

JOURNAL OF THE HOUSE

Fifty-second Legislative Assembly

Bismarck, March 12, 1991

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

The prayer was offered by Deacon Wilfred P. Wolf, Cathedral of the Holy Spirit, Bismarck.

The roll was called and all members were present.

A quorum was declared by the Speaker.

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

MR. SPEAKER: The Senate has passed unchanged: HB 1049, HB 1086, HB 1092, HB 1094, HB 1100, HB 1101, HB 1102, HB 1130, HB 1150, HB 1155, HB 1192, HB 1213, HB 1226, HB 1229, HB 1249, HB 1276, HB 1290, HB 1294, HB 1304, HB 1426, HB 1458, HB 1479, HB 1491, HB 1539, HB 1565.

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

MR. SPEAKER: The Senate has amended and subsequently failed to pass: HB 1314, HB 1508.

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

MR. SPEAKER: The Senate has amended, subsequently passed, and the emergency clause carried: HB 1277.

Page 1, line 4, after "facility" insert "; to provide a statement of legislative intent; and to declare an emergency"

Page 1, after line 7, insert:

"SECTION 2. LEGISLATIVE INTENT - IN-HOME AND COMMUNITY-BASED SERVICES. It is the intent of the legislative assembly that the department of human services, through senior agencies and senior centers, provide information to the elderly on available in-home and community-based services.

SECTION 3. EMERGENCY. This Act is declared to be an emergency measure."

Re-number accordingly

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

MR. SPEAKER: The Senate has failed to pass: HB 1353, HB 1402.

SIGNING of BILLS and RESOLUTIONS

The Speaker signed the following enrolled bills: SB 2046, SB 2047, SB 2048, SB 2050, SB 2051, SB 2071, SB 2072, SB 2074, SB 2101, SB 2105, SB 2107, SB 2116, SB 2123, SB 2129, SB 2130, SB 2192, SB 2194, SB 2208, SB 2241, SB 2242, SB 2287, SB 2290, SB 2301, SB 2303, SB 2317, SB 2318, SB 2325, SB 2334, SB 2342, SB 2396, SB 2459, SB 2496, SB 2513, SB 2553.

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

MR. PRESIDENT: The Speaker has signed: SB 2046, SB 2047, SB 2048, SB 2050, SB 2051, SB 2071, SB 2072, SB 2074, SB 2101, SB 2105, SB 2107, SB 2116, SB 2123, SB 2129, SB 2130, SB 2192, SB 2194, SB 2208, SB 2241, SB 2242, SB 2287, SB 2290, SB 2301, SB 2303, SB 2317, SB 2318, SB 2325, SB 2334, SB 2342, SB 2396, SB 2459, SB 2496, SB 2513, SB 2553.

SIGNING of BILLS and RESOLUTIONS

The Speaker signed the following enrolled bills: SB 2084, SB 2153, SB 2160, SB 2218, SB 2248, SB 2304, SB 2330, SB 2343, SB 2408, SB 2452, SB 2566.

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

MR. PRESIDENT: The Speaker has signed: SB 2084, SB 2153, SB 2160, SB 2218, SB 2248, SB 2304, SB 2330, SB 2343, SB 2408, SB 2452, SB 2566.

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

MR. PRESIDENT: The House has passed unchanged: SB 2073, SB 2080, SB 2093, SB 2095, SB 2102, SB 2152, SB 2196, SB 2356, SCR 4002.

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

MR. PRESIDENT: The House has amended and subsequently passed: SB 2106, SB 2108, SB 2158, SB 2173, SB 2181, SB 2266, SB 2274, SB 2329, SB 2351, SB 2353, SB 2422.

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

MR. PRESIDENT: The House has failed to pass: SB 2471, SB 2551.

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

MR. PRESIDENT: The House has concurred in the Senate amendments to HB 1035, HB 1070, HB 1114, HB 1224, HB 1411, HB 1412, and HB 1480 and subsequently passed the same.

SIGNING of BILLS and RESOLUTIONS

The Speaker signed the following enrolled bills: SB 2059, SB 2060, SB 2089, SB 2143, SB 2182, SB 2189, SB 2355, SB 2381, SB 2393, SB 2406, SB 2437, SB 2555.

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

MR. PRESIDENT: The Speaker has signed: SB 2059, SB 2060, SB 2089, SB 2143, SB 2182, SB 2189, SB 2355, SB 2381, SB 2393, SB 2406, SB 2437, SB 2555.

SIGNING of BILLS and RESOLUTIONS

The Speaker signed the following enrolled resolution: SCR 4014.

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

MR. PRESIDENT: The Speaker has signed: SCR 4014.

MOTIONS

REP. KLOUBEC MOVED that the House consider all bills on the Sixth order in one motion, which motion prevailed.

REP. KLOUBEC MOVED that the rules be suspended and that the amendments to HB 1604, SB 2044, SB 2057, SB 2076, SB 2142, SB 2151, SB 2506, SB 2520, and SB 2534 be adopted, which motion prevailed.

HB 1604, as amended, was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SB 2044, SB 2057, SB 2076, SB 2142, SB 2151, SB 2506, SB 2520, and SB 2534, as amended, were placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

SECOND READING OF SENATE BILL

SB 2397: A BILL for an Act to create and enact a new section to chapter 35-03 of the North Dakota Century Code, relating to the responsibility of mortgagees to provide information necessary to satisfy loans secured by mortgages on residential real property that is being sold; 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 103 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

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

Goffe; Gorder; Gorman; Grosz; Grumbo; Hanson; Hausauer; Henegar; Hokana; Howard; Huether; Jacobson; Jensen; Kaldor; Kelsch; Kerzman; Kloubec; Kolbo; Kretschmar; Kroeber; Kunkel; Larson; Laughlin; Linderman; Mahoney; Martin; Martinson; Meyer; 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; Wilkie; Williams; Speaker R. Anderson

ABSENT AND NOT VOTING: Bateman; Miller; Whalen

Engrossed SB 2397 passed and the title was agreed to.

MOTIONS

REP. NICHOLAS MOVED that the House reconsider its action whereby SB 2149 passed, which motion prevailed.

REP. NICHOLAS MOVED that SB 2149 be rereferred to the Committee on Agriculture, which motion prevailed. Pursuant to Rep. Nicholas' motion, SB 2149 was rereferred.

SECOND READING OF SENATE BILL

SB 2446: A BILL for an Act to create and enact a new section to chapter 12.1-31 of the North Dakota Century Code, relating to the sale of tobacco products through vending machines to persons under the age of eighteen; to amend and reenact section 12.1-31-03 and subsection 1 of section 27-08.1-01 of the North Dakota Century Code, relating to sale of tobacco products through vending machines to persons under the age of eighteen and the purchase of tobacco products by minors and to the jurisdiction of small claims courts; 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 NOT PASS, the roll was called and there were 55 YEAS, 51 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Berg, G.; Bernstein; Bodine; Boucher; Brokaw; Carlson; Clayburgh; Cleary; Coats; DeMers; DeWitz; Erickson; Flaagan; Gabrielson; Gates; Gilmore; Gorder; Grumbo; Hanson; Jacobson; Jensen; Kaldor; Kerzman; Kolbo; Kretschmar; Kroeber; Kunkel; Laughlin; Linderman; Muhs; Mutzenberger; Myrdal; Nelson; Nowatzki; Oban; Peterson; Price; Pyle; Ring; Ritter; Rydell; Scherber; Schindler; Schneider; Skar; Snyder; St. Aubyn; Starke; Stofferahn; Trautman; Wentz; Wilkie; Williams

NAYS: Bateman; Belter; Berg, R.; Boehm; Brown; Byerly; Carlisle; Dalrymple; Delzer; Dorso; Enget; Freier; Gerntholz; Goffe; Gorman; Grosz; Hausauer; Henegar; Hokana; Howard; Huether; Kelsch; Kloubec; Larson; Mahoney; Martin; Martinson; Meyer; Miller; Nicholas; Nichols; Olsen, D.; Olson, A.; Payne; Porter; Rennerfeldt; Schimke; Schmidt; Shide; Skjerven; Soukup; Svedjan; Thompson; Thorpe; Timm; Tollefson; Urlacher; Wald; Wardner; Whalen; Speaker R. Anderson

Engrossed SB 2446 passed and the title was agreed to.

MOTION

REP. CLEARY MOVED that the vote by which SB 2446 passed be reconsidered and the motion to reconsider be laid on the table, which motion failed on a verification vote.

SECOND READING OF SENATE BILL

SB 2501: A BILL for an Act to amend and reenact subsection 13 of section 20.1-01-02 of the North Dakota Century Code, relating to game and fish guides and outfitters; 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 NOT PASS, the roll was called and there were 6 YEAS, 100 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Brokaw; DeWitz; Kaldor; Payne; Schindler

NAYS: Anderson, B.; Bateman; Belter; Berg, G.; Berg, R.; Bernstein; Bodine; Boehm; Boucher; Brown; Byerly; Carlisle; Carlson; Clayburgh; Cleary; Coats; Dalrymple; Delzer; DeMers; Dorso; Enget; Erickson; Flaagan; Freier; Gabrielson; Gates; Gerntholz; Gilmore; Goffe; Gorder; Gorman; 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; Nelson; Nicholas; Nichols; Nowatzki; Oban; Olsen, D.; Olson, A.; Peterson; Porter; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schimke; 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

Engrossed SB 2501 was declared lost.

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

MR. SPEAKER: The Senate has passed and your favorable consideration is requested on: SCR 4045, SCR 4058, SCR 4065.

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

MR. SPEAKER: The President has signed and your signature is respectfully requested on: SB 2094, SB 2097, SB 2138, SB 2155, SB 2162, SB 2174, SB 2179, SB 2375, SB 2377, SB 2383, SB 2399, SB 2449, SB 2455, SB 2462.

SECOND READING OF SENATE BILLS

SB 2359: A BILL for an Act relating to the establishment of a livestock water assistance program.

ROLL CALL

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

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

ABSENT AND NOT VOTING: Whalen

Engrossed SB 2359 passed and the title was agreed to.

SB 2363: A BILL for an Act to amend and reenact section 44-04-20 of the North Dakota Century Code, relating to notice of public meetings.

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, 2 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

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

NAYS: Kerzman; Meyer

ABSENT AND NOT VOTING: Whalen

SB 2363 passed and the title was agreed to.

SB 2365: A BILL for an Act relating to the use of safety belts and to provide a reduction in any fine otherwise imposed for the violation of speed restrictions.

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 28 YEAS, 77 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Berg, G.; Bodine; Delzer; Dorso; Enget; Erickson; Flaagan; Gabrielson; Gorman; Grosz; Kloubec; Kretschmar; Laughlin; Martinson; Muhs; Nichols; Payne; Peterson; Ring; Rydell; Scherber; Schneider; Skjerven; Soukup; Starke; Stofferahn; Thorpe; Timm

NAYS: Aarsvold; Anderson, B.; Bateman; Belter; Berg, R.; Bernstein; Boehm; Boucher; Brokaw; Brown; Byerly; Carlisle; Carlson; Clayburgh; Cleary; Coats; Dalrymple; DeMers; DeWitz; Freier; Gates; Gerntholz; Gilmore; Goffe; Gorder; Grumbo; Hanson; Hausauer; Henegar; Hokana; Howard; Huether; Jacobson; Jensen; Kaldor; Kelsch; Kerzman; Kolbo; Kroeber; Kunkel; Larson; Linderman; Mahoney; Martin; Meyer; Miller; Mutzenberger; Myrdal; Nelson; Nicholas; Nowatzki; Oban; Olsen, D.; Olson, A.; Porter; Price; Pyle; Rennerfeldt; Ritter; Schimke; Schindler; Schmidt; Shide; Skar; Snyder; St. Aubyn; Svedjan; Thompson; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Wilkie; Williams; Speaker R. Anderson

ABSENT AND NOT VOTING: Whalen

Engrossed SB 2365 was declared lost.

SB 2388: A BILL for an Act to amend and reenact subsection 1 of section 39-06-17 of the North Dakota Century Code, relating to authority to impose restrictions on a motor vehicle operator's license.

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; Hausauer; Henegar; Hokana; Howard; Huether; Jacobson; Jensen; Kaldor; Kelsch; Kerzman; 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; Kloubec

SB 2388 passed and the title was agreed to.

SB 2391: A BILL for an Act relating to certificates of candidacy by write-in candidates for presidential electors.

ROLL CALL

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

YEAS: Aarsvold; Anderson, B.; Bateman; Belter; Berg, G.; Berg, R.; Bernstein; Bodine; Boehm; Boucher; Brokaw; Brown; Byerly; Carlisle; Carlson; Clayburgh; Coats; Dalrymple; Delzer; DeMers; DeWitz; Dorso; Enget; Erickson; Flaagan; Freier; Gabrielson; Gates; Gerntholz; Gilmore; Goffe; Gorder; Gorman; Grosz; Grumbo; Hanson; Hausauer; Henegar; Hokana; Howard; Huether; Jacobson; Jensen; Kaldor; Kelsch; Kerzman; 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

NAYS: Cleary

ABSENT AND NOT VOTING: Kloubec; Wald

Engrossed SB 2391 passed and the title was agreed to.

SB 2400: A BILL for an Act to create and enact a new section to chapter 57-05 of the North Dakota Century Code, relating to confidentiality of certain information provided for the purpose of assessment of railroad 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 105 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Bateman; Belter; Berg, G.; Berg, R.; Bernstein; Bodine; Boehm; Boucher; Brokaw; Brown; Byerly; Carlisle; Carlson; Clayburgh; Cleary; Coats; Dalrymple; Delzer; DeMers; DeWitz; Dorso; Enget; Erickson; Flaagan; Freier; Gabrielson; Gates; Gerntholz; Gilmore; Goffe; Gordier; Gorman; Grosz; Grumbo; Hanson; Hausauer; Henegar; Hokana; Howard; Huether; Jacobson; Jensen; Kaldor; Kelsch; Kerzman; 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: Kloubec

Engrossed SB 2400 passed and the title was agreed to.

SB 2409: A BILL for an Act to amend and reenact sections 47-26-02, 47-26-04, and 47-26-19 of the North Dakota Century Code, relating to elimination of the duty of county commissioners to act as fence viewers.

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 46 YEAS, 59 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Bateman; Berg, G.; Berg, R.; Bodine; DeMers; Dorso; Enget; Erickson; Flaagan; Gates; Gilmore; Goffe; Hanson; Hokana; Huether; Jacobson; Kaldor; Kolbo; Kroeber; Larson; Laughlin; Linderman; Mahoney; Mutzenberger; Myrdal; Nelson; Nicholas; Nichols; Nowatzki; Oban; Olson, A.; Peterson; Porter; Price; Pyle; Rennerfeldt; Scherber; Shide; Skar; St. Aubyn; Starke; Stofferahn; Whalen; Williams

NAYS: Belter; Bernstein; Boehm; Boucher; Brown; Byerly; Carlisle; Carlson; Clayburgh; Cleary; Coats; Dalrymple; Delzer; DeWitz; Freier; Gabrielson; Gerntholz; Gordier; Gorman; Grosz; Grumbo; Hausauer; Henegar; Howard; Jensen; Kelsch; Kerzman; Kloubec; Kretschmar; Kunkel; Martin; Martinson; Meyer; Miller; Muhs; Olsen, D.; Payne; Ring; Ritter; Rydell; Schimke; Schindler; Schmidt; Schneider; Skjerven; Snyder; Soukup; Svedjan; Thompson; Thorpe; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Wilkie; Speaker R. Anderson

ABSENT AND NOT VOTING: Brokaw

SB 2409 was declared lost.

SB 2424: A BILL for an Act to create and enact a new section to chapter 16.1-01 of the North Dakota Century Code, relating to voter lists.

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 78 YEAS, 27 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Bateman; Belter; Berg, G.; Berg, R.; Bernstein; Boehm; Brown; Byerly; Carlisle; Clayburgh; Dalrymple; DeMers; DeWitz; Dorso; Erickson; Flaagan; Freier; Gabrielson; Gates; Gerntholz; Gorman; Grumbo; Hausauer; Henegar; Howard; Jacobson; Jensen; Kaldor; Kelsch; Kloubec; Kolbo; Kretschmar; Kunkel; Larson; Laughlin; Linderman; Mahoney; Martin; Martinson; Meyer; Miller; Muhs; Mutzenberger; Myrdal; Nicholas; Nowatzki; Oban; Olsen, D.; Olson, A.; Payne; Porter; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Schimke; Schindler; Schneider; Shide; Snyder; Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Thompson; Thorpe; Timm; Tollefson; Trautman; Wardner; Wentz; Whalen; Williams; Speaker R. Anderson

NAYS: Anderson, B.; Bodine; Boucher; Brokaw; Carlson; Cleary; Coats; Delzer; Enget; Gilmore; Goffe; Gorder; Grosz; Hanson; Hokana; Huether; Kerzman; Kroeber; Nelson; Nichols; Peterson; Scherber; Schmidt; Skar; Skjerven; Urlacher; Wilkie

ABSENT AND NOT VOTING: Wald

Engrossed SB 2424 passed and the title was agreed to.

SB 2460: A BILL for an Act to amend and reenact section 63-01.1-13.1 of the North Dakota Century Code, relating to noxious weed control on game and fish land.

ROLL CALL

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

YEAS: Aarsvold; Anderson, B.; Bateman; Belter; Berg, G.; Berg, R.; Bernstein; Bodine; Boehm; Boucher; Brokaw; Brown; Byerly; Carlisle; Carlson; Clayburgh; Cleary; Coats; Dalrymple; Delzer; DeMers; DeWitz; Dorso; Enget; Erickson; Flaagan; Freier; Gabrielson; Gates; Gerntholz; Gilmore; Goffe; Gorder; Gorman; Grosz; Grumbo; Hanson; Hausauer; Henegar; Hokana; Howard; Huether; Jacobson; Jensen; Kaldor; Kelsch; Kerzman; 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; Schneider; Shide; Skar; 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: Schmidt; Whalen

SB 2460 passed and the title was agreed to.

SB 2490: A BILL for an Act to amend and reenact section 24-02-03.3 of the North Dakota Century Code, relating to use of state motor pool vehicles by counties.

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 42 YEAS, 64 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Berg, G.; Carlson; Cleary; Coats; Dalrymple; DeMers; Erickson; Flaagan; Gabrielson; Gilmore; Goffe; Gorder; Grumbo; Hanson; Hokana; Huether; Jacobson; Kaldor; Kerzman; Kolbo; Kroeber; Laughlin; Meyer; Mutzenberger; Nelson; Nichols; Nowatzki; Oban;

Peterson; Pyle; Ring; Ritter; Scherber; Schneider; Shide; Skar; Snyder; Starke; Stofferahn; Williams

NAYS: Bateman; Belter; Berg, R.; Bernstein; Bodine; Boehm; Boucher; Brokaw; Brown; Byerly; Carlisle; Clayburgh; Delzer; DeWitz; Dorso; Enget; Freier; Gates; Gerntholz; Gorman; Grosz; Hausauer; Henegar; Howard; Jensen; Kelsch; Kloube; Kretschmar; Kunkel; Larson; Linderman; Mahoney; Martin; Martinson; Miller; Muhs; Myrdal; Nicholas; Olsen, D.; Olson, A.; Payne; Porter; Price; Rennerfeldt; Rydell; Schimke; Schindler; Schmidt; Skjerven; Soukup; St. Aubyn; Svedjan; Thompson; Thorpe; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Whalen; Wilkie; Speaker R. Anderson

Engrossed SB 2490 was declared lost.

REQUEST

REP. NICHOLAS REQUESTED that the record show that he intended to vote "Yea" on SB 2490, which request was granted.

MOTIONS

REP. TOLLEFSON MOVED that the House waive the reading of the titles to SB 2495, SB 2223, and SB 2345, which motion prevailed.

REP. MEYER MOVED that the House reconsider its action whereby SB 2178 failed to pass, which motion lost on a verification vote.

SECOND READING OF SENATE BILLS

SB 2495: A BILL for an Act to create and enact a new section to chapter 29-06 of the North Dakota Century Code, relating to foreign peace officers providing transportation for law enforcement purposes; and to amend and reenact sections 29-06-05, 29-06-06, and 29-06-07 of the North Dakota Century Code, relating to foreign officers in fresh pursuit; 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; Gorman; Grosz; Grumbo; Hanson; Hausauer; Henegar; Hokana; Howard; Huether; Jacobson; Jensen; Kaldor; Kelsch; Kerzman; Kloube; Kolbo; Kretschmar; Kroeber; Kunkel; Larson; Laughlin; Linderman; Mahoney; Martin; Martinson; Meyer; Miller; Muhs; Mutzenberger; Myrdal; Nelson; Nicholas; Nichols; Nowatzki; Oban; Olsen, D.; Olson, A.; Payne; Peterson; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schimke; Schindler; Schmidt; Schneider; Shide; Skar; 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: Porter; Timm

Engrossed SB 2495 passed, the title was agreed to, and the emergency clause carried.

SB 2511: A BILL for an Act to amend and reenact subsection 15 of section 20.1-03-12 of the North Dakota Century Code, relating to licenses for nonresident green fur buyers or shippers.

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 71 YEAS, 32 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Berg, G.; Berg, R.; Bernstein; Bodine; Brown; Byerly; Carlisle; Carlson; Clayburgh; Cleary; Coats; Delzer; DeMers; DeWitz; Dorso; Erickson; Flaagan; Freier; Gabrielson; Gilmore; Goffe; Grosz; Hanson; Hausauer; Henegar; Howard; Jacobson; Jensen; Kaldor; Kelsch; Kerzman; Kolbo; Kroeber; Kunkel; Larson; Laughlin; Linderman; Mahoney; Martin; Martinson; Mutzenberger; Myrdal; Nelson; Nicholas; Nowatzki; Olsen, D.; Olson, A.; Peterson; Price; Rennerfeldt; Ritter; Rydell; Scherber; Schimke; Schindler; Schmidt; Schneider; Shide; Skar; Skjerven; Snyder; Starke; Svedjan; Tollefson; Trautman; Wentz; Wilkie; Williams; Speaker R. Anderson

NAYS: Bateman; Belter; Boehm; Boucher; Brokaw; Dalrymple; Enget; Gates; Gerntholz; Gorder; Gorman; Grumbo; Hokana; Huether; Kloubec; Kretschmar; Miller; Muhs; Nichols; Payne; Porter; Pyle; Ring; Soukup; St. Aubyn; Stofferahn; Thompson; Timm; Urlacher; Wald; Wardner; Whalen

ABSENT AND NOT VOTING: Meyer; Oban; Thorpe

SB 2511 passed and the title was agreed to.

SB 2517: A BILL for an Act to amend and reenact subsection 2 of section 23-13-02.3 of the North Dakota Century Code, relating to the operation of self-service motor fuel dispensing facilities.

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; Boehm; Boucher; Brokaw; Brown; Byerly; Carlisle; Carlson; Clayburgh; Cleary; Coats; Dalrymple; Delzer; DeMers; DeWitz; Dorso; Enget; Erickson; Flaagan; Freier; Gabrielson; Gates; Gerntholz; Gilmore; Goffe; Gorder; Gorman; Grosz; Grumbo; Hanson; Hausauer; Henegar; Hokana; Howard; Huether; Jacobson; Jensen; Kaldor; Kelsch; Kerzman; Kloubec; Kolbo; Kretschmar; Kroeber; Kunkel; Larson; Laughlin; Linderman; Mahoney; Martin; Martinson; Meyer; Miller; Muhs; Mutzenberger; Myrdal; Nelson; Nicholas; Nichols; Nowatzki; 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; Stofferahn; Svedjan; Thompson; Thorpe; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Whalen; Wilkie; Williams; Speaker R. Anderson

ABSENT AND NOT VOTING: Bodine; Oban; Schneider

Engrossed SB 2517 passed and the title was agreed to.

SB 2521: A BILL for an Act to amend and reenact subsection 2 of section 39-06.1-13 of the North Dakota Century Code, relating to certification of successful completion of a driver training course.

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; Boehm; Boucher; Brokaw; Brown; Byerly; Carlisle; Carlson; Clayburgh; Cleary; Coats; Dalrymple; Delzer; DeMers; DeWitz; Dorso; Enget; Erickson; Flaagan; Freier; Gabrielson; Gates; Gerntholz; Gilmore; Goffe; Gordier; Gorman; Grosz; Grumbo; Hanson; Hausauer; Henegar; Hokana; Howard; Huether; Jacobson; Jensen; Kaldor; Kelsch; Kerzman; 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; Wald; Wardner; Wentz; Wilkie; Williams; Speaker R. Anderson

ABSENT AND NOT VOTING: Bodine; Urlacher; Whalen

SB 2521 passed and the title was agreed to.

SB 2558: A BILL for an Act to amend and reenact subsection 2 of section 39-06.1-06 and subdivision a of subsection 3 of section 39-06.1-10 of the North Dakota Century Code, relating to penalty for failure to stop at a railroad crossing.

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 95 YEAS, 11 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Bateman; Belter; Berg, R.; Bernstein; Bodine; Boehm; Boucher; Brokaw; Byerly; Carlisle; Carlson; Clayburgh; Cleary; Coats; Dalrymple; DeMers; DeWitz; Dorso; Enget; Erickson; Freier; Gabrielson; Gates; Gerntholz; Gilmore; Goffe; Gordier; Gorman; Grumbo; Hanson; Hausauer; Henegar; Hokana; Howard; Huether; Jacobson; Jensen; Kaldor; Kelsch; Kerzman; Kloubec; Kolbo; Kretschmar; Kroeber; Kunkel; Larson; 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; Stofferahn; Svedjan; Thorpe; Timm; Tollefson; Trautman; Wardner; Wentz; Wilkie; Williams; Speaker R. Anderson

NAYS: Berg, G.; Brown; Delzer; Flaagan; Grosz; Laughlin; Starke; Thompson; Urlacher; Wald; Whalen

SB 2558 passed and the title was agreed to.

SB 2170: A BILL for an Act to amend and reenact section 55-02-04 of the North Dakota Century Code, relating to establishment and disposition of fees for use of facilities.

ROLL CALL

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

YEAS: Aarsvold; Anderson, B.; Bateman; Belter; Berg, G.; Berg, R.; Bernstein; Bodine; Boehm; Boucher; Brokaw; Brown; Byerly; Carlisle; Carlson; Clayburgh; Cleary; Coats; Dalrymple; Delzer; DeMers; DeWitz; Dorso; Enget; Erickson; Flaagan; Freier; Gabrielson; Gates; Gerntholz; Gilmore; Goffe; Gordier; Gorman; Grosz; Grumbo; Hanson; Hausauer; Henegar; Hokana; Howard; Huether; Jacobson; Jensen; Kaldor; Kelsch;

Kerzman; Kloubec; Kolbo; Kretschmar; Kroeber; Kunkel; Larson; Laughlin; Linderman; Mahoney; Martin; Martinson; Meyer; Miller; Muhs; Mutzenberger; Myrdal; Nelson; Nicholas; Nichols; Nowatzki; Oban; Olsen, D.; Olson, A.; Payne; Peterson; Porter; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schimke; Schindler; Schmidt; Schneider; Shide; Skar; Skjerven; Snyder; Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Thompson; Thorpe; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Whalen; Williams; Speaker R. Anderson

ABSENT AND NOT VOTING: Wilkie

Engrossed SB 2170 passed and the title was agreed to.

MOTION

REP. KLOUBEC MOVED that SB 2223 be placed at the foot of the calendar, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2345: A BILL for an Act to amend and reenact sections 32-19-30, 35-22-07, subsection 2 of section 57-27-02, sections 57-28-06, 57-28-07, and 57-28-14 of the North Dakota Century Code, relating to publication of street addresses as well as legal descriptions when published notice is required or allowed for real estate foreclosures, notices of tax sale, or notices of redemption; 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 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; Brown; Byerly; Carlisle; Carlson; Clayburgh; Cleary; Coats; Dalrymple; Delzer; DeMers; DeWitz; Dorso; Enget; Erickson; Flaagan; Freier; Gabrielson; Gates; Gerntholz; Gilmore; Goffe; Gorder; Gorman; Grosz; Grumbo; Hanson; Hausauer; Henegar; Hokana; Howard; Huether; Jacobson; Jensen; Kaldor; Kelsch; Kerzman; Kloubec; Kolbo; Kretschmar; Kroeber; Kunkel; Larson; Laughlin; Linderman; Mahoney; Martin; Martinson; Meyer; Miller; Muhs; Mutzenberger; Myrdal; Nelson; Nicholas; Nowatzki; Oban; Olsen, D.; Olson, A.; Payne; Peterson; Porter; Pyle; Rennerfeldt; Ring; 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; Wilkie; Williams; Speaker R. Anderson

ABSENT AND NOT VOTING: Nichols; Price; Ritter; Whalen

Engrossed SB 2345 passed and the title was agreed to.

HOUSE ENROLLING REPORT

The following bills were enrolled: HB 1010, HB 1012, HB 1042, HB 1052, HB 1077, HB 1084, HB 1106, HB 1206, HB 1253, HB 1258, HB 1264, HB 1308.

HOUSE ENROLLING REPORT

The following bills and resolutions were enrolled: HB 1163, HB 1593, HCR 3007, HCR 3023, HCR 3024, HCR 3057.

MOTION

REP. KLOUBEC MOVED that the House be on the Fourth order of business, and at the conclusion of the Fourth order, the House be on the Fifth order of business, and at the conclusion of the Fifth order, the House be on the Thirteenth order of business, and at the conclusion of the Thirteenth order,

the House stand adjourned until 1:00 p.m., Wednesday, March 13, 1991, which motion prevailed.

COMMUNICATION FROM GOVERNOR GEORGE A. SINNER

March 12, 1991

This is to inform you that on March 12, 1991, I signed HB 1115.

REPORTS OF STANDING COMMITTEES

HB 1608: Committee on Education (Rep. Gates, Chairman) recommends DO PASS (11 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING). HB 1608 was placed on the Eleventh order on the calendar.

HCR 3068: Committee on Education (Rep. Gates, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS and BE PLACED ON THE CONSENT CALENDAR (16 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 1, line 14, replace "local levies" with "a state average mill levy"

ReNUMBER accordingly

SB 2066, as engrossed: Committee on Judiciary (Rep. Kretschmar, Chairman) recommends DO PASS (14 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). SB 2066 was placed on the Fourteenth order on the calendar.

SB 2103: Committee on Industry, Business and Labor (Rep. Dorso, Chairman) recommends DO PASS (13 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). SB 2103 was placed on the Fourteenth order on the calendar.

SB 2146, as engrossed: Committee on Industry, Business and Labor (Rep. Dorso, Chairman) recommends DO PASS (15 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2146 was placed on the Fourteenth order on the calendar.

SB 2163: Committee on Industry, Business and Labor (Rep. Dorso, Chairman) recommends DO PASS (13 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). SB 2163 was placed on the Fourteenth order on the calendar.

SB 2213, as engrossed: Committee on Transportation (Rep. Belter, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (12 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 2, line 3, replace "Ninety" with "Like period not to exceed ninety"

ReNUMBER accordingly

SB 2236: Committee on Industry, Business and Labor (Rep. Dorso, Chairman) recommends DO PASS (13 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). SB 2236 was placed on the Fourteenth order on the calendar.

SB 2357: 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 2, line 18, after the period insert:

"One person from the city of Williston recommended by the Williston city council.

3."

Page 2, line 23, replace "3" with "4"

Page 2, line 25, replace "4" with "5"

Page 3, line 1, replace "5" with "6"

Page 3, line 5, replace "6" with "7"

Page 3, line 8, replace "7" with "8"

Page 3, line 9, replace "8" with "9"

Renumber accordingly

SB 2416: Committee on Transportation (Rep. Belter, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 2, line 6, remove "permitted by this section" and overstrike "must be electrically"

Page 2, line 7, overstrike "controlled so that the lights will" and insert immediately thereafter "permitted by this section may" and overstrike "actuated when the vehicle is"

Page 2, line 8, overstrike "brought to a stop" and insert immediately thereafter "operated"

Renumber accordingly

SB 2423, as engrossed: Committee on Transportation (Rep. Belter, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO NOT PASS (8 YEAS, 6 NAYS, 1 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 1, line 21, replace "lowest responsible" with "bidder submitting the lowest and best bid"

Page 1, line 22, remove "bidder"

Renumber accordingly

SB 2429: Committee on Judiciary (Rep. Kretschmar, Chairman) recommends DO PASS (14 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2429 was placed on the Fourteenth order on the calendar.

SB 2430, as engrossed: Committee on Judiciary (Rep. Kretschmar, Chairman) recommends DO PASS (14 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2430 was placed on the Fourteenth order on the calendar.

SB 2434: Committee on Judiciary (Rep. Kretschmar, Chairman) recommends DO PASS (14 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2434 was placed on the Fourteenth order on the calendar.

SB 2440, as engrossed: Committee on Judiciary (Rep. Kretschmar, Chairman) recommends DO PASS (13 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). SB 2440 was placed on the Fourteenth order on the calendar.

SB 2444: Committee on Judiciary (Rep. Kretschmar, Chairman) recommends DO PASS (12 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING). SB 2444 was placed on the Fourteenth order on the calendar.

SB 2448, as reengrossed: Committee on Education (Rep. Gates, Chairman) recommends DO PASS and BE REREFERRED to the Committee on Appropriations (13 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING).

SB 2530, as engrossed: Committee on Transportation (Rep. Belter, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 2, line 28, replace "exempt" with "out of service"

Page 3, line 1, replace "word "Exempt"" with "words "Tracks out of service"

Page 3, line 3, after the period insert "The designation must be limited to use at crossings where track has been abandoned or its use discontinued."

5."

and after "notify" insert "the road authority and"

Page 3, line 5, replace "exempt" with "an out of service crossing"

Page 3, line 6, replace "word "Exempt"" with "words "Tracks out of service"

Page 3, line 7, after the underscored period insert "The railway company shall remove the crossbucks."

Page 3, remove lines 8 through 13

Renumber accordingly

SB 2539, as engrossed: Committee on Transportation (Rep. Belter, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 1, line 15, replace "there is no adjudication of violation and any" with "the"

Page 2, line 2, after the second period insert "A person making an election under this section forfeits any point reduction option under section 39-06.1-13."

Renumber accordingly

SCR 4019: Committee on Judiciary (Rep. Kretschmar, Chairman) recommends DO PASS and BE PLACED ON THE CONSENT CALENDAR (15 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SCR 4019 was placed on the Tenth order.

SCR 4021: Committee on Judiciary (Rep. Kretschmar, Chairman) recommends DO PASS (12 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). SCR 4021 was placed on the Fourteenth order on the calendar.

SCR 4031: Committee on Human Services and Veterans Affairs (Rep. Larson, Chairman) recommends DO PASS and BE PLACED ON THE CONSENT CALENDAR (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4031 was placed on the Tenth order.

SCR 4036: Committee on Industry, Business and Labor (Rep. Dorso, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS and BE PLACED ON THE CONSENT CALENDAR (16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 1, line 2, after "organization" insert "or consolidation with Job Service North Dakota"

Page 2, line 3, after "organization" insert "or consolidation with Job Service North Dakota"

Renumber accordingly

SCR 4050: Committee on Human Services and Veterans Affairs (Rep. Larson, Chairman) recommends DO PASS and BE PLACED ON THE CONSENT CALENDAR

(15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4050 was placed on the Tenth order.

SCR 4051: Committee on Industry, Business and Labor (Rep. Dorso, Chairman) recommends DO PASS and BE PLACED ON THE CONSENT CALENDAR (16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4051 was placed on the Tenth order.

FIRST READING OF SENATE CONCURRENT RESOLUTIONS

SCR 4045: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of consolidating all building and construction code administration responsibilities under one authority. Was read the first time and referred to the Committee on Political Subdivisions.

SCR 4058: A concurrent resolution urging Congress to make permanent federal legislation confirming that Indian tribes retain criminal misdemeanor jurisdiction over all Indians in Indian country. Was read the first time and referred to the Committee on State and Federal Government.

SCR 4065: A concurrent resolution directing the Legislative Council to study additional programs that could be implemented by the State Hospital and alternative uses for the facilities of the State Hospital. Was read the first time and referred to the Committee on Human Services and Veterans Affairs.

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

ROY GILBREATH, Chief Clerk