09 of the North Dakota Century Code, relating to foundation aid payments for attendance of students at out-of-state schools.

#### 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 96 YEAS, 4 NAYS, 0 EXCUSED, 6 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; Hausauer; Henegar; Hokana; Howard; Huether; Jacobson; Jensen; Kaldor; Kelsch; Kloubec; Kolbo; Kretschmar; Kroeber; Kunkel; Larson; Laughlin; Linderman; Mahoney; Martin; Martinson; Miller; Mutzenberger; Myrdal; Nicholas; Nichols; Nowatzki; Oban; Olsen, D.; Olson, A.; Payne; Peterson; Price; Pyle; Rennerfeldt; Ring; Rydell; Scherber; Schimke; Schindler; Schmidt; Schneider; Shide; Skjerven; Snyder; Soukup; St. Aubyn; Starke; Svedjan; Thompson; Thorpe; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Wilkie; Williams; Speaker R. Anderson

NAYS: Kerzman; Meyer; Muhs; Ritter

ABSENT AND NOT VOTING: Gorman; Nelson; Porter; Skar; Stofferahn; Whalen

SB 2108 passed and the title was agreed to.

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SB 2158: A BILL for an Act to amend and reenact section 23-16-11 of the North Dakota Century Code, relating to civil penalties for violating nursing facility licensing requirements.

#### 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, 0 NAYS, 0 EXCUSED, 5 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; 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; Olsen, D.; Olson, A.; Payne; Peterson; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schimke; Schindler; Schmidt; Schneider; Shide; Skjerven; Snyder; Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Thompson; Thorpe; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Wilkie; Williams; Speaker R. Anderson

ABSENT AND NOT VOTING: Gorman; Nelson; Porter; Skar; Whalen

SB 2158 passed and the title was agreed to.

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## MOTION

REP. TOLLEFSON MOVED that the House waive the reading of the titles to SB 2173, SB 2266, SB 2073, and SB 2196, which motion prevailed.

## SECOND READING OF SENATE BILLS

SB 2173: A BILL for an Act to amend and reenact sections 6-02-01, 6-03-02.2, 6-05-01, 6-05-03, 6-06-06.1, and 7-02-08.1 of the North Dakota Century Code, relating to a trust company engaging in bank business, issuance of certificates of deposits, and application information and capital requirements for the organization of a trust company; and to repeal section 6-05-08.1 of the North Dakota Century Code, relating to certificates of deposit.

## 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, 0 NAYS, 0 EXCUSED, 5 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; 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; Olsen, D.; Olson, A.; Payne; Peterson; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schimke; Schindler; Schmidt; Schneider; Shide; Skjerven; Snyder; Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Thompson; Thorpe; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Wilkie; Williams; Speaker R. Anderson

ABSENT AND NOT VOTING: Gorman; Nelson; Porter; Skar; Whalen

SB 2173 passed and the title was agreed to.

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SB 2266: A BILL for an Act to create and enact a new subsection to section 26.1-01-07, a new subsection to section 26.1-03-17, and a new section to chapter 26.1-08 of the North Dakota Century Code, relating to fees chargeable by the commissioner of insurance, collection of insurance premium taxes, and the comprehensive health association; to amend and reenact subsections 15 and 16 of section 26.1-01-07, subsection 2 of section 26.1-03-17, sections 26.1-04-11, 26.1-07-04, subdivision c of subsection 2 of section 26.1-10-02, sections 26.1-16-24, 26.1-17-23, 26.1-17-31, 26.1-19-10, 26.1-26-03, subdivision b of subsection 4 of section 26.1-31.2-01 of the North Dakota Century Code as created by section 12 of House Bill No. 1242, as approved by the fifty-second legislative assembly, section 26.1-33-02, subsections 9 and 13 of section 26.1-33-05, sections 26.1-33-12, 26.1-33-37, subdivisions e and o of subsection 1 of section 26.1-36-04, sections 26.1-36-29, 26.1-36-36.2, subsections 1 and 2 of section 26.1-38.1-01, subsections 2, 3, and 4 of section 26.1-38.1-05, subsection 2 of section 26.1-38.1-16, sections 26.1-42-01, 32-12.1-05, and subsection 1 of section 32-12.1-15 of the North Dakota Century Code, relating to fees chargeable by the commissioner of insurance, collection of insurance premium taxes, immunity from prosecution, investments of domestic insurance companies, insurance company annual statement filing date, licensing of sales representatives of nonprofit health service corporations, filing date for annual statements of nonprofit health service corporations, licensing of sales representatives of prepaid legal service organizations, penalty for selling insurance without a license, credit allowed a domestic ceding insurer, solicitation of life insurance, interest on death claims, group life policy conversion privileges, suicide defense to life policy or certificates, accident

and health insurance policy provisions, coordination of benefits in individual and group accident and health policies, noncustodial care coverage, life and health insurance guaranty association, property and casualty insurance guaranty association, and purchase of liability insurance and participation in self-insurance pools by political subdivisions and state agencies; and to provide a penalty.

## 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 90 YEAS, 10 NAYS, 0 EXCUSED, 6 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; DeMers; DeWitz; Dorso; Enget; Erickson; Flaagan; Freier; Gabrielson; Gates; Gerntholz; Gilmore; Goffe; Gorder; Grumbo; Hanson; Hausauer; Henegar; Hokana; Howard; Huether; Jacobson; Jensen; Kaldor; Kelsch; Kerzman; Kolbo; Kretschmar; Kroeber; Kunkel; Larson; Laughlin; Linderman; Mahoney; Martin; Meyer; Miller; Muhs; Mutzenberger; Nicholas; Nichols; Nowatzki; Oban; Olsen, D.; Payne; Peterson; Price; Pyle; Rennerfeldt; Ring; Rydell; Scherber; Schindler; Schmidt; Schneider; Shide; Skjerven; Snyder; Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Thompson; Thorpe; Tollefson; Trautman; Urlacher; Wardner; Wentz; Wilkie; Williams; Speaker R. Anderson

NAYS: Carlisle; Delzer; Grosz; Martinson; Myrdal; Olson, A.; Ritter; Schimke; Timm; Wald

ABSENT AND NOT VOTING: Gorman; Kloubec; Nelson; Porter; Skar; Whalen

Engrossed SB 2266 passed and the title was agreed to.

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SB 2471: A BILL for an Act to amend and reenact section 34-14-02 of the North Dakota Century Code, relating to the direct deposit of an employee's paycheck in the financial institution of that employee's choice.

## 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 13 YEAS, 88 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Carlson; Delzer; Huether; Kaldor; Kretschmar; Scherber; Schimke; Schneider; Soukup; Wald; Wardner

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

ABSENT AND NOT VOTING: Gorman; Nelson; Porter; Skar; Whalen

SB 2471 was declared lost.

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SB 2551: A BILL for an Act to amend and reenact subsection 5 of section 15-47-38 of the North Dakota Century Code, relating to the standard of review to be implemented by the district court in reviewing and ruling upon litigation involving nonrenewals of teachers' contracts.

#### 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, 72 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Bodine; Boucher; Carlson; Coats; DeMers; Gabrielson; Goffe; Hanson; Hokana; Kelsch; Kolbo; Kretschmar; Kroeber; Mahoney; Martinson; Nicholas; Nowatzki; Oban; Peterson; Pyle; Ring; Ritter; Scherber; Schneider; Snyder; Stofferahn; Wardner; Wentz; Williams

NAYS: Aarsvold; Bateman; Belter; Berg, G.; Berg, R.; Bernstein; Boehm; Brokaw; Brown; Byerly; Carlisle; Clayburgh; Cleary; Dalrymple; Delzer; DeWitz; Dorso; Enget; Erickson; Flaagan; Freier; Gates; Gerntholz; Gilmore; Gorder; Grosz; Grumbo; Hausauer; Henegar; Howard; Huether; Jacobson; Jensen; Kaldor; Kerzman; Kloubec; Kunkel; Larson; Laughlin; Linderman; Martin; Meyer; Miller; Muhs; Mutzenberger; Myrdal; Nichols; Olsen, D.; Olson, A.; Payne; Price; Rennerfeldt; Rydell; Schimke; Schindler; Schmidt; Shide; Skjerven; Soukup; St. Aubyn; Starke; Svedjan; Thompson; Thorpe; Timm; Tollefson; Trautman; Urlacher; Wald; Whalen; Wilkie; Speaker R. Anderson

ABSENT AND NOT VOTING: Gorman; Nelson; Porter; Skar

SB 2551 was declared lost.

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SB 2073: A BILL for an Act to amend and reenact sections 15-10-14.2, 15-59-05.2, 21-11-05, 24-02-37.1, 38-14.1-04.2, 48-10-02, 49-21-22, 54-01-17.2, 54-12-14, 54-35-02.5, 54-40.2-05.1, 54-44.4-04, 54-52-06, 54-52.1-04.3, 54-55-04, and 57-01-11.1 of the North Dakota Century Code, relating to the legislative council; to repeal section 49-21-22, relating to the regulatory reform review commission; and to provide 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 101 YEAS, 0 NAYS, 0 EXCUSED, 5 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; Gorder; 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; Olsen, D.; Olson, A.; Payne; Peterson; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schimke; Schindler; Schmidt; Schneider; Shide; 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: Goffe; Gorman; Nelson; Porter; Skar

Engrossed SB 2073 passed and the title was agreed to.

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SB 2080: A BILL for an Act to authorize the state board of higher education to exchange certain state-owned land at Bismarck state college for certain property owned by the Theodore Roosevelt Medora foundation.

## 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, 0 NAYS, 0 EXCUSED, 6 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; Gorder; 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; Muhs; Mutzenberger; Myrdal; Nicholas; Nichols; Nowatzki; Oban; Olsen, D.; Olson, A.; Payne; Peterson; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schimke; Schindler; Schmidt; Schneider; Shide; 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: Goffe; Gorman; Miller; Nelson; Porter; Skar

SB 2080 passed and the title was agreed to.

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SB 2093: A BILL for an Act to create and enact a new subsection to section 54-52-01 and a new section to chapter 54-52 of the North Dakota Century Code, relating to the definition of a national guard security officer or firefighter and contributions under the public employees retirement system; to amend and reenact section 37-03-04, subsection 3 of section 54-52-05, subsections 3 and 4 of section 54-52-17, and subsection 1 of section 54-52.1-03.2 of the North Dakota Century Code, relating to determination by the adjutant general of national guard membership requirements, retirement benefits of national guard security officers or firefighters under the public employees retirement system, and the retiree health benefits fund; and to provide for application of this Act.

## MOTION

REP. TOLLEFSON MOVED that the House waive the reading of the title to SB 2093, 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 100 YEAS, 0 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Bateman; Belter; Berg, G.; Berg, R.; Bodine; Boehm; Boucher; Brokaw; Brown; Byerly; Carlisle; Carlson; Clayburgh; Cleary; Coats; Dalrymple; Delzer; DeMers; DeWitz; Dorso; Enget; Erickson; Flaagan; Freier; Gabrielson; Gates; Gerntholz; Gilmore; Gorder; 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; Olsen, D.; Olson, A.; Payne; Peterson; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schimke; Schindler; Schmidt; Schneider; Shide; 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: Bernstein; Goffe; Gorman; Nelson; Porter; Skar

Engrossed SB 2093 passed and the title was agreed to.

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SB 2095: A BILL for an Act to create and enact section 47-30.1-03.1 of the North Dakota Century Code, relating to recovery of unclaimed property.

#### 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, 5 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

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

NAYS: Aarsvold; Gilmore; Kaldor; Olson, A.; Ring

ABSENT AND NOT VOTING: Goffe; Gorman; Nelson; Porter; Skar

Engrossed SB 2095 passed and the title was agreed to.

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SB 2102: A BILL for an Act to amend and reenact section 54-42-03 and subsection 1 of section 54-44.3-12 of the North Dakota Century Code, relating to the duties of the director of the central personnel division and the powers and duties of the merit system council.

#### 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, 0 NAYS, 0 EXCUSED, 7 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; Enget; Erickson; Flaagan; Freier; Gabrielson; Gates; Gerntholz; Gilmore; Gorder; Grosz; Grumbo; Hanson; Hausauer; Henegar; Hokana; Howard; Huether; Jacobson; Jensen; Kaldor; Kelsch; Kerzman; Kloubec; Kolbo; Kretschmar; Kroeber; Kunkel; Larson; Laughlin; Linderman; Martin; Martinson; Meyer; Miller; Muhs; Mutzenberger; Myrdal; Nicholas; Nichols; Nowatzki; Oban; Olsen, D.; Olson, A.; Payne; Peterson; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schimke; Schindler; Schmidt; Schneider; Shide; 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: Dorso; Goffe; Gorman; Mahoney; Nelson; Porter; Skar

Engrossed SB 2102 passed and the title was agreed to.

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SB 2152: A BILL for an Act to create and enact four new sections to chapter 37-17.1 of the North Dakota Century Code, relating to mutual aid agreements between political subdivisions and between North Dakota and other states or provinces in times of an actual or potential disaster or emergency situation or incident.

## 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, 0 NAYS, 0 EXCUSED, 6 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; Gorder; 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; Olsen, D.; Payne; Peterson; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schimke; Schindler; Schmidt; Schneider; Shide; 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: Goffe; Gorman; Nelson; Olson, A.; Porter; Skar

Engrossed SB 2152 passed and the title was agreed to.

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SB 2196: A BILL for an Act to create and enact a new section to chapter 15-39.1 of the North Dakota Century Code, relating to federal limitations on retirement benefits under the teachers' fund for retirement; to amend and reenact subsection 9 of section 15-39.1-04, subsection 2 of section 15-39.1-09, section 15-39.1-22, and subsections 2 and 7 of section 15-39.1-24 of the North Dakota Century Code, relating to the definition of salary, employer payment of member assessments, an annual audit under the teachers' fund for retirement, and military service credit for members; 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 100 YEAS, 0 NAYS, 0 EXCUSED, 6 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; Gorder; 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; Olsen, D.; Payne; Peterson; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schimke; Schindler; Schmidt; Schneider; Shide; 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: Goffe; Gorman; Nelson; Olson, A.; Porter; Skar

Engrossed SB 2196 passed and the title was agreed to.

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SB 2356: A BILL for an Act to amend and reenact section 51-05.1-04 of the North Dakota Century Code, relating to written contracts for the sale of property by auctioneers and auction clerks.

## 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 98 YEAS, 1 NAY, 0 EXCUSED, 7 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; 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; Mutzenberger; Myrdal; Nicholas; Nichols; Nowatzki; Oban; Olsen, D.; Olson, A.; Payne; Peterson; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schimke; Schindler; Schmidt; Schneider; Shide; Skjerven; Soukup; St. Aubyn; Starke; Svedjan; Thompson; Thorpe; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Whalen; Wilkie; Williams; Speaker R. Anderson

NAYS: Stofferahn

ABSENT AND NOT VOTING: Goffe; Gorman; Hausauer; Muhs; Nelson; Porter; Skar

Engrossed SB 2356 passed and the title was agreed to.

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## MOTIONS

REP. KLOUBEC MOVED that SCR 4011 and SCR 4020, be laid over three legislative days, which motion prevailed.

REP. KLOUBEC MOVED that SB 2210 be laid over one legislative day, which motion prevailed.

REP. KLOUBEC MOVED that the rules be suspended and that SB 2181, SB 2274, SB 2329, SB 2351, SB 2353 and SB 2422 be placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

## SECOND READING OF SENATE BILLS

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.

## 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 100 YEAS, 0 NAYS, 0 EXCUSED, 6 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; Gorder; 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; Olsen, D.; Olson, A.; Payne; Peterson; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schimke; Schindler; Schneider; Shide; 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: Goffe; Gorman; Nelson; Porter; Schmidt; Skar

SB 2181 passed and the title was agreed to.

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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.

#### 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 96 YEAS, 2 NAYS, 0 EXCUSED, 8 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; 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; Olsen, D.; Olson, A.; Payne; Peterson; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schimke; Schneider; Shide; Skjerven; Soukup; St. Aubyn; Starke; Svedjan; Thompson; Thorpe; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Whalen; Wilkie; Williams; Speaker R. Anderson

NAYS: Gorder; Schindler

ABSENT AND NOT VOTING: Goffe; Gorman; Nelson; Porter; Schmidt; Skar; Snyder; Stofferahn

SB 2274 passed and the title was agreed to.

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SB 2329: A BILL for an Act to amend and reenact section 39-07-08 of the North Dakota Century Code, relating to scheduling of court hearings for certain traffic offenders.

#### 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, 0 NAYS, 0 EXCUSED, 5 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; Gorder; 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; Olsen, D.; Olson, A.; Payne; Peterson; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schimke; Schindler; Schmidt; Schneider; Shide; 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: Goffe; Gorman; Nelson; Porter; Skar

SB 2329 passed and the title was agreed to.

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SB 2351: A BILL for an Act to create and enact a new section to chapter 27-07.1 of the North Dakota Century Code, relating to the creation of a county court judge compensation commission; and to provide an expiration date.

#### 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 92 YEAS, 9 NAYS, 0 EXCUSED, 5 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; DeWitz; Dorso; Enget; Erickson; Flaagan; Freier; Gabrielson; Gates; Gerntholz; Gilmore; Gorder; Grumbo; Hanson; Hausauer; Henegar; Hokana; Howard; Huether; Jacobson; Jensen; Kelsch; Kerzman; Kloubec; Kolbo; Kretschmar; Kroeber; Kunkel; Larson; Laughlin; Linderman; Mahoney; Martin; Martinson; Meyer; Miller; Muhs; Mutzenberger; Myrdal; Nicholas; Nichols; Nowatzki; Oban; Olsen, D.; Olson, A.; Payne; Peterson; Price; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schimke; Schindler; Schmidt; Schneider; Shide; Skjerven; Snyder; Soukup; St. Aubyn; Starke; Svedjan; Thompson; Timm; Tollefson; Trautman; Urlacher; Wardner; Wentz; Whalen; Williams; Speaker R. Anderson

NAYS: Brokaw; DeMers; Grosz; Kaldor; Pyle; Stofferahn; Thorpe; Wald; Wilkie

ABSENT AND NOT VOTING: Goffe; Gorman; Nelson; Porter; Skar

SB 2351 passed and the title was agreed to.

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SB 2353: A BILL for an Act to amend and reenact subsection 1 of section 47-18-05.1 of the North Dakota Century Code, relating to notice of waiver of homestead exemption.

#### 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 98 YEAS, 1 NAY, 0 EXCUSED, 7 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; Dalrymple; Delzer; DeMers; DeWitz; Dorso; Enget; Erickson; Flaagan; Gabrielson; Gates; Gerntholz; Gilmore; Gorder; 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; Muhs; Mutzenberger; Myrdal; Nicholas; Nichols; Nowatzki; Oban; Olsen, D.; Olson, A.; Payne; Peterson; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schimke; Schindler; Schmidt; Schneider; Shide; Skjerven; Snyder; Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Thompson; Thorpe; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Whalen; Wilkie; Williams; Speaker R. Anderson

NAYS: Freier

ABSENT AND NOT VOTING: Coats; Goffe; Gorman; Miller; Nelson; Porter; Skar

SB 2353 passed and the title was agreed to.

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SB 2422: A BILL for an Act to amend and reenact subsection 1 of section 57-40.6-02 of the North Dakota Century Code, relating to the excise tax that counties or cities may impose on telephone access lines.

#### 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 82 YEAS, 19 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Bateman; Berg, G.; Berg, R.; Bernstein; Bodine; Boucher; Brokaw; Byerly; Carlson; Cleary; Coats; Dalrymple; DeMers; Dorso; Enget; Flaagan; Freier; Gabrielson; Gates; Gerntholz; Gilmore; Gorder; Grumbo; Hausauer; Henegar; Hokana; Huether; Jacobson; Jensen; Kaldor; Kerzman; Kloubec; Kolbo; Kretschmar; Kroeber; Kunkel; Larson; Laughlin; Linderman; Martin; Meyer; Miller; Muhs; Mutzenberger; Myrdal; Nicholas; Nichols; Nowatzki; Oban; Olsen, D.; Olson, A.; Payne; Peterson; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schmidt; Schneider; Shide; Snyder; St. Aubyn; Starke; Stofferahn; Svedjan; Thompson; Thorpe; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Whalen; Wilkie; Williams; Speaker R. Anderson

NAYS: Belter; Boehm; Brown; Carlisle; Clayburgh; Delzer; DeWitz; Erickson; Grosz; Hanson; Howard; Kelsch; Mahoney; Martinson; Schimke; Schindler; Skjervén; Soukup; Timm

ABSENT AND NOT VOTING: Goffe; Gorman; Nelson; Porter; Skar

SB 2422 passed and the title was agreed to.

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#### SECOND READING OF SENATE CONCURRENT RESOLUTION ON CONSENT CALENDAR

SCR 4002: A concurrent resolution directing the Legislative Council to study the feasibility and ramifications of adopting and implementing a state-subsidized health insurance program for uninsured and underinsured residents.

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

The resolution was declared adopted on a voice vote.

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#### REQUEST

REP. COATS REQUESTED that the record show that he intended to vote "Yea" on SB 2353, which request was granted.

#### MOTION

REP. KLOUBEC MOVED that the rules be suspended and that all bills on the Twelfth order, on which the House does concur in the Senate amendments, be deemed properly engrossed and placed on the Eleventh order, as amended, for second reading and final passage, which motion prevailed.

#### CONSIDERATION OF MESSAGE FROM THE SENATE

REP. BELTER MOVED that the House do concur in the Senate amendments to Engrossed HB 1114 as printed on HJ page 909, which motion prevailed.

#### SECOND READING OF HOUSE BILL

HB 1114: A BILL for an Act to amend and reenact section 39-24-03 of the North Dakota Century Code, relating to registration of snowmobiles.

## ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 101 YEAS, 0 NAYS, 0 EXCUSED, 5 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; Gorder; 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; Olsen, D.; Olson, A.; Payne; Peterson; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schimke; Schindler; Schmidt; Schneider; Shide; 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: Goffe; Gorman; Nelson; Porter; Skar

Reengrossed HB 1114 passed and the title was agreed to.

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## CONSIDERATION OF MESSAGE FROM THE SENATE

REP. TIMM MOVED that the House do concur in the Senate amendments to HB 1195 as printed on HJ page 934, which motion prevailed.

## SECOND READING OF HOUSE BILL

HB 1195: A BILL for an Act to create and enact section 57-37.1-09.1 of the North Dakota Century Code, relating to liens for estate taxes; to amend and reenact sections 47-19-06 and 57-37.1-09 of the North Dakota Century Code, relating to liens for estate taxes and the termination of interests in joint tenancy and life estates; and to provide an effective date.

## ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 36 YEAS, 63 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Berg, G.; Berg, R.; Bernstein; Boucher; Brokaw; Cleary; Coats; Dorso; Freier; Gates; Gerntholz; Henegar; Howard; Jacobson; Jensen; Kloubec; Kolbo; Kroeber; Kunkel; Larson; Linderman; Martin; Martinson; Miller; Muhs; Mutzenberger; Nichols; Peterson; Ritter; Rydell; Scherber; Tollefson; Urlacher; Wardner; Wentz

NAYS: Aarsvold; Bateman; Belter; Bodine; Boehm; Brown; Byerly; Carlisle; Carlson; Clayburgh; Dalrymple; Delzer; DeMers; DeWitz; Enget; Erickson; Flaagan; Gabrielson; Gilmore; Gorder; Grosz; Grumbo; Hanson; Hausauer; Hokana; Huether; Kaldor; Kelsch; Kerzman; Kretschmar; Laughlin; Mahoney; Myrdal; Nicholas; Nowatzki; Oban; Olsen, D.; Olson, A.; Payne; Price; Pyle; Rennerfeldt; Ring; Schimke; Schindler; Schmidt; Schneider; Shide; Skjerven; Snyder; Soukup; St. Aubyn; Stofferahn; Svedjan; Thompson; Thorpe; Timm; Trautman; Wald; Whalen; Wilkie; Williams; Speaker R. Anderson

ABSENT AND NOT VOTING: Goffe; Gorman; Meyer; Nelson; Porter; Skar; Starke

Engrossed HB 1195 was declared lost.

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## CONSIDERATION OF MESSAGE FROM THE SENATE

REP. BELTER MOVED that the House do concur in the Senate amendments to Engrossed HB 1224 as printed on HJ page 934, which motion prevailed.

## SECOND READING OF HOUSE BILL

HB 1224: A BILL for an Act to amend and reenact section 39-03-04 of the North Dakota Century Code, relating to qualifications of appointees to the highway patrol.

## ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 83 YEAS, 18 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Bateman; Belter; Berg, G.; Berg, R.; Bernstein; Bodine; Brokaw; Byerly; Carlisle; Carlson; Clayburgh; Cleary; Coats; DeMers; DeWitz; Dorso; Enget; Erickson; Flaagan; Gabrielson; Gerntholz; Gilmore; Gorder; Grosz; Grumbo; Hanson; Hausauer; Henegar; Hokana; Howard; Huether; Jacobson; Jensen; Kaldor; Kerzman; Kloubec; Kolbo; Kretschmar; Kroeber; Kunkel; Larson; Laughlin; Linderman; Mahoney; Martinson; Meyer; Miller; Mutzenberger; Myrdal; Nicholas; Nowatzki; Oban; Olson, A.; Payne; Peterson; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schindler; Schmidt; Schneider; Shide; Skjerven; Snyder; Soukup; Starke; Stofferahn; Svedjan; Thorpe; Timm; Tollefson; Trautman; Wald; Wardner; Wentz; Whalen; Williams

NAYS: Boehm; Boucher; Brown; Dalrymple; Delzer; Freier; Gates; Kelsch; Martin; Muhs; Nichols; Olsen, D.; Schimke; St. Aubyn; Thompson; Urlacher; Wilkie; Speaker R. Anderson

ABSENT AND NOT VOTING: Goffe; Gorman; Nelson; Porter; Skar

HB 1224 passed and the title was agreed to.

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## CONSIDERATION OF MESSAGE FROM THE SENATE

REP. DORSO MOVED that the House do concur in the Senate amendments to Engrossed HB 1411 as printed on HJ page 952, which motion prevailed.

## SECOND READING OF HOUSE BILL

HB 1411: A BILL for an Act relating to prohibiting conditioning acceptance of a check on being supplied a credit card number; and to provide a penalty.

## ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 100 YEAS, 0 NAYS, 0 EXCUSED, 6 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; Gorder; 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; Olsen, D.; Olson, A.; Payne; Peterson; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schimke; Schindler; Schmidt; Schneider; Shide; Skjerven; Snyder; Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Thompson; Thorpe; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Whalen; Wilkie; Williams; Speaker R. Anderson

ABSENT AND NOT VOTING: Goffe; Gorman; Nelson; Porter; Skar; Timm

HB 1411 passed and the title was agreed to.

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#### CONSIDERATION OF MESSAGE FROM THE SENATE

REP. DORSO MOVED that the House do concur in the Senate amendments to Engrossed HB 1412 as printed on HJ page 952, which motion prevailed.

#### SECOND READING OF HOUSE BILL

HB 1412: A BILL for an Act to amend and reenact section 38-08-22 of the North Dakota Century Code, relating to regulation of welders; and to provide a penalty.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 95 YEAS, 5 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

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

NAYS: Brokaw; Carlson; Coats; DeMers; Gilmore

ABSENT AND NOT VOTING: Goffe; Gorman; Kroeber; Nelson; Porter; Skar

HB 1412 passed and the title was agreed to.

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#### CONSIDERATION OF MESSAGE FROM THE SENATE

REP. DORSO MOVED that the House do concur in the Senate amendments to HB 1480 as printed on HJ pages 934-935, which motion prevailed.

#### SECOND READING OF HOUSE BILL

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 amended bill, which has been read, the roll was called and there were 101 YEAS, 0 NAYS, 0 EXCUSED, 5 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; Gorder; 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; Olsen, D.; Olson, A.; Payne; Peterson; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schimke; Schindler; Schmidt; Schneider; Shide; 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: Goffe; Gorman; Nelson; Porter; Skar

Engrossed HB 1480 passed and the title was agreed to.

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#### CONSIDERATION OF MESSAGE FROM THE SENATE

REP. A. OLSON MOVED that the House do concur in the Senate amendments to Engrossed HB 1035 as printed on HJ page 969, which motion prevailed.

#### SECOND READING OF HOUSE BILL

HB 1035: A BILL for an Act to create and enact a new subsection to section 20.1-03-12 and a new section to chapter 20.1-03 of the North Dakota Century Code, relating to the establishment of a combination game and fish license.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 94 YEAS, 6 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

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

NAYS: Brown; Carlisle; Henegar; Howard; Martinson; Soukup

ABSENT AND NOT VOTING: Goffe; Gorman; Nelson; Porter; Skar; Skjerven

HB 1035 passed and the title was agreed to.

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#### CONSIDERATION OF MESSAGE FROM THE SENATE

REP. BELTER MOVED that the House do concur in the Senate amendments to HB 1070 as printed on HJ page 934, which motion prevailed.

#### SECOND READING OF HOUSE BILL

HB 1070: A BILL for an Act to create and enact a new section to chapter 39-05 of the North Dakota Century Code, relating to the adoption of rules by the department of transportation with respect to body damage disclosures on motor vehicle certificates of title; to amend and reenact section 39-05-20.2 of the North Dakota Century Code, relating to the issuance of salvage certificates of title; and to provide a penalty.

## ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 101 YEAS, 0 NAYS, 0 EXCUSED, 5 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; Gordier; 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; Olsen, D.; Olson, A.; Payne; Peterson; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schimke; Schindler; Schmidt; Schneider; Shide; 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: Goffe; Gorman; Nelson; Porter; Skar

HB 1070 passed and the title was agreed to.

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## COMMUNICATION FROM GOVERNOR GEORGE A. SINNER

March 8, 1991

This is to inform you that on March 8, 1991, I signed the following:

HB 1057, HB 1066, HB 1076, HB 1088, HB 1089, HB 1090, HB 1097, HB 1121, HB 1129, HB 1134, HB 1142, HB 1144, HB 1147, HB 1149, HB 1171, HB 1183, HB 1184, HB 1197, HB 1220, HB 1238, HB 1241, HB 1254, HB 1315, HB 1335, HB 1359, HB 1397, HB 1429, HB 1442, HB 1557.

## DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following bills were delivered to the Governor for his approval at the hour of 2:43 p.m., March 8, 1991: HB 1030, HB 1034, HB 1038, HB 1055, HB 1056, HB 1065, HB 1074, HB 1080, HB 1096, HB 1104, HB 1107, HB 1109, HB 1115, HB 1118, HB 1198, HB 1239, HB 1267, HB 1447, HB 1459.

## 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, 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., Monday, March 11, 1991, which motion prevailed.

## REPORTS OF STANDING COMMITTEES

SB 2082, as engrossed: Committee on Natural Resources (Rep. A. Olson, Chairman) recommends DO PASS (10 YEAS, 4 NAYS, 2 ABSENT AND NOT VOTING). SB 2082 was placed on the Fourteenth order on the calendar.

SB 2092: Committee on Natural Resources (Rep. A. Olson, Chairman) recommends DO PASS (11 YEAS, 0 NAYS, 5 ABSENT AND NOT VOTING). SB 2092 was placed on the Fourteenth order on the calendar.

SB 2132: Committee on Agriculture (Rep. Nicholas, Chairman) recommends DO PASS (13 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING). SB 2132 was placed on the Fourteenth order on the calendar.

- SB 2136: Committee on Agriculture (Rep. Nicholas, Chairman) recommends DO PASS (12 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). SB 2136 was placed on the Fourteenth order on the calendar.
- SB 2145, as engrossed: Committee on Agriculture (Rep. Nicholas, Chairman) recommends DO PASS (11 YEAS, 4 NAYS, 2 ABSENT AND NOT VOTING). SB 2145 was placed on the Fourteenth order on the calendar.
- SB 2147: Committee on Natural Resources (Rep. A. Olson, Chairman) recommends DO PASS (14 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2147 was placed on the Fourteenth order on the calendar.
- SB 2149: Committee on Agriculture (Rep. Nicholas, Chairman) recommends DO PASS (16 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2149 was placed on the Fourteenth order on the calendar.
- SB 2159: Committee on Natural Resources (Rep. A. Olson, Chairman) recommends DO PASS (12 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING). SB 2159 was placed on the Fourteenth order on the calendar.
- SB 2178, as engrossed: Committee on Agriculture (Rep. Nicholas, Chairman) recommends DO PASS (15 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2178 was placed on the Fourteenth order on the calendar.
- SB 2191: Committee on Agriculture (Rep. Nicholas, Chairman) recommends DO PASS (16 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2191 was placed on the Fourteenth order on the calendar.
- SB 2209, as engrossed: Committee on Natural Resources (Rep. A. Olson, Chairman) recommends DO PASS (9 YEAS, 3 NAYS, 4 ABSENT AND NOT VOTING). SB 2209 was placed on the Fourteenth order on the calendar.
- SB 2232, as engrossed: Committee on Natural Resources (Rep. A. Olson, Chairman) recommends DO PASS (13 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). SB 2232 was placed on the Fourteenth order on the calendar.
- SB 2244: Committee on State and Federal Government (Rep. Martinson, Chairman) recommends DO PASS (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2244 was placed on the Fourteenth order on the calendar.
- SB 2278: Committee on Agriculture (Rep. Nicholas, Chairman) recommends DO PASS (11 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). SB 2278 was placed on the Fourteenth order on the calendar.
- SB 2298: Committee on Political Subdivisions (Rep. Martin, Chairman) recommends DO PASS (13 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING). SB 2298 was placed on the Fourteenth order on the calendar.
- SB 2308: Committee on Political Subdivisions (Rep. Martin, Chairman) recommends DD NOT PASS (11 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING). SB 2308 was placed on the Fourteenth order on the calendar.
- SB 2349: Committee on Political Subdivisions (Rep. Martin, Chairman) recommends DO PASS (16 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2349 was placed on the Fourteenth order on the calendar.
- SB 2350, as engrossed: Committee on Transportation (Rep. Belter, Chairman) recommends DO PASS (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2350 was placed on the Fourteenth order on the calendar.
- SB 2359, as engrossed: Committee on Agriculture (Rep. Nicholas, Chairman) recommends DO PASS (16 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2359 was placed on the Fourteenth order on the calendar.
- SB 2363: Committee on Political Subdivisions (Rep. Martin, Chairman) recommends DO PASS (14 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). SB 2363 was placed on the Fourteenth order on the calendar.

SB 2365, as engrossed: Committee on Transportation (Rep. Belter, Chairman) recommends DO NOT PASS (8 YEAS, 6 NAYS, 1 ABSENT AND NOT VOTING). SB 2365 was placed on the Fourteenth order on the calendar.

SB 2388: Committee on Transportation (Rep. Belter, Chairman) recommends DO PASS (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2388 was placed on the Fourteenth order on the calendar.

SB 2391, as engrossed: Committee on Political Subdivisions (Rep. Martin, Chairman) recommends DO PASS (15 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2391 was placed on the Fourteenth order on the calendar.

SB 2397: Committee on Industry, Business and Labor (Rep. Dorso, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (14 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 1, line 20, replace "deliver" with "deposit with the United States postal service, facsimile, or deliver personally"

ReNUMBER accordingly

SB 2400, as engrossed: Committee on Transportation (Rep. Belter, Chairman) recommends DO PASS (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2400 was placed on the Fourteenth order on the calendar.

SB 2409: Committee on Agriculture (Rep. Nicholas, Chairman) recommends DO PASS (11 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING). SB 2409 was placed on the Fourteenth order on the calendar.

SB 2424, as engrossed: Committee on Political Subdivisions (Rep. Martin, Chairman) recommends DO NOT PASS (8 YEAS, 5 NAYS, 4 ABSENT AND NOT VOTING). SB 2424 was placed on the Fourteenth order on the calendar.

SB 2446: 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 14, overstrike "a class B misdemeanor" and insert immediately thereafter "an infraction"

Page 1, line 19, after ~~"actor"~~ insert "The person responsible for the sale of tobacco products shall require proof of age from a prospective purchaser if an ordinary person would conclude on the basis of appearance that the prospective purchaser may be under the age of eighteen. Reasonable reliance on proof of age or on the appearance of the purchaser is a defense for any prosecution for violation of this section. The court must revoke the license issued under chapter 57-36 of a person permitting or allowing any person under the age of eighteen to purchase any tobacco product through a vending machine for a minimum period of thirty days."

Page 2, line 3, overstrike "a class B misdemeanor" and insert immediately thereafter "an infraction"

Page 2, line 11, after the semicolon insert "and"

Page 2, line 12, remove "," and"

Page 2, remove lines 13 and 14

Page 2, line 15, remove "location"

Page 2, line 16, replace "a class B misdemeanor" with "an infraction"

Page 2, line 20, remove "," or an attendant as is described in subsection 3,"

Page 3, line 2, replace "a class B misdemeanor" with "an infraction"

Page 3, line 2, after the underscored period insert "Any person convicted of permitting or allowing any person under the age of eighteen to purchase any tobacco product through a vending machine in violation of this Act will have their license issued under chapter 57-36 revoked for a minimum period of thirty days by the court."

Page 3, remove lines 3 through 9

ReNUMBER accordingly

SB 2460: Committee on Natural Resources (Rep. A. Olson, Chairman) recommends DO PASS (12 YEAS, 1 NAY, 3 ABSENT AND NOT VOTING). SB 2460 was placed on the Fourteenth order on the calendar.

SB 2490, as engrossed: Committee on Transportation (Rep. Belter, Chairman) recommends DO NOT PASS (8 YEAS, 5 NAYS, 2 ABSENT AND NOT VOTING). SB 2490 was placed on the Fourteenth order on the calendar.

SB 2495, as engrossed: Committee on Transportation (Rep. Belter, Chairman) recommends DO PASS (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2495 was placed on the Fourteenth order on the calendar.

SB 2501, as engrossed: Committee on Natural Resources (Rep. A. Olson, 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 3, after "outfitters" insert "; and to provide an expiration date"

Page 1, after line 15, insert:

"SECTION 2. EXPIRATION DATE. This Act is effective through June 30, 1993, and after that date is ineffective."

ReNUMBER accordingly

SB 2511: Committee on Natural Resources (Rep. A. Olson, Chairman) recommends DO PASS (11 YEAS, 2 NAYS, 3 ABSENT AND NOT VOTING). SB 2511 was placed on the Fourteenth order on the calendar.

SB 2517, as engrossed: Committee on Transportation (Rep. Belter, Chairman) recommends DO PASS (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2517 was placed on the Fourteenth order on the calendar.

SB 2521: Committee on Transportation (Rep. Belter, Chairman) recommends DO PASS (12 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). SB 2521 was placed on the Fourteenth order on the calendar.

SB 2558: Committee on Transportation (Rep. Belter, Chairman) recommends DO PASS (14 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2558 was placed on the Fourteenth order on the calendar.

SCR 4025: 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). SCR 4025 was placed on the Tenth order.

SCR 4038, as engrossed: Committee on Natural Resources (Rep. A. Olson, Chairman) recommends DO PASS and BE PLACED ON THE CONSENT CALENDAR (12 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING). SCR 4038 was placed on the Tenth order.

SCR 4039: 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). SCR 4039 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 create and enact a new section to chapter 57-35 and a new section to chapter 57-35.2 of the North Dakota Century Code, relating to the taxation of the branch offices of a banking subsidiary of any out-of-state bank holding company; and to amend and reenact subsection 1 of section 57-35-01 and subsection 1 of section 57-35.2-01 of the North Dakota Century Code, relating to definitions for purposes of bank taxation.

It shall be numbered HB 1613.

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. Dorso, Mahoney and Sens. Tomac, Dotzenrod introduced:

(Approved by the Committee on Delayed Bills)

HB 1613: A BILL for an Act to create and enact a new section to chapter 57-35 and a new section to chapter 57-35.2 of the North Dakota Century Code, relating to the taxation of the branch offices of a banking subsidiary of any out-of-state bank holding company; and to amend and reenact subsection 1 of section 57-35-01 and subsection 1 of section 57-35.2-01 of the North Dakota Century Code, relating to definitions for purposes of bank taxation.

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

#### FIRST READING OF SENATE BILL

SB 2572: A BILL for an Act making an appropriation for foundation aid per-pupil payments by the superintendent of public instruction; providing legislative intent; and to declare an emergency.

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

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

ROY GILBREATH, Chief Clerk