

## JOURNAL OF THE HOUSE

## Fifty-second Legislative Assembly

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Bismarck, March 21, 1991

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

The prayer was offered by Deacon Bob Schuller, Corpus Christi Catholic Church, Bismarck.

The roll was called and all members were present except Representatives Carlson, Gorder, Gorman, and Miller.

A quorum was declared by the Speaker.

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

MR. SPEAKER: The Senate has amended and subsequently passed: HB 1007, HB 1247, HB 1292, HB 1343, HB 1420, HB 1461, HB 1483, HB 1507, HB 1556, HCR 3032, HCR 3039.

## SENATE AMENDMENTS TO HB 1007

Page 1, line 13, replace "340,000" with "400,000"

Page 1, line 14, replace "480,870" with "540,870"

Page 1, after line 14, insert:

"SECTION 2. ALCOHOL AND DRUG ABUSE EDUCATION PROGRAM - EXPENDITURE LIMITATIONS. Not more than ten percent of the moneys appropriated in the grants line item for the native American alcohol and drug abuse education program may be spent for administrative costs or other nondirect service costs."

Renumber accordingly

## STATEMENT OF PURPOSE OF AMENDMENT:

## DEPARTMENT 316 - INDIAN AFFAIRS COMMISSION

This amendment increases the grants line item by \$60,000 from the general fund to provide additional funding for the Native American alcohol and drug abuse program.

In addition, a section is added to the bill providing that not more than 10 percent of the \$400,000 appropriated in the grants line item for the Native American alcohol and drug abuse program may be spent on administrative costs or other nondirect service costs.

## SENATE AMENDMENTS TO HB 1247

Page 1, line 2, after "exemptions" insert "; and to amend and reenact subsection 7 of section 10-04-10 of the North Dakota Century Code, relating to fees collected by the securities commissioner"

Page 1, underscore lines 6 through 22

Page 2, underscore lines 1 through 8

Page 2, after line 8, insert:

"SECTION 2. AMENDMENT. Subsection 7 of section 10-04-10 of the 1989 Supplement to the North Dakota Century Code is amended and reenacted as follows:



7. Fees. The fee, which must accompany the application, for registration, transfer, and for each annual renewal thereof is:

a. For each dealer	<del>\$175.00</del> <u>\$200.00</u>
b. For each salesman	<del>\$ 35.00</del> <u>\$ 50.00</u>
c. For each investment adviser	\$100.00
d. For each investment adviser representative	\$ 35.00"

Renumber accordingly

#### SENATE AMENDMENTS TO HB 1292

Page 2, line 26, replace "and the consideration for the" with ". An independent appraisal must be obtained for the property described in subsections 1 and 2 and the sales price for the property"

Page 2, line 27, remove "transfer", after "than" insert "the appraised value or", and after "acre" insert ", whichever is greater"

Page 3, line 2, after the period insert "The commissioner of university and school lands or the commissioner's designee shall provide technical assistance and advice to the director of the department of human services in the transaction authorized by this Act. All legal documents, papers, and instruments required by the transaction authorized by this Act must be reviewed and approved as to form and legality by the attorney general."

Renumber accordingly

#### SENATE AMENDMENTS TO ENGROSSED HB 1343

Page 2, line 2, after "upon" insert "request of any of the parties or upon the determination of the court that it would be an appropriate"

Page 2, line 5, after "section" insert ", and the court may appoint a guardian ad litem to protect the interests of the child"

Renumber accordingly

#### SENATE AMENDMENTS TO ENGROSSED HB 1420

Page 1, line 6, remove "5-02-10,"

Page 1, line 20, remove "or supplier" and remove ", either directly or indirectly."

Page 1, line 21, remove ", in whole or in part,"

Page 1, line 22, remove ", supplier,"

Page 2, line 1, remove ", either directly or indirectly,"

Page 2, line 2, remove ", in whole or in part,"

Page 2, line 4, remove ", either directly or indirectly," and remove ", in whole"

Page 2, line 5, remove "or in part,"

Page 3, line 16, remove ", either directly or indirectly,"

Page 3, line 17, remove ", in whole or in part,"

Page 3, remove lines 19 through 29

Page 4, remove lines 1 through 7



Page 4, line 10, remove ", either directly or indirectly,"

Page 4, line 11, remove ", in whole or in part,"

Page 4, line 14, remove "in a border city"

Re-number accordingly

SENATE AMENDMENTS TO ENGROSSED HB 1461

Page 1, line 2, after "to" insert "an exemption from"

Page 1, line 8, replace "Notwithstanding any other provision of" with "An employer is not subject to"

Page 1, line 9, remove the comma

Page 1, line 11, replace "an employer who withheld five hundred dollars" with a period

Page 1, remove lines 12 through 17

Page 1, line 18, replace "wages paid" with "employers' returns and remittances due"

Page 1, line 19, replace "December 31" with "June 30"

Re-number accordingly

SENATE AMENDMENTS TO ENGROSSED HB 1483

Page 2, line 3, replace "five" with "two"

Page 2, line 5, replace "the second or third year of" with "any" and after "training" insert "beyond the first year"

Re-number accordingly

SENATE AMENDMENTS TO ENGROSSED HB 1507

Page 1, line 1, replace the second "and" with a comma and after "10-27-01" insert ", and 57-39.2-23"

Page 1, line 3, after "state" insert "and the release of certain confidential information by the tax commissioner"

Page 3, after line 27, insert:

"SECTION 3. AMENDMENT. Section 57-39.2-23 of the 1989 Supplement to the North Dakota Century Code is amended and reenacted as follows:

57-39.2-23. Information deemed confidential - Certain releases of information authorized. ~~It~~ Except as provided by law, it is unlawful for the commissioner, or any person having an administrative duty under this chapter, to divulge, or to make known in any manner whatever, the business affairs, operations, or information obtained by an investigation of records and equipment of any person or corporation ~~visited or examined~~ in the discharge of official duty, or the amount or sources of income, profits, losses, expenditures, or any particulars thereof, set forth or disclosed in any return, or to permit any return or copy thereof or any book containing any abstract of particulars thereof to be seen or examined by any person ~~except as provided by law~~. The commissioner may authorize examination of such those returns by other state officers, and at ~~his~~ the discretion of the commissioner furnish to the tax officials of ~~another state~~ other states, the multistate tax commission, and the United States any information contained in the tax returns and reports and related schedules and documents filed ~~pursuant to~~ under this chapter, and in the report of an audit or investigation made with respect thereto, ~~provided only that said~~ if the information ~~be~~ is furnished solely for tax purposes, and



~~the~~. The multistate tax commission may make ~~said~~ the information available to the tax officials of any other state and the United States for tax purposes.

The commissioner ~~is hereby authorized to~~ may furnish to the workers compensation bureau ~~or to~~, the job insurance division of job service North Dakota, and the secretary of state upon request of ~~either the respective agency~~ a list or lists of holders of permits issued ~~pursuant to the provisions of under~~ this chapter or chapter 57-40.2, together with the addresses and tax department file identification numbers of ~~such those~~ permitholders; ~~provided, that any such list shall be used by the bureau to which it is furnished.~~ The agency may use the ~~list or lists~~ only for the purpose of administering the duties of ~~such bureau the agency~~. The commissioner, or any person having an administrative duty under this chapter, ~~is hereby authorized to~~ may announce that a permit has been revoked."

Renumber accordingly

#### SENATE AMENDMENTS TO ENGROSSED HB 1556

Page 2, line 12, after "any" insert "'700'," and after "'800'" insert a comma

Page 2, line 13, replace "until the" with a period

Page 2, remove lines 14 through 16

Renumber accordingly

#### SENATE AMENDMENTS TO HCR 3032

Page 1, after line 10, insert:

"WHEREAS, the surface owner must bear the entire burden of property taxes when the mineral estate has been severed from the surface estate; and

WHEREAS, the title to abandoned severed mineral interests should revert to the owner of the surface estate overlying the abandoned severed mineral interests who may return the severed mineral interests to valuable use; and

WHEREAS, a thorough study should be undertaken by the Legislative Council of feasible methods to discover and categorize the severed mineral interests in this state before any action concerning this issue is undertaken by the Legislative Assembly; and"

Renumber accordingly

#### SENATE AMENDMENTS TO HCR 3039

Page 1, after line 4, insert:

"WHEREAS, a student with disabilities is often best served by being provided with an appropriate education in the least restrictive environment possible; and

WHEREAS, educating a student with disabilities in the least restrictive environment possible often presents special challenges such as providing for the student's medical needs during the school day; and

WHEREAS, educating a student with disabilities in the least restrictive environment possible and meeting all of the special challenges, while ensuring that the student receives the maximum benefits from an educational experience, requires the coordination of efforts by governmental and private entities; and

WHEREAS, the cost of special education has risen dramatically in recent years; and"



Page 1, remove lines 8 and 9

Page 1, line 18, after "requirements" insert "for the provision of special education services, the delivery of medical services to students with disabilities in a school environment" and replace "delivery" with "the provision"

Page 1, line 19, after "future" insert ", and review the scope and content of existing interagency cooperative agreements for individuals with disabilities to determine whether there is a need to expand participation in the agreements"

Renumber accordingly

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

MR. SPEAKER: The Senate has passed unchanged and the emergency clause carried on HB 1370.

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

MR. SPEAKER: The Senate has amended, subsequently passed, and the emergency clause failed: HB 1439.

Page 1, line 4, remove "to provide a penalty;"

Page 4, remove lines 4 through 6

Page 7, line 6, remove "Any tariffs imposed by sections 16 and 17 of this Act;"

Page 7, line 7, remove "2." and replace "21" with "16"

Page 7, line 8, replace "3" with "2" and replace "27" with "22"

Page 7, line 10, replace "4" with "3"

Page 7, line 11, replace "5" with "4"

Page 7, remove lines 14 through 29

Page 8, remove lines 1 through 28

Page 9, remove lines 1 through 5

Page 10, line 7, replace "22" with "17"

Page 10, line 23, replace "22" with "17"

Page 13, line 23, replace "21" with "16"

Renumber accordingly

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

MR. SPEAKER: The Senate has amended and subsequently failed to pass: HB 1512.

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

MR. SPEAKER: The Senate has failed to pass: HB 1168, HB 1468, HB 1476, HB 1495, HB 1506.

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

MR. SPEAKER: The President has appointed as a conference committee to act with a like committee from the House on:

HB 1152: Sens. Schoenwald; O'Connell; Tennefos

HB 1157: Sens. Schoenwald; O'Connell, Tennefos

HB 1167: Sens. O'Connell; Mathern; Tennefos



HB 1234: Sens. Graba; Kelsh; Peterson

HB 1313: Sens. Tomac; Kinnoin; Traynor

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

MR. SPEAKER: The Senate has passed unchanged: HB 1023, HB 1029, HB 1111, HB 1151, HB 1176, HB 1185, HB 1188, HB 1189, HB 1196, HB 1227, HB 1293, HB 1318, HB 1324.

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

MR. SPEAKER: The Senate has failed to pass: HB 1385.

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

MR. SPEAKER: The Senate has passed and your favorable consideration is requested on: SCR 4067.

#### SPECIAL ORDER OF BUSINESS

REP. KLOUBEC MOVED that a committee of two be appointed to escort Carol Bockenfeld, 1991 American Honey Princess from LaCrosse, Wisconsin, to the rostrum.

SPEAKER R. ANDERSON APPOINTED Reps. Miller and Bernstein to such committee and Ms. Bockenfeld was escorted to the rostrum.

#### REMARKS OF CAROL BOCKENFELD, 1991 AMERICAN HONEY PRINCESS

Mr. Speaker, members of the House, and guests: It gives me great pleasure to address this body of the North Dakota Legislature on this important occasion, National Agriculture Day. I understand that there are 33,500 farms in North Dakota and that agriculture is the mainstay of the Flickertail State.

I am proud to represent an industry that is so important to this nation and indeed to the top honey producing state of North Dakota. In recent years, North Dakota bees have produced an annual average of 17,600,000 pounds of honey contributing some \$9 million to the economy of your fair state. Greater yet is the revenue from increased yields of food and feed crops arising from the pollinating activities of the honeybee. An example being cucumbers whose crop yield can be increased 98 percent by insect pollination. Other crops include sunflowers, buckwheat, alfalfa and sweet clover seed, soybeans, fruit crops, and vegetable gardens. Nationally the honeybee is responsible for \$11 billion worth of pollination annually. That is why she is such a valuable asset to agriculture. The honeybee has been duly honored in the seventeen states which have designated her as their state insect; the "Beehive State", Utah; my home state, Wisconsin; and the state bordering North Dakota to the south. I hope that North Dakota will follow the example set by these states and give due honor to the insect which is necessary to our food supply. Thank you.

#### MOTIONS

REP. COATS MOVED that the remarks of Ms. Bockenfeld be printed in the Journal, which motion prevailed.

REP. DORSO MOVED that the House reconsider its action whereby the committee report was accepted and SB 2206 was placed on the Sixth order of business on the calendar, which motion prevailed.

REP. DORSO MOVED that SB 2206 be rereferred to the Committee on Industry, Business and Labor, which motion prevailed. Pursuant to Rep. Dorso's motion, SB 2206 was rereferred.

REP. SOUKUP MOVED that the House reconsider its action whereby SB 2509 failed to pass, which motion prevailed on a verification vote.

#### ANNOUNCEMENT BY THE SPEAKER

SPEAKER R. ANDERSON ANNOUNCED that SB 2509 was rereferred to the Committee on Political Subdivisions.



## MOTIONS

REP. KLOUBEC MOVED that the House consider all bills and resolutions on the Sixth order, with the exception of SB 2206, which was rereferred to the Committee on Industry, Business and Labor, in one motion, which motion prevailed.

REP. KLOUBEC MOVED that the rules be suspended and that the amendments to HCR 3064, SB 2010, SB 2215, SB 2237, SB 2249, SB 2258, SB 2276, SB 2457, SB 2458, and SCR 4061 be adopted, which motion prevailed.

HCR 3064, as amended, was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SB 2010, SB 2215, SB 2237, SB 2249, SB 2258, SB 2276, SB 2457, and SB 2458, as amended, were placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

SCR 4061, as amended, was placed on the Tenth order of business for the succeeding legislative day.

## MOTION

REP. KLOUBEC MOVED that the House reconsider its action whereby the amendments to SB 2010 were adopted, which motion prevailed.

## SIXTH ORDER OF BUSINESS

SB 2010: REP. THOMPSON (Committee on Appropriations) MOVED that the amendments on HJ page 1225 be adopted and then be placed on the Fourteenth order with DO PASS, which motion prevailed on a verification vote.

## SECOND READING OF HOUSE BILL

HB 1611: A BILL for an Act to amend and reenact section 54-03-01.5 of the North Dakota Century Code, relating to legislative apportionment 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 94 YEAS, 9 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

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

NAYS: Anderson, B.; Berg, R.; Enget; Jacobson; Kerzman; Meyer; Payne; Scherber; Svedjan

ABSENT AND NOT VOTING: Carlson; Gorder; Nicholas

Engrossed HB 1611 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 2031, SB 2078, SB 2534, SB 2030, and SB 2062, which motion prevailed.



## SECOND READING OF SENATE BILL

SB 2031: A BILL for an Act to create and enact a new section to chapter 26.1-08, a new section to chapter 50-10, a new section to chapter 50-24.1, a new section to chapter 54-52.1, and a new section to chapter 65-05 of the North Dakota Century Code, relating to reimbursement for organ and tissue transplants under comprehensive health association plans, programs for aid to crippled children, programs for medical assistance, public employees retirement system insurance programs, and the workers' compensation fund; and to amend and reenact sections 23-01-02 and 23-01-03 of the North Dakota Century Code, relating to the members of special committees of the health council, and the powers and duties of the state health council.

## 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 47 YEAS, 56 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Berg, G.; Bodine; Boucher; Brokaw; Cleary; Coats; DeMers; Enget; Erickson; Flaagan; Gabrielson; Gilmore; Goffe; Grumbo; Hanson; Hokana; Huether; Jacobson; Kaldor; Kerzman; Kolbo; Kretschmar; Kroeber; Laughlin; Linderman; Mahoney; Martinson; Mutzenberger; Nelson; Nichols; Nowatzki; Oban; Peterson; Pyle; Ring; Ritter; Scherber; Schneider; Skar; Snyder; Starke; Stofferahn; Thorpe; Wilkie; Williams

NAYS: Bateman; Belter; Berg, R.; Bernstein; Boehm; Brown; Byerly; Carlisle; Clayburgh; Dalrymple; Delzer; DeWitz; Dorso; Freier; Gates; Gorder; Gorman; Grosz; Hausauer; Henegar; Howard; Jensen; Kelsch; Kloubec; Kunkel; Larson; Martin; Meyer; Miller; Muhs; Myrdal; Nicholas; Olsen, D.; Olson, A.; Payne; Porter; Price; Rennerfeldt; Rydell; Schimke; Schindler; Schmidt; Shide; Skjervén; Soukup; St. Aubyn; Svedjan; Thompson; Timm; Tollefson; Trautman; Urlacher; Wardner; Wentz; Whalen; Speaker R. Anderson

ABSENT AND NOT VOTING: Carlson; Gerntholz; Wald

Engrossed SB 2031 was declared lost.

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## MOTION

REP. KLOUBEC MOVED that the rules be suspended and that SB 2010 be placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

## SECOND READING OF SENATE BILL

SB 2010: A BILL for an Act making an appropriation for insurance premium tax payments distribution to fire departments.

## 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 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; 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; Skjervén; 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: Carlson; Whalen

SB 2010 passed and the title was agreed to.

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COMMUNICATION FROM GOVERNOR GEORGE A. SINNER

March 19, 1991

This is to inform you that on March 19, 1991, I signed the following: HB 1035, HB 1070, HB 1086, HB 1092, HB 1094, HB 1100, HB 1101, HB 1102, HB 1114, HB 1130, HB 1150, HB 1155, HB 1213, HB 1224, HB 1226, HB 1411, HB 1412, HB 1480, HB 1565.

COMMUNICATION FROM GOVERNOR GEORGE A. SINNER

March 20, 1991

This is to inform you that on March 20, 1991, I signed the following: HB 1049, HB 1192, HB 1229, HB 1249, HB 1290, HB 1294, HB 1304, HB 1426, HB 1458, HB 1479, HB 1491, HB 1539.

COMMUNICATION FROM GOVERNOR GEORGE A. SINNER

March 20, 1991

HB 1276 establishes by law a formula for nursing home reimbursement, retroactive to January 1, 1990.

The objective of this legislation is the insulation of nursing homes from cuts in state funding in the event that spending reductions are necessary. In case of an allotment, Service Payments to the Elderly and Disabled (SPED), programs for children, persons with mental retardation and the mentally ill are required to bear all of the cuts. That simply is not fair.

When the Governor determines that spending reductions are necessary due to decreases in revenue, the Governor and all state agencies need maximum flexibility to make cuts in a way that results in fairness, minimum harm and shared sacrifices. HB 1276 would limit the flexibility necessary to accomplish those ends.

Therefore, I veto HB 1276.

MOTION

REP. KLOUBEC MOVED that HB 1276 be reconsidered pursuant to Article V, Section 9, of the Constitution of the State of North Dakota for the purpose of overriding the Governor's veto, and that HB 1276 be placed on the Eleventh order, which motion prevailed.

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

MR. PRESIDENT: The House has concurred in the Senate amendments to HB 1497, HB 1504, and HB 1513 and subsequently passed the same.

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

MR. PRESIDENT: The House has concurred in the Senate amendments to HB 1322, HB 1328, HB 1382, HB 1409, HB 1410, HB 1434, and HB 1451 and subsequently passed the same.

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

MR. PRESIDENT: The House has amended and subsequently passed: SB 2560.

MOTION

REP. KLOUBEC MOVED that the House stand in recess until the Memorial Service begins, which motion prevailed.

HOUSE MEMORIAL SERVICE

REP. KLOUBEC MOVED that the House be on a Special Order of Business, which motion prevailed



The family members were escorted into the House Chambers by Reps. Carlisle and Mahoney.

Invocation: Rev. James Pomeroy  
Epworth United Methodist Church  
Valley City, North Dakota

Musical Selection: Valley City Troubadours -  
"Holy, Holy, Holy"  
Accompanist - Sara Hagen  
Director - Gloria Peterson

#### FIRST READING OF HOUSE MEMORIAL RESOLUTION

Committee on Memorial Resolutions introduced:

HMR A: A memorial resolution for deceased members of the House of Representatives of North Dakota.

Was read the first time.

#### MOTION

REP. KLOUBEC MOVED that the rules be suspended, that HMR A not be printed, not be referred to committee, be read in its entirety, be printed in the Journal, and placed on the calendar for second reading and final passage, which motion prevailed.

Committee on Memorial Resolutions introduced:

#### HOUSE MEMORIAL RESOLUTION NO. A

A memorial resolution for deceased members of the House of Representatives of North Dakota.

WHEREAS, God has summoned to eternal rest our former colleagues:

JAMES CONNOLLY, who served in the 38th through the 41st Legislative Assemblies, from the 33rd District, died August 5, 1989.

ARNOLD GRONNEBERG, who served in the 42nd through the 45th Legislative Assemblies, from the 23rd District, died May 13, 1990.

GERALD A. HALMRAST, who served in the 44th and the 48th through the 51st Legislative Assemblies, from the 52nd District, died September 11, 1990.

DONALD F. HANSON, who served in the 30th Legislative Assembly, from the 43rd District, died April 22, 1990.

ARTHUR A. HERK, who served in the 29th and 30th Legislative Assemblies, from the 38th District, died October 23, 1990.

J. GARVIN JACOBSON, who served in the 38th Legislative Assembly, from the 36th District, died February 22, 1990.

CLARK JENKINS, who served in the 40th through the 43rd Legislative Assemblies, from the 21st District, died March 20, 1990.

PALMER LEVIN, who served in the 24th through the 33rd Legislative Assemblies, from the 3rd District, died February 27, 1990.

LAWRENCE ROSENDAHL, who served in the 39th Legislative Assembly, from the 28th District, died September 14, 1990.

LEO STICKA, who served in the 28th through the 34th Legislative Assemblies, from the 31st District, died July 26, 1990.

WHEREAS, today, as members of the House of Representatives of the 52nd Legislative Assembly of North Dakota, we pause to mourn the passing of our former colleagues and to honor their memories; and



WHEREAS, these legislators rendered outstanding service to the people of the state by their contributions to public service;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF NORTH DAKOTA:

That we express our sorrow on their passing and our appreciation, on behalf of the people of North Dakota, of the loyal and devoted service of our former colleagues, through the words of the following poem, which was the last poem written by the former Representative Ralph Dotzenrod:

Today I'll start with the rising sun  
To use what God has given me  
To use as I will 'til the day is done  
For good or ill as my choice may be.

It's really important my choice is true  
I'm trading a day of my life away  
When tomorrow comes may I never rue  
What I've bought with the coins of life today.

May it not be loss, but a gain I buy  
May it not be evil, but good instead  
May I cheer the heart of a passerby  
Or brighten a life by the right word said.

Tomorrow will come, and today will fade  
May I be sure when this day is past  
The things I have bought with my coins in trade  
Will not be regrets, but are joys that last.

BE IT FURTHER RESOLVED, that for the perpetuation of their memory this token of respect and sympathy by their successors in trust be printed in the Journal of the House of Representatives and that enrolled copies of this resolution be presented by the Secretary of State to the surviving families of these deceased Representatives.

REP. GERNTHOLZ INTRODUCED the family members of deceased Representatives.

Musical Selection: Valley City Troubadours -  
"Rise Again"

A poem written by Former Representative Ralph Dotzenrod (deceased) was read by his son, Senator Jim Dotzenrod.

Musical Selection: Valley City Troubadours -  
"God Bless America"

Benediction: Rev. Marvin Winstry  
Tri-Wesley Parish  
Leal-Dazey-Salem, N.D.

#### SECOND READING OF HOUSE MEMORIAL RESOLUTION

HMR A: A memorial resolution for deceased members of the House of Representatives of North Dakota.

REP. KLOUBEC MOVED that HMR A be adopted, which motion prevailed on a voice vote.

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#### MOTIONS

REP. KLOUBEC MOVED that the Special Order of Business be dissolved, which motion prevailed.

REP. KLOUBEC MOVED that the House stand in recess for ten minutes, which motion prevailed.



THE HOUSE RECONVENED pursuant to recess taken, with Speaker R. Anderson presiding.

#### HOUSE ENROLLING REPORT

The following bills were enrolled: HB 1024, HB 1026, HB 1140, HB 1156, HB 1178, HB 1212, HB 1217, HB 1232, HB 1252, HB 1319, HB 1320, HB 1365, HB 1367, HB 1376, HB 1405, HB 1427, HB 1430, HB 1449, HB 1478, HB 1481, HB 1482.

#### SECOND READING OF SENATE BILL

SB 2078: A BILL for an Act to amend and reenact sections 1 and 15 of chapter 667 of the 1989 Session Laws of North Dakota, section 21-10-01 of the North Dakota Century Code as amended by section 4 of chapter 667 of the 1989 Session Laws of North Dakota, section 21-10-02.1 of the North Dakota Century Code as amended by section 6 of chapter 667 of the 1989 Session Laws of North Dakota, and section 54-52-04 of the North Dakota Century Code as amended by section 11 of chapter 667 of the 1989 Session Laws of North Dakota, relating to the establishment of the North Dakota state retirement and investment office; and to declare an emergency.

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

Engrossed SB 2078 passed, the title was agreed to, and the emergency clause carried.

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THE HOUSE RECOGNIZED THE PRESENCE OF:

Former Representative Carolyn Nelson

#### SECOND READING OF SENATE BILL

SB 2227: A BILL for an Act to amend and reenact sections 4-35-05, 4-35-12.1, subsection 13 of section 4-35-15, sections 4-35-16, 4-35-20, and subsections 4 and 6 of section 4-35-24 of the North Dakota Century Code, relating to the regulation of pesticides.

#### 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 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; Clayburgh; Cleary; Coats; Dalrymple; 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; 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: Carlson; Delzer

Engrossed SB 2227 passed and the title was agreed to.

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#### MOTIONS

REP. GOFFE MOVED that the House reconsider its action whereby SB 2313 failed to pass, which motion lost on a verification vote.

REP. R. BERG MOVED that the House reconsider its action whereby HB 1486 failed to pass for want of a Constitutional majority, which motion prevailed.

#### SECOND READING OF HOUSE BILL

HB 1486: A BILL for an Act to create and enact a new subsection to section 33-06-01 of the North Dakota Century Code, relating to grounds for eviction.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 67 YEAS, 38 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Bateman; Belter; Berg, G.; Berg, R.; Bernstein; Boehm; Brown; Byerly; Carlisle; Clayburgh; Cleary; Dalrymple; Delzer; DeWitz; Dorso; Erickson; Freier; Gabrielson; Gates; Gertholz; Gorman; Grosz; Grumbo; Hausauer; Henegar; Howard; Jensen; Kaldor; Kelsch; Kloubec; Kolbo; Kretschmar; Kunkel; Larson; Martin; Martinson; Meyer; Miller; Muhs; Myrdal; Nicholas; Olsen, D.; Olson, A.; Payne; Porter; Price; Rennerfeldt; Rydell; Schimke; Schindler; Schmidt; Shide; Skjervén; Soukup; St. Aubyn; Svedjan; Thompson; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Whalen; Wilkie; Speaker R. Anderson

NAYS: Aarsvold; Anderson, B.; Bodine; Boucher; Brokaw; Coats; DeMers; Enget; Flaagan; Gilmore; Goffe; Gorder; Hanson; Hokana; Huether; Jacobson; Kerzman; Kroeber; Laughlin; Linderman; Mahoney; Mutzenberger; Nelson; Nichols; Nowatzki; Oban; Peterson; Pyle; Ring; Ritter; Scherber; Schneider; Skar; Snyder; Starke; Stofferahn; Thorpe; Williams

ABSENT AND NOT VOTING: Carlson

HB 1486 passed and the title was agreed to.

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#### SECOND READING OF SENATE BILL

SB 2281: A BILL for an Act to create and enact a new subsection to section 19-03.1-07 of the North Dakota Century Code, relating to controlled substances; and to amend and reenact section 19-03.1-01, subsections 3, 5, and 7 of section 19-03.1-05, subsections 3, 4, 7, and 8 of section 19-03.1-07, subsections 4, 6, 7, and 8 of section 19-03.1-09, subsections 3 and 4 of section 19-03.1-11, and subsection 5 of section 19-03.1-13 of the North Dakota Century Code, relating to controlled substances.



## ROLL CALL

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

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

ABSENT AND NOT VOTING: Carlson

SB 2281 passed and the title was agreed to.

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## MOTION

REP. MEYER MOVED that the House reconsider its action whereby SB 2361 failed to pass, which motion lost on a verification vote.

## SIGNING OF BILLS and RESOLUTIONS

The Speaker signed the following enrolled bills: HB 1024, HB 1026, HB 1140, HB 1156, HB 1178, HB 1212, HB 1217, HB 1232, HB 1252, HB 1319, HB 1320, HB 1365, HB 1367, HB 1376, HB 1405, HB 1427, HB 1430, HB 1449, HB 1478, HB 1481, HB 1482.

## SECOND READING OF SENATE BILLS

SB 2431: A BILL for an Act relating to popcorn toppings; and to provide a penalty.

## MOTION

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

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

YEAS: Aarsvold; Anderson, B.; Belter; Berg, G.; Bodine; Boucher; Brokaw; Clayburgh; Cleary; Coats; Dalrymple; DeMers; Enget; Erickson; Flaagan; Freier; Gabrielson; Gates; Gilmore; Hanson; Hausauer; Hokana; Howard; Huether; Jensen; Kaldor; Kelsch; Kolbo; Kretschmar; Larson; Laughlin; Mahoney; Martinson; Mutzenberger; Myrdal; Nicholas; Nichols; Nowatzki; Oban; Peterson; Porter; Price; Pyle; Ring; Ritter; Rydell; Scherber; Schindler; Schneider; Snyder; Soukup; St. Aubyn; Starke; Svedjan; Thorpe; Wentz; Williams

NAYS: Bateman; Berg, R.; Bernstein; Boehm; Brown; Byerly; Carlisle; Delzer; DeWitz; Dorso; Gerntholz; Goffe; Gorder; Gorman; Grosz; Grumbo; Henegar; Jacobson; Kerzman; Kloubec; Kroeber; Kunkel; Linderman; Martin; Meyer; Miller; Muhs; Nelson; Olsen, D.; Olson, A.; Payne; Rennerfeldt; Schimke; Schmidt; Shide; Skar; Skjerven; Stofferahn; Thompson; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Whalen; Wilkie; Speaker R. Anderson

ABSENT AND NOT VOTING: Carlson



SB 2431 passed and the title was agreed to.

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SB 2483: A BILL for an Act to provide for a bison herd and interpretive center.

#### MOTION

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

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read and is PLACED ON THE CALENDAR WITHOUT RECOMMENDATION, the roll was called and there were 41 YEAS, 62 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Bateman; Berg, R.; Bernstein; Clayburgh; Cleary; Coats; Dalrymple; DeMers; Freier; Gabrielson; Gates; Henegar; Hokana; Jensen; Kaldor; Kelsch; Kerzman; Kretschmar; Larson; Martinson; Meyer; Mutzenberger; Myrdal; Nicholas; Oban; Olsen, D.; Olson, A.; Peterson; Price; Pyle; Ring; Rydell; Schimke; Schneider; St. Aubyn; Svedjan; Thorpe; Timm; Wentz

NAYS: Belter; Berg, G.; Bodine; Boehm; Boucher; Brokaw; Brown; Byerly; Carlisle; Delzer; DeWitz; Dorso; Enget; Erickson; Flaagan; Gerntholz; Gilmore; Goffe; Gorder; Grosz; Grumbo; Hanson; Hausauer; Howard; Huether; Jacobson; Kolbo; Kroeber; Kunkel; Laughlin; Linderman; Mahoney; Martin; Miller; Muhs; Nelson; Nichols; Nowatzki; Payne; Porter; Rennerfeldt; Ritter; Scherber; Schindler; Schmidt; Shide; Skar; Skjerven; Snyder; Soukup; Starke; Stofferahn; Thompson; Tollefson; Trautman; Urlacher; Wald; Wardner; Whalen; Wilkie; Williams; Speaker R. Anderson

ABSENT AND NOT VOTING: Carlson; Gorman; Kloubec

Engrossed SB 2483 was declared lost.

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SB 2512: A BILL for an Act to amend and reenact section 54-56-01 of the North Dakota Century Code, relating to the children's services coordinating committee membership.

#### 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 65 YEAS, 34 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Berg, G.; Bernstein; Bodine; Boucher; Brokaw; Cleary; Coats; Dalrymple; DeMers; DeWitz; Enget; Erickson; Flaagan; Gabrielson; Gerntholz; Gilmore; Goffe; Grumbo; Hanson; Hausauer; Hokana; Howard; Huether; Jacobson; Jensen; Kaldor; Kelsch; Kerzman; Kolbo; Kretschmar; Kroeber; Laughlin; Linderman; Mahoney; Martin; Meyer; Muhs; Mutzenberger; Myrdal; Nelson; Nicholas; Nichols; Oban; Peterson; Pyle; Ring; Ritter; Rydell; Scherber; Schindler; Schneider; Skar; Snyder; Starke; Stofferahn; Thompson; Thorpe; Tollefson; Trautman; Wardner; Wentz; Wilkie; Williams

NAYS: Bateman; Belter; Berg, R.; Boehm; Brown; Byerly; Carlisle; Delzer; Dorso; Freier; Gates; Gorder; Grosz; Henegar; Kloubec; Kunkel; Larson; Martinson; Miller; Olsen, D.; Olson, A.; Payne; Porter; Price; Rennerfeldt; Schimke; Schmidt; Snide; Skjerven; Soukup; St. Aubyn; Svedjan; Urlacher; Speaker R. Anderson

ABSENT AND NOT VOTING: Carlson; Clayburgh; Gorman; Nowatzki; Timm; Wald; Whalen



Engrossed SB 2512 passed and the title was agreed to.

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SB 2534: A BILL for an Act to create and enact a new section to chapter 43-28 of the North Dakota Century Code, relating to fees assessed by the board of dental examiners; to amend and reenact sections 43-20-02, 43-20-06, 43-20-07, 43-20-12.1, 43-20-12.2, subsection 5 of section 43-28-02, sections 43-28-03, 43-28-04, 43-28-05, 43-28-06, 43-28-11, 43-28-12, 43-28-12.1, 43-28-12.2, 43-28-14, 43-28-15, 43-28-16, 43-28-17, 43-28-18, 43-28-22, and 43-28-24 of the North Dakota Century Code, relating to the regulation of dental hygienists and the regulation of the practice of dentistry; and to repeal section 43-20-04 of the North Dakota Century Code, relating to the recording of dental hygienist licenses.

#### 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; Cleary; Coats; Dalrymple; Delzer; DeMers; Dorso; Enget; Erickson; Flaagan; Freier; Gabrielson; Gates; Gerntholz; Gilmore; Goffe; Gorder; Grosz; Grumbo; Hanson; Hausauer; Henegar; Hokana; Howard; Jacobson; Jensen; Kaldor; Kelsch; Kerzman; Kloubec; Kolbo; Kretschmar; Kroeber; Kunkel; Larson; Laughlin; Linderman; Mahoney; Martin; Martinson; Meyer; Miller; Muhs; Mutzenberger; Myrdal; Nelson; Nicholas; Nichols; Oban; Olsen, D.; Olson, A.; Payne; Peterson; Porter; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schimke; Schmidt; Schneider; Shide; Skar; Skjerven; Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Thompson; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Wilkie; Williams; Speaker R. Anderson

NAYS: DeWitz; Schindler

ABSENT AND NOT VOTING: Carlson; Clayburgh; Gorman; Huether; Nowatzki; Snyder; Thorpe; Whalen

Engrossed SB 2534 passed and the title was agreed to.

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SB 2543: A BILL for an Act to amend and reenact sections 16.1-08.1-02, 16.1-08.1-03, and 16.1-08.1-06 of the North Dakota Century Code, relating to campaign contribution statements.

#### 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 47 YEAS, 54 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Belter; Bodine; Boucher; Brokaw; Carlisle; Cleary; Coats; Dalrymple; DeMers; DeWitz; Enget; Flaagan; Gabrielson; Gerntholz; Gilmore; Goffe; Grumbo; Hokana; Jacobson; Jensen; Kaldor; Kerzman; Kretschmar; Laughlin; Linderman; Mahoney; Martinson; Meyer; Mutzenberger; Nelson; Nichols; Oban; Peterson; Pyle; Ring; Ritter; Rydell; Scherber; Schneider; Skar; Snyder; Starke; Stofferahn; Thorpe; Williams

NAYS: Bateman; Berg, G.; Berg, R.; Bernstein; Boehm; Brown; Byerly; Clayburgh; Delzer; Dorso; Erickson; Freier; Gates; Gorder; Grosz; Hanson; Hausauer; Henegar; Howard; Kelsch; Kloubec; Kolbo; Kroeber; Kunkel; Larson; Martin; Miller; Muhs; Myrdal; Nicholas; Olsen, D.; Olson, A.; Payne; Porter; Price; Rennerfeldt; Schimke; Schindler; Schmidt; Shide; Skjerven; Soukup; St. Aubyn; Svedjan; Thompson; Timm;



Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Wilkie;  
Speaker R. Anderson

ABSENT AND NOT VOTING: Carlson; Gorman; Huether; Nowatzki; Whalen

Engrossed SB 2543 was declared lost.

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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 1024, HB 1026, HB 1140, HB 1156, HB 1178, HB 1212, HB 1217, HB 1232, HB 1252, HB 1319, HB 1320, HB 1365, HB 1367, HB 1376, HB 1405, HB 1427, HB 1430, HB 1449, HB 1478, HB 1481, HB 1482.

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

MR. PRESIDENT: The House has passed and your favorable consideration is requested on: HB 1611.

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

MR. PRESIDENT: The House has concurred in the Senate amendments to HB 1486 and subsequently passed the same.

#### 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 Thirteenth order of business, and at the conclusion of the Thirteenth order, the House stand adjourned until 10:00 a.m., Friday, March 22, 1991, which motion prevailed.

#### REPORTS OF STANDING COMMITTEES

SB 2015, as engrossed: Committee on Appropriations (Rep. Thompson, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (22 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 1, line 2, after "department" insert "; and to create and enact a new section to chapter 20.1-02 of the North Dakota Century Code, relating to the establishment of a game and fish department statewide land acquisition plan"

Page 1, line 11, replace "8,834,613" with "8,734,796"

Page 1, line 15, replace "2,853,926" with "2,053,926"

Page 2, line 3, replace "22,621,170" with "21,721,353"

Page 2, after line 24, insert:

"SECTION 5. A new section to chapter 20.1-02 of the North Dakota Century Code is created and enacted as follows:

Land acquisitions - Statewide land acquisition plan. The commissioner shall establish a comprehensive statewide land acquisition plan. Every land acquisition made by the department must be in accordance with the plan. The plan must be approved by the budget section of the legislative council. The budget section shall review each land acquisition made by the department in accordance with the statewide land acquisition plan."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 720 - GAME AND FISH



The amendment reduces salaries and wages by \$99,817 to delete funding for 1.5 FTE positions added in the executive budget, \$60,615 for one FTE fishery biologist, and \$39,202 for a .5 FTE environmental education curriculum coordinator.

The amendment reduces capital improvements by \$800,000 to delete funding for a natural science and outdoor skill learning center.

A section is added that adds a new section to state law requiring the Game and Fish Commissioner to establish a land acquisition plan and the plan and each land acquisition must be approved by the Budget Section.

SB 2204: Committee on Appropriations (Rep. Thompson, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (23 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 1, line 7, remove "to provide a continuing"

Page 1, line 8, remove "appropriation;"

Page 1, line 18, after "funds" insert "within the limits of legislative appropriations"

Page 1, line 19, remove "or appropriated"

Page 2, line 9, remove "- Continuing appropriation"

Page 2, line 11, replace "The fund may be expended by the centennial trees" with "Income earned on moneys in the fund must be credited to the fund. Moneys in the fund may be spent by the centennial trees commission within the limits of legislative appropriations"

Page 2, remove lines 12 and 13

Page 2, line 14, remove "be used"

Page 2, after line 19, insert:

"Biennial report to the legislative assembly. The centennial trees commission shall present a report each biennium to the legislative assembly which must include information on the activities and the revenues and expenses of the commission."

ReNUMBER accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

#### DEPARTMENT 711 - CENTENNIAL TREES COMMISSION

The continuing appropriation for the Centennial Trees Commission is replaced with the provision that funds in the Centennial trees program trust fund may be spent by the Centennial Trees Commission within the limits of legislative appropriations.

Language is added requiring the commission to present a biennial report to the Legislative Assembly.

SB 2250, as engrossed: Committee on Appropriations (Rep. Thompson, Chairman) recommends DO NOT PASS (22 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2250 was placed on the Fourteenth order on the calendar.

SB 2324, as engrossed: Committee on State and Federal Government (Rep. Martinson, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (11 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.



- Page 1, line 22, remove the overstrike over "~~who accepts a retirement allowance under~~"
- Page 2, line 1, remove the overstrike over "~~chapter 39-03-1,~~", after the first overstruck comma insert "52-11," and remove the overstrike over "~~54-52, 15-39-1, or under the alternative retirement program~~"
- Page 2, line 2, remove the overstrike over "~~provided by the state board of higher education,~~" and remove "~~with at least ten continuous~~"
- Page 2, line 3, remove "years of state employment" and remove the overstrike over "~~at the time of retirement~~"
- Page 2, line 7, remove the overstrike over "~~retirees from employment~~"
- Page 2, line 8, remove the overstrike over "~~with~~" and remove "leaves the employ of"
- Page 2, line 10, remove the overstrike over "~~prior to retirement~~"

Renumber accordingly

- SB 2574, as engrossed: Committee on Human Services and Veterans Affairs (Rep. Larson, Chairman) recommends DO PASS (13 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2574 was placed on the Fourteenth order on the calendar.
- SB 2576: Committee on Transportation (Rep. Belter, Chairman) recommends DO NOT PASS (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2576 was placed on the Fourteenth order on the calendar.
- SB 2585, as engrossed: Committee on Transportation (Rep. Belter, Chairman) recommends DO PASS (12 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). SB 2585 was placed on the Fourteenth order on the calendar.
- SCR 4063: Committee on Agriculture (Rep. Nicholas, Chairman) recommends DO PASS and BE PLACED ON THE CONSENT CALENDAR (13 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING). SCR 4063 was placed on the Tenth order.
- SCR 4068: Committee on Agriculture (Rep. Nicholas, Chairman) recommends DO NOT PASS (10 YEAS, 4 NAYS, 3 ABSENT AND NOT VOTING). SCR 4068 was placed on the Fourteenth order on the calendar.

#### FIRST READING OF SENATE CONCURRENT RESOLUTION

- SCR 4067: A concurrent resolution directing the Legislative Council to study workers' compensation, insurance, and contract issues that may arise when an employer or insurer requires subrogation, additional insured coverage, or indemnification of an employee or contractor.
- Was read the first time and referred to the Committee on Industry, Business and Labor.

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

ROY GILBREATH, Chief Clerk