

JOURNAL OF THE HOUSE

Fifty-second Legislative Assembly

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Bismarck, March 22, 1991

The House convened at 10:00 a.m., with Speaker R. Anderson presiding.

The prayer was offered by the Rev. Doug Roberts, United Church of Christ, Bismarck.

Lord, help us find the strength and courage not to seek the applause and praise of our peers, or of our congregations and constituents, or of the public or of the media. Help us to do and say that which is worthy of your applause and praise. Amen.

MOTION

REP. KLOUBEC MOVED that the prayer be printed in the Journal, which motion prevailed.

The roll was called and all members were present except Representatives Carlson, Grosz, Peterson, Stofferahn, and Gorman.

A quorum was declared by the Speaker.

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

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

Page 1268, line 6, delete "HB 1196,"

Page 1268, line 9, after the colon insert "HB 1196,"

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

HOUSE ENGROSSING REPORT

The following resolution was engrossed: HCR 3064

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 SB 2015, SB 2204, and SB 2324 be adopted, which motion prevailed.

SB 2015, SB 2204, and SB 2324, as amended, were placed on the Fourteenth order on the calendar for the succeeding legislative day.

SIGNING of BILLS and RESOLUTIONS

The Speaker signed the following enrolled resolution: HCR 3063.

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

MR. PRESIDENT: The Speaker has signed and your signature is respectfully requested on: HCR 3063.

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

MR. PRESIDENT: The House has amended and failed to pass: SB 2361.

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

MR. PRESIDENT: The House has amended, subsequently passed, and the emergency clause carried: SB 2078.

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

MR. PRESIDENT: The House has amended and failed to pass: SB 2313, SB 2435.

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

MR. PRESIDENT: The House has concurred in the Senate amendments to HB 1050, HB 1201, HB 1282, and HB 1523 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 2010, SB 2227, SB 2281, SB 2534.

SIGNING OF BILLS and RESOLUTIONS

The Speaker signed the following enrolled bills: HB 1044, HB 1047, HB 1108, HB 1137, HB 1141, HB 1159, HB 1161, HB 1164, HB 1203, HB 1208, HB 1216, HB 1231, HB 1245, HB 1248, HB 1270, HB 1277, HB 1484.

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 1044, HB 1047, HB 1108, HB 1137, HB 1141, HB 1159, HB 1161, HB 1164, HB 1203, HB 1208, HB 1216, HB 1231, HB 1245, HB 1248, HB 1270, HB 1277, HB 1484.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

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

ROLL CALL

The question being on the final adoption of the amended resolution, which has been read and has committee recommendation of DO PASS, the roll was called and there were 64 YEAS, 37 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Bateman; Belter; Berg, G.; Berg, R.; Bernstein; Bodine; Boehm; Boucher; Brokaw; Brown; Byerly; Carlisle; Clayburgh; Dalrymple; Delzer; DeWitz; Enget; Erickson; Freier; Gates; Gerntholz; Hausauer; Henegar; Howard; Jensen; Kaldor; Kelsch; Kloubec; Kretschmar; Kunkel; Larson; Laughlin; Mahoney; Martin; Martinson; Miller; Muhs; Nicholas; Nichols; Nowatzki; Payne; Porter; Price; Rennerfeldt; Rydell; Schimke; Schindler; Schmidt; Shide; Skar; Skjerven; Soukup; St. Aubyn; Svedjan; Timm; Tollefson; Urlacher; Wald; Wardner; Wentz; Whalen; Wilkie; Speaker R. Anderson

NAYS: Anderson, B.; Cleary; Coats; DeMers; Dorso; Gabrielson; Gilmore; Goffe; Gorder; Grumbo; Hanson; Hokana; Huether; Jacobson; Kerzman; Kolbo; Kroeber; Linderman; Meyer; Mutzenberger; Myrdal; Nelson; Oban; Olsen, D.; Olson, A.; Pyle; Ring; Ritter; Scherber; Schneider; Snyder; Starke; Stofferahn; Thompson; Thorpe; Trautman; Williams

ABSENT AND NOT VOTING: Carlson; Flaagan; Gorman; Grosz; Peterson

Engrossed HCR 3064 passed and the title was agreed to.

MOTION

REP. TOLLEFSON MOVED that the House waive the reading of the titles to SB 2215, SB 2237, SB 2457, SB 2030, SB 2062, SB 2066, SB 2121, SB 2166, and SB 2167, which motion prevailed.

SECOND READING OF SENATE BILLS

SB 2215: A BILL for an Act to amend and reenact sections 6-09.10-01, 6-09.10-03, 6-09.10-04, 6-09.10-04.1, and 6-09.10-10 of the North Dakota Century Code, relating to agricultural mediation.

ROLL CALL

The question being on the final passage of the amended bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 100 YEAS, 0 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

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

SB 2215 passed and the title was agreed to.

SB 2237: A BILL for an Act to create and enact a new section to chapter 50-27 of the North Dakota Century Code, relating to the administration of the children's trust fund by the committee on children and youth; to amend and reenact sections 25-01-01.1, 50-06-01.2, 50-06-01.4, subdivision d of subsection 1 of section 50-25.2-05, sections 50-26-01, 50-26-05, 50-27-01, and 50-27-03 of the North Dakota Century Code, relating to the various committees of the governor's council on human resources, the developmental disabilities council, the protection and advocacy project, and the children's trust fund; and to repeal section 18 of chapter 333 of the 1989 Session Laws of North Dakota, relating to the duties of the department of human services.

ROLL CALL

The question being on the final passage of the amended bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 100 YEAS, 0 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

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

Engrossed SB 2237 passed and the title was agreed to.

SB 2249: A BILL for an Act to create and enact a new section to chapter 57-06 of the North Dakota Century Code, relating to a property tax exemption for certain centrally assessed pipeline and associated

property used to promote enhanced recovery of oil or natural gas; and to provide an effective date.

ROLL CALL

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

YEAS: Bateman; Belter; Berg, R.; Bernstein; Bodine; Boehm; Brown; Byerly; Carlisle; Clayburgh; Dalrymple; Delzer; DeWitz; Dorso; Erickson; Freier; Gates; Gerntholz; Gorder; Hausauer; Henegar; Howard; Jensen; Kelsch; Kloubec; Kolbo; Kretschmar; Kroeber; Kunkel; Larson; Laughlin; Mahoney; Martin; Martinson; Miller; Muhs; Myrdal; Nicholas; Nichols; Olsen, D.; Olson, A.; Payne; Porter; Rennerfeldt; Rydell; Schimke; Schindler; Schmidt; Shide; Skjerven; Snyder; Soukup; St. Aubyn; Svedjan; Thompson; Timm; Tollefson; Trautman; Urlacher; Wardner; Wentz; Whalen; Speaker R. Anderson

NAYS: Aarsvold; Anderson, B.; Berg, G.; Boucher; Brokaw; Cleary; Coats; DeMers; Enget; Gabrielson; Gilmore; Goffe; Grumbo; Hanson; Hokana; Huether; Jacobson; Kaldor; Kerzman; Linderman; Meyer; Mutzenberger; Nelson; Nowatzki; Oban; Pyle; Ring; Ritter; Scherber; Schneider; Skar; Starke; Stofferahn; Thorpe; Wilkie; Williams

ABSENT AND NOT VOTING: Carlson; Flaagan; Gorman; Grosz; Peterson; Price; Wald

Engrossed SB 2249 passed and the title was agreed to.

SB 2258: A BILL for an Act to create and enact a new section to chapter 54-27.2 of the North Dakota Century Code, relating to transfers from the budget stabilization fund; to amend and reenact sections 54-27.2-01, 54-27.2-02, and 54-27.2-03 of the North Dakota Century Code, relating to transfers of funds from the budget stabilization fund; and to provide an expiration date.

ROLL CALL

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

YEAS: Aarsvold; Anderson, B.; Bateman; Belter; Berg, G.; Berg, R.; Bernstein; Bodine; Boehm; Boucher; Brokaw; Brown; Byerly; Carlisle; Clayburgh; Cleary; Coats; Dalrymple; DeMers; DeWitz; Dorso; Enget; Erickson; Freier; Gabrielson; Gates; Gerntholz; Gilmore; Goffe; 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; Porter; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schindler; Schneider; Shide; Skar; Skjerven; Snyder; Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Thompson; Thorpe; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Whalen; Wilkie; Williams

NAYS: Delzer; Gorder; Schimke; Schmidt; Speaker R. Anderson

ABSENT AND NOT VOTING: Carlson; Flaagan; Gorman; Grosz; Laughlin; Peterson

Engrossed SB 2258 passed and the title was agreed to.

MOTION

REP. KLOUBEC MOVED that the House waive the reading of the title to SB 2276, which motion prevailed.

SECOND READING OF SENATE BILLS

SB 2276: A BILL for an Act to create and enact a new section to chapter 40-57.1 of the North Dakota Century Code, relating to penalties for bad faith use of tax exemptions for new industries; to amend and reenact sections 40-57.1-01, 40-57.1-02, 40-57.1-03, 40-57.1-04, 40-57.1-04.1, 40-57.1-04.3, 40-57.1-06, 40-57.1-07, and 40-57.1-08 of the North Dakota Century Code, relating to property, sales, and income tax exemptions for new industries; and to provide for transition.

ROLL CALL

The question being on the final passage of the amended bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 60 YEAS, 43 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

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

NAYS: Anderson, B.; Berg, G.; Bodine; Brokaw; Cleary; Coats; DeMers; Enget; Erickson; Flaagan; Gabrielson; Gilmore; Goffe; Grumbo; Hanson; Hokana; Huether; Jacobson; Kerzman; Kolbo; Kroeber; Laughlin; Linderman; Mahoney; Meyer; Muhs; Mutzenberger; Nelson; Nichols; Oban; Pyle; Ring; Ritter; Scherber; Schneider; Skar; Skjerven; Snyder; Starke; Stofferahn; Thorpe; Wilkie; Williams

ABSENT AND NOT VOTING: Carlson; Grosz; Peterson

Reengrossed SB 2276 passed and the title was agreed to.

SB 2457: A BILL for an Act to create and enact a new section to chapter 50-11.1 and a new section to chapter 50-25.1 of the North Dakota Century Code, relating to criminal history record investigations of prospective child care providers and the establishment of a carecheck registry and a child abuse information index; to amend and reenact sections 14-09-22, 50-11.1-07, subsection 1 of section 50-25.1-03, and section 50-25.1-05.2 of the North Dakota Century Code, relating to penalties for child abuse, background investigations, release of information maintained by child care providers, persons required to report suspected child abuse, and entry of child abuse reports in a child abuse information index, to provide a penalty; and to provide an effective date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 81 YEAS, 22 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Berg, G.; Berg, R.; Bernstein; Bodine; Brokaw; Carlisle; Clayburgh; Cleary; Dalrymple; DeMers; DeWitz; Dorso; Enget; Erickson; Flaagan; Freier; Gabrielson; Gates; Gerntholz; Gilmore; Goffe; Gorder; Gorman; Grumbo; Hanson; Hausauer; Henegar; Hokana; Huether; Jacobson; Jensen; Kaldor; Kelsch; Kerzman; Kolbo; Kretschmar; Kroeber; Kunkel; Larson; Laughlin; Linderman; Mahoney; Martin; Martinson; Meyer; Miller; Mutzenberger; Myrdal; Nelson; Nicholas; Nichols; Nowatzki; Oban; Olsen, D.; Olson, A.; Payne; Porter; Price; Pyle; Ring; Ritter; Rydell; Scherber; Schindler; Schneider; Skar;

Skjerven; Snyder; Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Thorpe; Tollefson; Trautman; Wentz; Wilkie; Williams

NAYS: Bateman; Belter; Boehm; Boucher; Brown; Byerly; Coats; Delzer; Howard; Kloubec; Muhs; Rennerfeldt; Schimke; Schmidt; Shide; Thompson; Timm; Urlacher; Wald; Wardner; Whalen; Speaker R. Anderson

ABSENT AND NOT VOTING: Carlson; Grosz; Peterson

Engrossed SB 2457 passed and the title was agreed to.

SB 2458: A BILL for an Act to create and enact two new sections to chapter 4-38 of the North Dakota Century Code, relating to organic foods; to amend and reenact sections 4-38-02 and 4-38-03 of the North Dakota Century Code, relating to organic foods; 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 102 YEAS, 1 NAY, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

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

NAYS: Schimke

ABSENT AND NOT VOTING: Carlson; Grosz; Peterson

Engrossed SB 2458 passed and the title was agreed to.

MOTION

REP. KLOUBEC MOVED that the rules be suspended and that SB 2015, SB 2204, and SB 2324 be placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2015: A BILL for an Act making an appropriation for defraying the expenses of the state game and fish department; 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.

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; 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; 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; Porter; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schimke; Schindler; Schmidt; Schneider; Shide; Skar; Skjervén; Snyder; Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Thompson; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Whalen; Wilkie; Williams; Speaker R. Anderson

ABSENT AND NOT VOTING: Anderson, B.; Carlson; Grosz; Peterson; Thorpe

Engrossed SB 2015 passed and the title was agreed to.

MOTION

REP. TOLLEFSON MOVED that the House waive the reading of the title to SB 2204, which motion prevailed.

SECOND READING OF SENATE BILLS

SB 2204: A BILL for an Act to provide for a centennial trees commission, to establish duties of the centennial trees commission, to create a trust fund, and to authorize local governments to participate with the centennial trees commission; to amend and reenact section 3 of chapter 27 of the 1989 Session Laws of North Dakota, relating to the effective date of section 2 of chapter 27 of the 1989 Session Laws of North Dakota; to repeal section 1 of chapter 27 of the 1989 Session Laws of North Dakota; and to provide an expiration date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 99 YEAS, 2 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Bateman; Belter; 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; 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; Mutzenberger; Myrdal; Nelson; Nicholas; Nichols; Nowatzki; Oban; Olsen, D.; Olson, A.; Payne; Porter; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schimke; Schindler; Schneider; Shide; Skar; Skjervén; Snyder; Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Thompson; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Whalen; Wilkie; Williams; Speaker R. Anderson

NAYS: Berg, G.; Schmidt

ABSENT AND NOT VOTING: Carlson; Grosz; Muhs; Peterson; Thorpe

SB 2204 passed and the title was agreed to.

SB 2324: A BILL for an Act to amend and reenact section 54-06-14 of the North Dakota Century Code, relating to partial payment of sick leave benefits upon leaving the employ of the state.

ROLL CALL

The question being on the final passage of the amended bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 98 YEAS, 4 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Carlson; Grosz; Hausauer; Peterson

Engrossed SB 2324 passed and the title was agreed to.

MOTIONS

REP. KLOUBEC MOVED that the rules be suspended and that all bills and the resolution that were passed today be messaged to the Senate immediately, which motion prevailed.

REP. KLOUBEC MOVED that the House stand in recess until 12:15 p.m., which motion prevailed.

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

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

MR. PRESIDENT: The House has passed and your favorable consideration is requested on: HCR 3064.

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

MR. PRESIDENT: The House has amended and subsequently passed: SB 2015, SB 2204, SB 2215, SB 2237, SB 2249, SB 2258, SB 2276, SB 2324, SB 2457, SB 2458.

SECOND READING OF SENATE BILL

SB 2011: A BILL for an Act making an appropriation to the state tax commissioner for payment of state reimbursement under the homestead tax credit.

ROLL CALL

The question being on the final passage of the bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 96 YEAS, 0 NAYS, 0 EXCUSED, 10 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Bateman; Belter; Berg, G.; Berg, R.; 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; Grumbo; Hanson; Henegar; Hokana; Howard; Huether; Jacobson; Jensen; Kaldor; Kelsch; Kerzman; Kolbo; Kretschmar; Kroeber; Kunkel; Larson; Laughlin; Linderman; Mahoney; Martin; Meyer; Miller; Muhs; Mutzenberger; Myrdal; Nelson; Nichols; Nowatzki; Oban; Olsen, D.; Olson, A.; Payne; Porter; Price; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schimke; Schindler; Schmidt; Schneider; Shide; Skar; Skjerven; Snyder; St. Aubyn; Starke; Stofferahn; Svedjan; Thompson; Thorpe; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Whalen; Wilkie; Williams; Speaker R. Anderson

ABSENT AND NOT VOTING: Bernstein; Carlson; Grosz; Hausauer; Kloubec; Martinson; Nicholas; Peterson; Pyle; Soukup

Engrossed SB 2011 passed and the title was agreed to.

POINT OF PERSONAL PRIVILEGE

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

Mr. Speaker and Members of the Assembly: Since early in the session, we have heard of championship basketball teams, championship volleyball teams, championship football teams and championship hockey teams.

North Dakota, being the agricultural state it is, I think it is only fitting that we recognize a championship team and their coach and advisor visiting the House Chambers today. With us today is the State Champion FFA Livestock Judging Team whose members are David Boehm, Carey Entzel, Kathy Madler and Tony Boehm and the State FFA Individual Judging Champion, Julie Schaff. With these champions are their coach, Dick Tokach, who is the son of former Representative Tokach; and their advisor, Tracy Tebben. Needless to say, there is one very proud father sitting on the floor with us, Representative Jim Boehm, the father of David and Tony Boehm, who incidentally are both FFA State Farmers, as is Carey Entzel. Mandan is really proud of these people and I hope the members of the House will wish them well as they compete in the national contest later this year. Won't you please recognize these young North Dakotans, with us, in the chambers today. Thank you.

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

MR. SPEAKER: The President has signed: 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 HOUSE from the SENATE (Marion Houn, Secretary)

MR. SPEAKER: The President has signed and your signature is respectfully requested on: SCR 4007, SCR 4017, SCR 4019, SCR 4025, SCR 4029, SCR 4031, SCR 4032, SCR 4034, SCR 4035, SCR 4038, SCR 4039, SCR 4043, SCR 4047, SCR 4050, SCR 4051, SCR 4052.

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

MR. SPEAKER: The President has signed and your signature is respectfully requested on: SB 2489, SCR 4021

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

MR. SPEAKER: The Senate has amended, subsequently passed, and the emergency clause failed: HB 1511.

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

MR. SPEAKER: The Senate has passed unchanged and the emergency clause carried on HB 1492.

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

MR. SPEAKER: The President has signed: HCR 3063.

SECOND READING OF SENATE BILLS

SB 2013: A BILL for an Act making an appropriation for defraying the expenses of various agricultural councils and commissions.

ROLL CALL

The question being on the final passage of the bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 100 YEAS, 0 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Bateman; Belter, Berg, G.; Berg, R.; Bodine; Boehm; Boucher; Brokaw; Brown; Byerly; Carlisle; Clayburgh; Cleary;

Coats; Dalrymple; Delzer; DeMers; DeWitz; Dorso; Enget; Erickson; Flaagan; Freier; Gabrielson; Gates; Gerntholz; Gilmore; Goffe; Gorder; Gorman; Grumbo; Hanson; Hausauer; Henegar; Hokana; Howard; Huether; Jacobson; Jensen; Kaldor; Kelsch; Kerzman; 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; Porter; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schimke; Schindler; Schmidt; Schneider; Shide; Skar; Skjerven; Snyder; St. Aubyn; Starke; Stofferahn; Svedjan; Thompson; Thorpe; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Whalen; Wilkie; Williams; Speaker R. Anderson

ABSENT AND NOT VOTING: Bernstein; Carlson; Gros Kloubec; Peterson; Soukup

Engrossed SB 2013 passed and the title was agreed to.

SB 2014: A BILL for an Act to make an appropriation for defraying the expenses of the state seed department.

ROLL CALL

The question being on the final passage of the bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 99 YEAS, 0 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Bateman; Belter; Berg, G.; Berg, R.; 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; Grumbo; Hanson; Hausauer; Henegar; Hokana; Howard; Huether; Jacobson; Jensen; Kaldor; Kelsch; Kerzman; Kolbo; Kretschmar; Kroeber; Kunkel; Larson; Laughlin; Linderman; Mahoney; Martinson; Meyer; Miller; Muhs; Mutzenberger; Myrdal; Nelson; Nicholas; Nichols; Nowatzki; Oban; Olsen, D.; Olson, A.; Payne; Porter; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schimke; Schindler; Schmidt; Schneider; Shide; Skar; Skjerven; Snyder; Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Thompson; Thorpe; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Wilkie; Williams; Speaker R. Anderson

ABSENT AND NOT VOTING: Bernstein; Carlson; Grosz; Kloubec; Martin; Peterson; Whalen

Engrossed SB 2014 passed and the title was agreed to.

SB 2030: A BILL for an Act to create and enact a new subdivision to subsection 1 of section 23-17.2-03 of the North Dakota Century Code, relating to application of the certificate of need program to organ or tissue transplant centers; and to amend and reenact section 23-17.2-02 of the North Dakota Century Code, relating to definitions applicable to the certificate of need program governing health care facilities centers.

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 44 YEAS, 59 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Bodine; Boucher; Brokaw; Cleary; Coats; DeMers; Dorso; Enget; Erickson; Flaagan; Gabrielson; Gilmore; Goffe; Grumbo; Hanson; Hokana; Huether; Jacobson; Kaldor; Kerzman; Kolbo; Kretschmar; Kroeber; Laughlin; Linderman; Mahoney; Meyer; Mutzenberger; Nichols; Nowatzki; Oban; Pyle; Ring; Scherber; Schneider; Skar; Snyder; Starke; Stofferahn; Thorpe; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Wilkie; Williams; Speaker R. Anderson

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

ABSENT AND NOT VOTING: Carlson; Kloubec; Peterson

Engrossed SB 2030 was declared lost.

SB 2062: A BILL for an Act to create and enact a new subsection to section 6-03-47.2 of the North Dakota Century Code and a new section to chapter 10-30.1 of the North Dakota Century Code, relating to allowable investments of state banks and tax credits for investments by banks, savings and loan associations, trust companies, and insurance companies in venture capital corporations; to amend and reenact sections 6-03-38 and 10-30.2-13 of the North Dakota Century Code, relating to authorized investments of banks and to remove certain limitations on investments; 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 NOT PASS, the roll was called and there were 2 YEAS, 98 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

YEAS: Kretschmar; Tollefson

NAYS: 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; Henegar; Hokana; Howard; Huether; Jacobson; Jensen; Kaldor; Kelsch; Kerzman; Kolbo; Kroeber; Kunkel; Larson; Laughlin; Linderman; Mahoney; Martin; Martinson; Miller; Muhs; Mutzenberger; Myrdal; Nelson; Nicholas; Nichols; Nowatzki; Oban; Olsen, D.; Olson, A.; Payne; Porter; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schimke; Schindler; Schmidt; Schneider; Shide; Skar; Skjerven; Snyder; Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Thompson; Thorpe; Timm; Trautman; Urlacher; Wald; Wardner; Wentz; Wilkie; Williams; Speaker R. Anderson

ABSENT AND NOT VOTING: Carlson; Hausauer; Kloubec; Meyer; Peterson; Whalen

Engrossed SB 2062 was declared lost.

SB 2066: A BILL for an Act to create and enact a new section to chapter 32-08.1 of the North Dakota Century Code, relating to the prehearing attachment of property; and to amend and reenact section 32-08.1-02, subsection 1 of section 32-08.1-03, and section 32-08.1-17 of the North Dakota Century Code, relating to the issuance of writs of attachment.

ROLL CALL

The question being on the final passage of the bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 99 YEAS, 1 NAY, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

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

Gilmore; Goffe; Gorder; Gorman; Grosz; Grumbo; Hanson; 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; Porter; Price; Pyle; Rennerfeldt; Ritter; Rydell; Scherber; Schimke; Schindler; Schmidt; Schneider; Shide; Skar; Skjerven; Snyder; Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Thorpe; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Wilkie; Williams; Speaker R. Anderson

NAYS: Ring

ABSENT AND NOT VOTING: Carlson; Hausauer; Kloubec; Peterson; Thompson; Whalen

Engrossed SB 2066 passed and the title was agreed to.

SB 2103: A BILL for an Act to create and enact a new section to chapter 52-06 of the North Dakota Century Code, relating to applicability of unemployment compensation decisions to separate proceedings.

ROLL CALL

The question being on the final passage of the bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 98 YEAS, 3 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Bateman; Belter; Berg, G.; Berg, R.; Bernstein; Bodine; Boehm; Boucher; Brokaw; Brown; Byerly; Carlisle; Clayburgh; Cleary; Coats; Dalrymple; Delzer; DeWitz; Dorso; Enget; Erickson; Flaagan; Freier; Gabrielson; Gates; Gerntholz; Gilmore; Goffe; Gorder; Gorman; Grosz; Grumbo; Hanson; 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; Porter; Price; Pyle; Rennerfeldt; Ritter; Rydell; Scherber; Schimke; Schindler; Schmidt; Shide; Skar; Skjerven; Snyder; Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Thompson; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Whalen; Wilkie; Williams; Speaker R. Anderson

NAYS: DeMers; Ring; Schneider

ABSENT AND NOT VOTING: Carlson; Hausauer; Kloubec; Peterson; Thorpe

SB 2103 passed and the title was agreed to.

SB 2117: A BILL for an Act to amend and reenact section 11-11-11 of the North Dakota Century Code, relating to the due date for county auditors to prepare general purpose financial statements.

ROLL CALL

The question being on the final passage of the bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 99 YEAS, 0 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Bateman; Belter; Berg, G.; Berg, R.; Bernstein; Bodine; Boehm; Boucher; Brokaw; Brown; Byerly; Carlisle; Clayburgh; Cleary; Coats; Dalrymple; Delzer; DeMers; DeWitz; Dorso; Enget; Erickson; Flaagan; Freier; Gabrielson; Gates; Gerntholz; Gilmore; Goffe; Gorman; Grosz; Grumbo; Hanson; 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; Porter; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schimke; Schindler; Schmidt; Schneider; Shide; Skar; Skjerven; Snyder; Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Thompson; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Whalen; Wilkie; Williams; Speaker R. Anderson

ABSENT AND NOT VOTING: Carlson; Gorder; Hausauer; Kloubec; Peterson; Thorpe; Wentz

SB 2117 passed and the title was agreed to.

MOTIONS

REP. MARTINSON MOVED that the House reconsider its action whereby the committee report was accepted and SCR 4058 was placed on the Tenth order of business on the calendar, which motion prevailed.

REP. MARTINSON MOVED that SCR 4058 be rereferred to the Committee on State and Federal Government, which motion prevailed. Pursuant to Rep. Martinson's motion, SCR 4058 was rereferred.

HOUSE ENGROSSING AND ENROLLING REPORT

The following bills were engrossed and enrolled: HB 1322, HB 1328, HB 1382, HB 1409, HB 1410, HB 1434, HB 1451, HB 1497, HB 1504, HB 1513.

HOUSE ENROLLING REPORT

The following bills were enrolled: HB 1023, HB 1029, HB 1111, HB 1151, HB 1176, HB 1185, HB 1188, HB 1189, HB 1227, HB 1293, HB 1318, HB 1324.

HOUSE ENROLLING REPORT

The following bill was enrolled: HB 1370.

HOUSE ENROLLING REPORT

The following resolution was enrolled: HCR 3037.

HOUSE ENROLLING REPORT

The following resolution was enrolled: HMR A.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following resolution was delivered to the Secretary of State for his filing at the hour of 12:45 p.m., March 22, 1991: HCR 3063.

SECOND READING OF SENATE BILLS

SB 2119: A BILL for an Act to amend and reenact section 55-08-07.2 of the North Dakota Century Code, relating to the use of the state parks and recreation department gift fund.

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

ABSENT AND NOT VOTING: Carlson; Hausauer; Olsen, D.; Peterson

SB 2119 passed and the title was agreed to.

SB 2121: A BILL for an Act to amend and reenact sections 25-04-05, 25-04-14, and 25-04-16 of the North Dakota Century Code, relating to the provision of free educational services to developmental center patients who are twenty-one years of age or younger and to provide for the waiver of fees and expenses upon application by a parent of a patient or former patient under age eighteen.

ROLL CALL

The question being on the final passage of the bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 103 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Bateman; Belter; Berg, G.; Berg, R.; Bernstein; Bodine; Boehm; Boucher; Brokaw; Brown; Byerly; Carlisle; 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; Kolbo; Kretschmar; Kroeber; Kunkel; Larson; Laughlin; Linderman; Mahoney; Martin; Martinson; Meyer; Miller; Muhs; Mutzenberger; Myrdal; Nelson; Nicholas; Nowatzki; Oban; Olsen, D.; Olson, A.; Payne; Porter; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schimke; Schindler; Schmidt; Schneider; Shide; Skar; Skjerven; Snyder; Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Thompson; Thorpe; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Whalen; Wilkie; Williams; Speaker R. Anderson

ABSENT AND NOT VOTING: Carlson; Kloubec; Peterson

Engrossed SB 2121 passed and the title was agreed to.

SB 2142: A BILL for an Act to amend and reenact section 61-04-04.1 of the North Dakota Century Code, relating to fees for water permit applications.

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 73 YEAS, 30 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Bateman; Berg, G.; Berg, R.; Bernstein; Bodine; Brown; Byerly; Clayburgh; Cleary; Coats; Dalrymple; DeMers; Dorso; Enget; Erickson; Flaagan; Freier; Gabrielson; Gates; Gorder; Gorman; Grumbo; Hanson; Hausauer; Henegar; Hokana; Howard; Huether; Jacobson; Jensen; Kaldor; Kelsch; Kerzman; Kolbo; Kretschmar; Kroeber; Kunkel; Larson; Laughlin; Linderman; Martin; Meyer; Miller; Muhs; Myrdal; Nicholas; Nichols; Nowatzki; Olsen, D.; Olson, A.; Porter; Price; Pyle; Ring; Scherber; Shide; Snyder; Soukup; St. Aubyn; Starke; Svedjan; Thompson; Thorpe; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Whalen; Williams

NAYS: Belter; Boehm; Boucher; Brokaw; Carlisle; Delzer; DeWitz; Gerntholz; Gilmore; Goffe; Grosz; Mahoney; Martinson; Mutzenberger; Nelson; Oban; Payne; Rennerfeldt; Ritter; Rydell; Schimke; Schindler; Schmidt; Schneider; Skar; Skjerven; Stofferahn; Timm; Wilkie; Speaker R. Anderson

ABSENT AND NOT VOTING: Carlson; Kloubec; Peterson

SB 2142 passed and the title was agreed to.

SB 2144: A BILL for an Act to amend and reenact subsection 2 of section 52-06-04 and section 52-06-05 of the North Dakota Century Code, relating to qualifications as an insured worker and benefit duration for unemployment compensation purposes.

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 52 YEAS, 51 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

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

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

ABSENT AND NOT VOTING: Carlson; Kloubec; Peterson

SB 2144 was declared lost for want of Constitutional majority.

SB 2146: A BILL for an Act to create and enact a new section to chapter 65-01 of the North Dakota Century Code, relating to the establishment of an information fund for the workers compensation bureau; to provide a continuing appropriation; 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 100 YEAS, 1 NAY, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Bateman; Belter; Berg, G.; Berg, R.; Bernstein; Bodine; Boehm; Boucher; Brokaw; Brown; Byerly; Carlisle; 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; Kelsch; Kerzman; Kolbo; Kretschmar; Kroeber; Kunkel; Larson; Laughlin; Linderman; Mahoney; Martin; Martinson; Meyer; Miller; Mutzenberger; Myrdal; Nelson; Nicholas; Nichols; Nowatzki; Oban; Olsen, D.; Olson, A.; Payne; Porter; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schimke; Schindler; Schmidt; Schneider; Shide; Skar; Skjerven; Snyder; Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Thompson; Thorpe; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Whalen; Wilkie; Williams; Speaker R. Anderson

NAYS: Muhs

ABSENT AND NOT VOTING: Carlson; Jensen; Kaldor; Kloubec; Peterson

Engrossed SB 2146 passed and the title was agreed to.

SB 2161: A BILL for an Act to amend and reenact section 19-07-02 of the North Dakota Century Code, relating to authority of the department of health and consolidated laboratories and the commissioner of agriculture to adopt rules governing shell eggs.

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; 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; 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; 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: Carlson; Kaldor; Peterson; Wilkie

Engrossed SB 2161 passed and the title was agreed to.

SB 2163: A BILL for an Act to amend and reenact subsection 3 of section 52-04-05 of the North Dakota Century Code, relating to determination of rates of contributions for unemployment compensation purposes.

ROLL CALL

The question being on the final passage of the bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 103 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Bateman; Belter; Berg, G.; Berg, R.; Bernstein; Bodine; Boehm; Boucher; Brokaw; Brown; Byerly; Carlisle; 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; 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: Carlson; Peterson; Wilkie

SB 2163 passed and the title was agreed to.

SB 2166: A BILL for an Act to amend and reenact sections 65-12-01, 65-12-02, 65-12-06, and 65-12-11 of the North Dakota Century Code, relating to the appointment of the chief and deputy boiler inspectors, inspection of steam traction engines, and boiler inspection fees; and to repeal

section 65-12-13 of the North Dakota Century Code, relating to bonding of the boiler inspector.

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, 1 NAY, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Bateman; Belter; Berg, G.; Berg, R.; Bernstein; Bodine; Boehm; Boucher; Brokaw; Brown; Byerly; 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; Porter; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schimke; Schindler; Schmidt; Schneider; Shide; Skar; Skjerven; Snyder; Soukup; St. Aubyr; Starke; Stofferahn; Svedjan; Thorpe; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Whalen; Wilkie; Williams; Speaker R. Anderson

NAYS: Carlisle

ABSENT AND NOT VOTING: Carlson; Peterson; Thompson

Engrossed SB 2166 passed and the title was agreed to.

SB 2167: A BILL for an Act to amend and reenact subsection 5 of section 65-11-04 of the North Dakota Century Code, relating to the duty of the safety engineer to study accidents; and to repeal sections 65-11-02, 65-11-03, and 65-11-06 of the North Dakota Century Code, relating to the qualifications, salary, and removal of the safety engineer.

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; 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; 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; Porter; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schimke; Schindler; Schmidt; Schneider; Shide; Skar; Skjerven; Snyder; Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Thorpe; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Whalen; Wilkie; Williams; Speaker R. Anderson

ABSENT AND NOT VOTING: Carlson; Kelsch; Peterson; Thompson

Engrossed SB 2167 passed and the title was agreed to.

SB 2171: A BILL for an Act to amend and reenact subsection 16 of section 43-15-01 of the North Dakota Century Code, relating to the definition of "practice of pharmacy".

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; 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; Porter; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schimke; Schindler; Schmidt; Schneider; Shide; Skar; Skjerven; Snyder; Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Thompson; Thorpe; Timm; Tollefson; Trautman; Wald; Wardner; Wentz; Whalen; Wilkie; Williams; Speaker R. Anderson

ABSENT AND NOT VOTING: Carlson; Peterson; Price; Urlacher

Engrossed SB 2171 passed and the title was agreed to.

SB 2172: A BILL for an Act to amend and reenact section 43-15-14 of the North Dakota Century Code, relating to who may sell drugs, poisons, medicines, or chemicals, and to the unlawful practice of pharmacy; and to provide a penalty.

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 81 YEAS, 21 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Berg, G.; Berg, R.; Bernstein; Bodine; Boucher; Brokaw; Carlisle; Clayburgh; Cleary; Coats; Dalrymple; DeMers; Enget; Erickson; Flaagan; Freier; Gabrielson; Gates; Gerntholz; Gilmore; Goffe; Gorman; Grumbo; Hanson; Hausauer; Henegar; Hokana; Howard; Huether; Jacobson; Jensen; Kaldor; Kelsch; Kerzman; Kolbo; Kretschmar; Kroeber; Kunkel; Larson; Laughlin; Linderman; Martinson; Meyer; Miller; Muhs; Mutzenberger; Nelson; Nicholas; Nichols; Nowatzki; Oban; Olsen, D.; Payne; Porter; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schneider; Skar; Skjerven; Snyder; St. Aubyn; Starke; Stofferahn; Svedjan; Thorpe; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Wilkie; Williams; Speaker R. Anderson

NAYS: Bateman; Belter; Boehm; Brown; Byerly; Delzer; DeWitz; Dorso; Gorder; Grosz; Mahoney; Myrdal; Olson, A.; Schimke; Schindler; Schmidt; Shide; Soukup; Thompson; Timm; Whalen

ABSENT AND NOT VOTING: Carlson; Kloubec; Martin; Peterson

SB 2172 passed and the title was agreed to.

SB 2177: A BILL for an Act to amend and reenact section 19-20.2-01 of the North Dakota Century Code, relating to the regulation of anhydrous ammonia 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 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; 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; 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; Wilkie; Williams; Speaker R. Anderson

ABSENT AND NOT VOTING: Carlson; Peterson; Wentz; Whalen

Engrossed SB 2177 passed and the title was agreed to.

SB 2183: A BILL for an Act to create and enact a new subsection to section 39-04-05 and a new subsection to section 39-04-06 of the North Dakota Century Code, relating to refusing, rescinding, or suspending vehicle registration.

ROLL CALL

The question being on the final passage of the bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 101 YEAS, 0 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Bateman; Belter; Berg, G.; Berg, R.; Bernstein; Bodine; Boehm; Boucher; Brokaw; Brown; Byerly; Carlisle; 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; 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; Whalen; Williams; Speaker R. Anderson

ABSENT AND NOT VOTING: Carlson; Olson, A.; Peterson; Wentz; Wilkie

SB 2183 passed and the title was agreed to.

SB 2184: A BILL for an Act to amend and reenact subsection 1 of section 39-05-09 of the North Dakota Century Code, relating to contents of certificate of title to a motor vehicle.

ROLL CALL

The question being on the final passage of the bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 100 YEAS, 0 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Carlson; Delzer; Muhs; Peterson; Wald; Wilkie

SB 2184 passed and the title was agreed to.

MOTION

REP. TOLLEFSON MOVED that the House waive the reading of the titles to SB 2197, SB 2200, SB 2203, SB 2221, SB 2223, SB 2235, SB 2238, SB 2239, SB 2240, SB 2245, SB 2253, SB 2267, and SB 2305, which motion prevailed.

SECOND READING OF SENATE BILLS

SB 2197: A BILL for an Act to create and enact a new section to chapter 15-39.1 of the North Dakota Century Code, relating to postretirement benefit adjustments under the teachers' fund for retirement; to amend and reenact subsection 2 of section 15-39.1-10 and sections 15-39.1-12.1 and 15-39.2-01 of the North Dakota Century Code, relating to computation of benefits, partial service retirement, and the benefit formula for college teachers under the teachers' fund for retirement; and to provide for application of this Act.

ROLL CALL

The question being on the final passage of the bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 103 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Bateman; Belter; Berg, G.; Berg, R.; Bernstein; Bodine; Boehm; Boucher; Brokaw; Brown; Byerly; Carlisle; 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; 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: Carlson; Peterson; Schneider

SB 2197 passed and the title was agreed to.

SB 2200: A BILL for an Act to create and enact two new sections to chapter 54-52.3 of the North Dakota Century Code, relating to confidentiality of information concerning a public employee's participation in the pretax benefits program and deposit of moneys collected under the pretax benefits program; to amend and reenact section 54-52.3-03 of the North Dakota Century Code, relating to the defrayal of expenses associated with the pretax benefits program; and to provide a continuing appropriation.

ROLL CALL

The question being on the final passage of the bill, which has been read and has committee recommendation of DO 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; Clayburgh; Cleary; Coats; Dalrymple; Delzer; DeMers; DeWitz; Dorso; Enget; Erickson; Flaagan; Freier; Gabrielson; Gates; Gerntholz; Gilmore; Goffe; Gorder; Gorman; Grosz; Grumbo; Hanson; Henegar; Hokana; Howard; Huether; Jacobson; Jensen; Kaldor; Kelsch; Kerzman; Kloubec; Kolbo; Kretschmar; Kroeber; Kunkel; Larson; Laughlin; Linderman; Mahoney; Martin; Martinson; Meyer; Miller; Muhs; Mutzenberger; Myrdal; Nelson; Nicholas; Nichols; Nowatzki; Oban; Olson, A.; Payne; Porter; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schimke; Schindler; Schmidt; Schneider; Shide; Skar; Skjerven; Snyder; Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Thompson; Thorpe; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Whalen; Wilkie; Williams; Speaker R. Anderson

ABSENT AND NOT VOTING: Carlson; Hausauer; Olsen, D.; Peterson

Engrossed SB 2200 passed and the title was agreed to.

MOTION

REP. KLOUBEC MOVED that SB 2203 be laid over one legislative day, which motion prevailed.

SECOND READING OF SENATE BILLS

SB 2221: A BILL for an Act to create and enact a new section to chapter 36-01 of the North Dakota Century Code, relating to definitions; and to amend and reenact sections 36-01-08, 36-01-12, 36-01-13, 36-01-14, 36-01-17, and 36-01-19 of the North Dakota Century Code, relating to duties of the state board of animal health, powers of the state board of animal health over contagious and infectious diseases, diseased animals to be reported to the board, protest of killing of diseased animals, oaths and examinations, and the emergency fund in case of epizootic.

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 92 YEAS, 6 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; Clayburgh; Cleary; Coats; Dalrymple; Delzer; DeMers; Dorso; Enget; Erickson; Flaagan; Gabrielson; Gates; Gerntholz; Gilmore; Goffe; Gorder; Grosz; Grumbo; Hanson; Henegar; Hokana; Howard; Huether; Jacobson; Kaldor; Kelsch; Kerzman; Kloubec; Kolbo; Kretschmar; Kroeber; Kunkel; Larson; Laughlin; Linderman; Mahoney; Martin; Martinson; Meyer; Miller; Mutzenberger; Myrdal; Nelson; Nicholas; Nichols; Nowatzki; Oban; Olson, A.; Payne; Porter; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schimke; Schneider; Shide; Skar; Snyder; Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Thorpe; Timm; Tollefson; Trautman; Urlacher; Wardner; Wentz; Whalen; Wilkie; Williams; Speaker R. Anderson

NAYS: DeWitz; Jensen; Muhs; Schindler; Schmidt; Skjerven

ABSENT AND NOT VOTING: Carlson; Freier; Gorman; Hausauer; Olsen, D.; Peterson; Thompson; Wald

SB 2221 passed and the title was agreed to.

SB 2223: A BILL for an Act to amend and reenact subdivision c of subsection 1 of section 57-38-01.3, sections 57-38-05, 57-38-34.3, subsection 6 of section 57-38-42, subsection 6 of section 57-38-60, and section 57-38.1-04 of the North Dakota Century Code, and section 2 of chapter 27 of the 1989 Session Laws of North Dakota, relating to the elimination of cash basis federal income tax deductions for corporations, the exemption of certain income of nonresidents, limiting to individuals the optional contributions to the centennial tree program trust fund and wildlife fund, providing a penalty for failure to file a partnership return, removing the maximum bond limit to ensure the payment of income taxes withheld from wages, and the allocation of nonbusiness income; to provide a penalty; 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 97 YEAS, 0 NAYS, 0 EXCUSED, 9 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; Dorso; Enget; Erickson; Flaagan; Freier; Gabrielson; Gates; Gerntholz; Gilmore; Goffe; Gorder; Gorman; Grosz; Grumbo; Hanson; Henegar; Hokana; Howard; Huether; Jacobson; Jensen; Kaldor; Kelsch; Kerzman; Kloubec; Kolbo; Kretschmar; Kroeber; Kunkel; Larson; Laughlin; Linderman; Mahoney; Martin; Martinson; Meyer; Miller; Muhs; Mutzenberger; Myrdal; Nelson; Nichols; Nowatzki; Oban; Olson, A.; Payne; Porter; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schimke; Schindler; Schmidt; Schneider; Shide; Skar; Skjervan; Snyder; Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Thorpe; Timm; Tollefson; Trautman; Urlacher; Wardner; Wentz; Wilkie; Williams; Speaker R. Anderson

ABSENT AND NOT VOTING: Carlson; DeWitz; Hausauer; Nicholas; Olsen, D.; Peterson; Thompson; Wald; Whalen

Engrossed SB 2223 passed and the title was agreed to.

SB 2225: A BILL for an Act providing for an appropriation for native American curriculum development.

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 11 YEAS, 88 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

YEAS: Boucher; Cleary; Dorso; Enget; Hanson; Jacobson; Mutzenberger; Nichols; Oban; Ritter; Schneider

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

ABSENT AND NOT VOTING: Carlson; Hausauer; Nicholas; Peterson; Starke; Urlacher; Whalen

SB 2225 was declared lost.

SB 2235: A BILL for an Act to amend and reenact subsection 2 of section 63-01.1-06, subsection 1 of section 63-01.1-06.2, subsection 1 of section 63-01.1-06.5, and subsection 4 of section 63-01.1-08 of the North Dakota Century Code, relating to noxious weed control program funding and disposition of penalties; and to provide a penalty.

ROLL CALL

The question being on the final passage of the bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 100 YEAS, 2 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; Clayburgh; Cleary; Coats; Dalrymple; Delzer; DeWitz; Dorso; Enget; Erickson; Flaagan; Freier; Gabrielson; Gates; Gerntholz; Gilmore; Goffe; Gorder; Gorman; Grosz; Grumbo; Hanson; Hausauer; Henegar; Hokana; Howard; Huether; Jacobson; Jensen; Kaldor; Kelsch; Kerzman; Kloubec; Kolbo; Kretschmar; Kroeber; Kunkel; Larson; Laughlin; Linderman; Mahoney; Martin; Martinson; Meyer; Miller; Muhs; Mutzenberger; Myrdal; Nelson; Nicholas; Nichols; Nowatzki; Oban; Olsen, D.; Olson, A.; Payne; Porter; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schimke; Schindler; Schneider; Shide; Skar; Skjerven; Snyder; Soukup; St. Aubyn; Starke; Stofferahn; Thompson; Thorpe; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Wilkie; Williams; Speaker R. Anderson

NAYS: DeMers; Schmidt

ABSENT AND NOT VOTING: Carlson; Peterson; Svedjan; Whalen

Engrossed SB 2235 passed and the title was agreed to.

SB 2236: A BILL for an Act to amend and reenact subsection 14 of section 52-06-02 of the North Dakota Century Code, relating to treatment of services performed by aliens under the employment compensation law.

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; 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; 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; Peterson

SB 2236 passed and the title was agreed to.

SB 2238: A BILL for an Act to create and enact a new section to chapter 57-40.6 and a new subsection to section 57-40.6-02 of the North Dakota Century Code, relating to enhanced 911 data base management charges and authority of counties or cities to impose excise taxes on telephone access lines; to amend and reenact section 57-40.6-01 and subsection 1 of section 57-40.6-02 of the North Dakota Century Code, relating to the definitions of the emergency service communications systems and the authority of counties or cities to impose excise tax on telephone access lines, and to amend and reenact subsection 1 of section 1 and section 3 of the 1987 Session Laws relating to the appointment of an emergency services communication system advisory committee and the expiration date of the Act.

ROLL CALL

The question being on the final passage of the bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 102 YEAS, 1 NAY, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

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

NAYS: Grosz

ABSENT AND NOT VOTING: Carlson; Peterson; Shide

Engrossed SB 2238 passed and the title was agreed to.

SB 2239: A BILL for an Act to amend and reenact sections 54-40.2-02, 54-40.2-03.1, 54-40.2-03.2, 54-40.2-04, 54-40.2-05, 54-40.2-05.1, 54-40.2-06, 54-40.2-08, and 54-40.2-09 of the North Dakota Century Code, relating to agreements between public agencies and Indian tribes; and to repeal section 54-40.2-03 of the North Dakota Century Code, relating to agreement specifications.

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; 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; Porter; Price; Pyle; Rennerfeldt; Ring;

Ritter; Rydell; Scherber; Schimke; Schindler; Schmidt; Schneider; Skar; Skjerven; Snyder; Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Thompson; Thorpe; Timm; Tollefson; Trautman; Urlacher; Wardner; Wentz; Whalen; Wilkie; Williams; Speaker R. Anderson

ABSENT AND NOT VOTING: Carlson; Peterson; Shide; Wald

Engrossed SB 2239 passed and the title was agreed to.

SB 2240: A BILL for an Act to amend and reenact section 21-10-02 of the North Dakota Century Code as amended by section 5 of chapter 667 of the 1989 Session Laws of North Dakota, and sections 21-10-04, 21-10-05, 21-10-06.1, and 21-10-08 of the North Dakota Century Code, relating to state investment board powers and duties, meetings, investment director, funds under management, investment reports, and reserves.

ROLL CALL

The question being on the final passage of the bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 98 YEAS, 3 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Bateman; Belter; Berg, G.; Berg, R.; Bernstein; Bodine; Boehm; Boucher; Brokaw; Brown; Byerly; Carlisle; Clayburgh; Cleary; Coats; Dalrymple; 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; Nicholas; Nichols; Nowatzki; Oban; Olsen, D.; Olson, A.; Payne; Porter; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schindler; Schneider; Skar; Skjerven; Snyder; Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Thompson; Thorpe; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Whalen; Wilkie; Williams; Speaker R. Anderson

NAYS: Delzer; Grosz; Schimke

ABSENT AND NOT VOTING: Carlson; Nelson; Peterson; Schmidt; Shide

SB 2240 passed and the title was agreed to.

SB 2245: A BILL for an Act to amend and reenact sections 4-11-21, 4-22-05, 15-59-05.2, 23-01-02, 23-12-10.2, 25-01-01, 25-01-01.1, subsection 6 of section 25-03.1-43, subdivision m of subsection 1 of section 28-32-01, sections 37-10-03.5, 37-18.1-01, 39-01-02, subsection 5 of section 39-10-50, sections 44-08-18, 48-02-09, 48-06-01, 48-06-03, 48-06-04, 48-06-06, 48-06-07, 48-08-03, 48-08-05, 48-08-08, 48-11-02, 50-06-01.4, 50-06-06.3, subsection 8 of section 50-25.1-02, sections 54-01-11, subdivision j of subsection 1 of section 54-06-04, sections 54-06-18, 54-21-17.1, 54-21-18, 54-21-19, 54-21-24, 54-21-24.1, 54-21-27, 54-21-28, 54-23.2-01, 54-23.2-08, 54-23.3-01, 54-23.3-03, 54-23.3-05, 54-40-12, 54-56-01, 55-01-02.1, and 55-02-08 of the North Dakota Century Code, relating to the transfer of the director of institutions' functions to the office of management and budget or appropriate agency; and to repeal sections 54-21-06, 54-21-06.1, 54-21-09, 54-21-10, 54-21-11, 54-21-12, 54-21-20, 54-23-01, 54-23-02, 54-23-03, 54-23-04, 54-23-05, 54-23-06, 54-23-07, 54-23-08, 54-23-09, 54-23-11, 54-23-12, 54-23-13, 54-23-14, 54-23-15, 54-23-17, 54-23-18, 54-23-24, 54-23-25, 54-23-26, 54-23-30, 54-23-33, 54-23-36, 54-23-38, 54-23-39, 54-23-40, 54-23-41, 54-23-42, 54-23-43, 54-23-49, 54-23-50, 54-23-51, and 54-23-58 of the North Dakota Century Code, relating to the director of

institutions' supervisory control, powers and duties, submission of records and reports, and authorization to acquire 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 100 YEAS, 0 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Bateman; Belter; Berg, G.; Berg, R.; Bernstein; Bodine; Boehm; Boucher; Brokaw; Brown; Byerly; Carlisle; 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; Nicholas; Nichols; Nowatzki; Oban; Olsen, D.; Olson, A.; Payne; Porter; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schimke; Schindler; Schneider; 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; Myrdal; Nelson; Peterson; Schmidt; Shide

Engrossed SB 2245 passed and the title was agreed to.

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

MR. SPEAKER: The Senate has passed and your favorable consideration is requested on: SB 2594.

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

MR. SPEAKER: The Senate has passed and your favorable consideration is requested on: SB 2593.

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

MR. SPEAKER: The Senate has failed to pass: HB 1404, HB 1443, HB 1525, HB 1529, HB 1574, HB 1577, HCR 3051, HCR 3053.

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

MR. SPEAKER: The Senate has amended and subsequently failed to pass: HB 1243.

SECOND READING OF SENATE BILLS

SB 2253: A BILL for an Act to amend and reenact sections 4-30-01, 4-30-02.1, 4-30-03.2, 4-30-11, 4-30-12, 4-30-15, 4-30-16, 4-30-18, 4-30-20, 4-30-21, subsection 5 of section 4-30-22, sections 4-30-26, 4-30-36, 4-30-36.2, 4-30-36.3, 4-30-37, 4-30-38.1, 4-30-45, 4-30-47, and 4-30-51 of the North Dakota Century Code, relating to dairy regulations; and to repeal section 4-30-44 of the North Dakota Century Code, relating to brands or marks for milk product containers.

ROLL CALL

The question being on the final passage of the bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 101 YEAS, 0 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

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

Mutzenberger; Myrdal; Nicholas; Nichols; Nowatzki; Oban; Olsen, D.; Olson, A.; Payne; Porter; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schimke; Schindler; Schneider; 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; Nelson; Peterson; Schmidt; Shide

SB 2253 passed and the title was agreed to.

SB 2257: A BILL for an Act to amend and reenact section 28-32-05 of the North Dakota Century Code, relating to a change of an administrative hearing officer.

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 32 YEAS, 70 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Boucher; Brokaw; Cleary; DeMers; Flaagan; Gabrielson; Gilmore; Grumbo; Huether; Jacobson; Kaldor; Kerzman; Kolbo; Laughlin; Linderman; Mahoney; Mutzenberger; Nelson; Nowatzki; Oban; Ring; Ritter; Scherber; Schneider; Skar; Snyder; Stofferahn; Thorpe; Wilkie; Williams

NAYS: Bateman; Belter; Berg, G.; Berg, R.; Bernstein; Bodine; Boehm; Brown; Byerly; Carlisle; Clayburgh; Coats; Dalrymple; Delzer; DeWitz; Dorso; Enget; Erickson; Freier; Gates; Gerntholz; Goffe; Gorder; Gorman; Grosz; Hanson; Hausauer; Henegar; Hokana; Jensen; Kelsch; Kloubec; Kretschmar; Kroeber; Kunkel; Larson; Martin; Martinson; Meyer; Miller; Muhs; Myrdal; Nicholas; Nichols; Olsen, D.; Olson, A.; Payne; Porter; Price; Pyle; Rennerfeldt; Rydell; Schimke; Schindler; Schmidt; Skjerven; Soukup; St. Aubyn; Starke; Svedjan; Thompson; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Whalen; Speaker R. Anderson

ABSENT AND NOT VOTING: Carlson; Howard; Peterson; Shide

Engrossed SB 2257 was declared lost.

MOTION

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.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. NICHOLAS MOVED that the House do not concur in the Senate amendments to HB 1135 as printed on HJ page 1084 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1135: Reps. Rennerfeldt, Bateman, B. Anderson.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. THOMPSON MOVED that the House do not concur in the Senate amendments to HB 1007 as printed on HJ page 1263 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1007: Reps. R. Berg, Dalrymple, Wilkie.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. DORSO MOVED that the House do not concur in the Senate amendments to HB 1439 as printed on HJ page 1267 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1439: Reps. Whalen, Soukup, Skjerven.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. LARSON MOVED that the House do not concur in the Senate amendments to Engrossed HB 1483 as printed on HJ page 1265 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on Engrossed HB 1483: Reps. D. Olsen, Svedjan, Peterson.

SECOND READING OF A HOUSE CONCURRENT RESOLUTION
AND SENATE CONCURRENT RESOLUTIONS ON CONSENT CALENDAR

HCR 3067: A concurrent resolution directing the Legislative Council to study charitable gaming laws and rules.

SCR 4001: A concurrent resolution directing the Legislative Council to study North Dakota election laws, including the laws relating to the financing of election campaigns and the reporting of election campaign expenditures.

SCR 4003: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of the privatization of some state government services.

SCR 4005: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of consolidating the Retirement and Investment Office, Public Employees Retirement System, and Teachers' Fund for Retirement.

SCR 4009: A concurrent resolution regarding the approval of state agency use of block grant funds, and authorizing the Budget Section of the Legislative Council to hold the required legislative hearings on state plans for the receipt and expenditure of new or revised block grants as passed by Congress.

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

SCR 4037: A concurrent resolution directing the Legislative Council to study all aspects of state aid to local fire departments and districts.

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

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

SCR 4046: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of adopting an integrated pest management law

- SCR 4049: A concurrent resolution directing the Legislative Council to study investment of funds under the control of the State Investment Board.
- SCR 4053: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of the Department of Human Services contracting with the private sector for the treatment of alcohol and drug dependent persons.
- SCR 4055: A concurrent resolution directing the Legislative Council to study state institution and agency pay practices.
- SCR 4056: A concurrent resolution directing the Legislative Council to study problems relating to the sale of agricultural commodities.
- SCR 4059: A concurrent resolution urging that a high quality physical education program be provided to each North Dakota student from kindergarten through grade 12.
- SCR 4060: A concurrent resolution urging the United States Department of the Interior's Bureau of Land Management and the North Dakota Congressional Delegation to take action to allow mining of the maximum amount of coal available from the Glenharold mine in west central North Dakota.
- SCR 4061: A concurrent resolution directing the Legislative Council to study the investigation, prosecution, and treatment of offenders in child sexual abuse cases.
- SCR 4062: A concurrent resolution urging the United States Congress to pass legislation giving the United States Secretary of the Interior the authority to establish a reduced royalty rate on low-Btu federal lignite with a heating value below 7,500 Btus per pound.
- SCR 4063: A concurrent resolution urging certain state agencies to provide support and assistance in developing the Bagg Bonanza Farm historic site.
- 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.
- SCR 4066: A concurrent resolution directing the Legislative Council to study the human services system.

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

The resolutions were declared adopted on a voice vote.

SECOND READING OF SENATE BILLS

- SB 2260: A BILL for an Act to amend and reenact section 51-07-16 of the North Dakota Century Code, relating to definitions for the purpose of receiving refunds or replacements for defective passenger motor vehicles.

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 12 YEAS, 89 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Boucher; DeMers; Gates; Goffe; Kaldor; Nichols; Ring; Scherber; Timm; Williams

NAYS: Bateman; Belter; Berg, G.; Berg, R.; Bodine; Boehm; Brokaw; Brown; Byerly; Carlisle; Clayburgh; Cleary; Coats; Dalrymple; Delzer; DeWitz; Dorso; Enget; Erickson; Flaagan; Freier; Gabrielson; Gerntholz;

Gilmore; 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; Nowatzki; Olsen, D.; Olson, A.; Payne; Porter; Price; Pyle; Rennerfeldt; Ritter; Rydell; Schimke; Schindler; Schmidt; Schneider; Skar; Skjerven; Snyder; Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Thompson; Thorpe; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Whalen; Wilkie; Speaker R. Anderson

ABSENT AND NOT VOTING: Bernstein; Carlson; Oban; Peterson; Shide

SB 2260 was declared lost.

SB 2267: A BILL for an Act to amend and reenact sections 2-05-04, 4-05.1-04, 4-27-11, 6-01-10, 13-03-10, 13-03.1-10, 15-02-08, 15-52-19, 15-52-20, 15-52-21, 15-52-27, subsection 3 of section 20.1-02-04, sections 24-02-01.5, 26.1-01-03, 26.1-21-22, 34-05-01, subsection 8 of section 34-05-01.3, sections 37-03-05, 37-14-09, 43-09-05, 43-15-12, 43-19.1-10, 43-23-02, 43-25-13, 43-32-11, 43-36-09, 43-41-09, 46-02-04, 46-02-05, 46-02-09, 50-06-17, 50-09-02, 50-10-06, 52-02-03, 54-09-02, 54-10-01, 54-11-01, 54-23-58, 54-34-04, 54-35-07, 54-36-06, 54-40.1-05, 54-44-04, 54-44.3-07, 54-54-09, 57-01-02, 65-02-09, and 65-13-18 of the North Dakota Century Code, relating to biennial and annual reports to the governor; and to repeal sections 13-05-08.1, 15-20.1-21, 15-21-14, 15-52-28, 18-01-29, 23-01-06, 24-02-10, 34-06-20, 36-01-11, 37-15-19, 43-01-06, 43-04-19, 43-10-08, 43-13-09, 43-17-12, 43-28-09, 49-01-13, 52-10-09, 53-01-08, 54-06-03, 54-06-04, 54-12-05, 54-17-06, 54-21-09, 54-42-05, 54-46-11, 61-03-04, and 61-04.1-10 of the North Dakota Century Code, relating to biennial and annual reports to the governor.

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 51 YEAS, 51 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Bateman; Berg, G.; Byerly; Dalrymple; Dorso; Flaagan; Freier; Gates; Gerntholz; Goffe; Gorder; Grumbo; Hausauer; Hokana; Howard; Huether; Jensen; Kaldor; Kerzman; Kloubec; Kolbo; Kretschmar; Kroeber; Kunkel; Larson; Laughlin; Linderman; Martin; Meyer; Miller; Muhs; Nelson; Nicholas; Nichols; Payne; Porter; Pyle; Ritter; Rydell; St. Aubyn; Starke; Svedjan; Thorpe; Tollefson; Trautman; Urlacher; Wardner; Wentz; Speaker R. Anderson

NAYS: Belter; Berg, R.; Bodine; Boehm; Boucher; Brokaw; Brown; Carlisle; Clayburgh; Cleary; Coats; Delzer; DeMers; DeWitz; Enget; Erickson; Gabrielson; Gilmore; Gorman; Grosz; Hanson; Henegar; Jacobson; Kelsch; Mahoney; Martinson; Mutzenberger; Myrdal; Nowatzki; Oban; Olsen, D.; Olson, A.; Price; Rennerfeldt; Ring; Scherber; Schimke; Schindler; Schmidt; Schneider; Skar; Skjerven; Snyder; Soukup; Stofferahn; Thompson; Timm; Wald; Whalen; Wilkie; Williams

ABSENT AND NOT VOTING: Bernstein; Carlson; Peterson; Shide

SB 2267 was declared lost.

MOTION

REP. KLOUBEC MOVED that SB 2533 be placed at the head of the calendar, which motion prevailed

SECOND READING OF SENATE BILL

SB 2533: A BILL for an Act to create and enact a new section to chapter 47-16 of the North Dakota Century Code, relating to landlords and tenants and cable television installation.

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 37 YEAS, 64 NAYS, 0 EXCUSED. 5 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Bodine; Boucher; Cleary; Coats; Delzer; Erickson; Gerntholz; Gorman; Hanson; Hausauer; Kaldor; Kelsch; Kerzman; Kolbo; Kroeber; Larson; Laughlin; Mahoney; Martinson; Meyer; Muhs; Mutzenberger; Nichols; Oban; Olson, A.; Pyle; Ring; Ritter; Scherber; Schindler; Schneider; Soukup; Thompson; Trautman; Whalen; Williams

NAYS: Anderson, B.; Bateman; Belter; Berg, G.; Berg, R.; Boehm; Brokaw; Brown; Byerly; Carlisle; Clayburgh; Dalrymple; DeMers; DeWitz; Dorso; Enget; Freier; Gabrielson; Gates; Gilmore; Goffe; Gorder; Grosz; Grumbo; Henegar; Hokana; Howard; Huether; Jacobson; Jensen; Kloubec; Kretschmar; Kunkel; Linderman; Martin; Miller; Myrdal; Nelson; Nicholas; Nowatzki; Olsen, D.; Payne; Porter; Price; Rennerfeldt; Rydell; Schimke; Schmidt; Skar; Skjerven; Snyder; St. Aubyn; Starke; Stofferahn; Svedjan; Thorpe; Timm; Tollefson; Urlacher; Wald; Wardner; Wentz; Wilkie; Speaker R. Anderson

ABSENT AND NOT VOTING: Bernstein; Carlson; Flaagan; Peterson; Shide

Engrossed SB 2533 was declared lost.

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

MR. SPEAKER: The Senate has passed unchanged: HB 1004, HB 1005, HB 1011, HB 1186, HB 1271, HB 1285, HB 1327, HB 1336, HB 1391, HB 1392, HB 1395, HB 1400, HB 1408, HB 1416, HB 1425, HB 1446, HB 1454, HB 1467, HB 1472, HB 1487, HB 1499, HB 1500, HB 1519, HB 1522, HB 1530, HB 1567, HB 1568, HB 1581, HB 1584, HB 1590, HCR 3027, HCR 3031.

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

MR. SPEAKER: The Senate has amended and subsequently passed: HB 1558.

Page 1, line 1, replace "provide mandatory fees upon conviction for certain" with "establish a crime victims' account"

Page 1, remove line 2

Page 1, line 3, remove "grants from the fund"

Page 1, replace lines 5 through 16 with:

"SECTION 1. Crime victims' account - Administration. The agency designated by the governor to administer the victims' assistance grants under the federal Victims of Crime Act of 1984 [42 U.S.C. 10601 et seq.] shall administer a crime victims' account in the state treasury. The moneys in the account must be distributed through grants to the crime victims' reparations program; private, nonprofit domestic violence or sexual assault programs; and to victim and witness advocacy programs whose primary function is to provide direct services to victims of and witnesses to crimes. The administering agency shall establish procedures for the distribution of grants.

SECTION 2. APPROPRIATION. There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$200,000, or so much thereof as may be necessary, to the agency designated to administer the crime victims'

account, for the purpose of distributing grants, for the biennium beginning July 1, 1991, and ending June 30, 1993."

Renumber accordingly

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

MR. SPEAKER: The Senate has amended and subsequently passed: HB 1110, HB 1414, HB 1561.

SENATE AMENDMENTS TO ENGROSSED HB 1110

Page 1, line 1, after "Act" insert "to create and enact a new section to chapter 43-12.1 of the North Dakota Century Code, relating to establishment and duties of a prescriptive authority committee; and"

Page 2, line 9, after the period insert:

"For purposes of this subdivision:

- (1) "Prescriptive practices" means assessing the need for drugs, immunizing agents, or devices and writing a prescription to be filled by a licensed pharmacist. Prescriptive practices must be consistent with the scope of practice submitted by the registered nurse to obtain advanced licensure.
- (2) "Supervision of a licensed physician" means performance under a contract with a licensed physician for review and acknowledgement of appropriate prescriptive practices for implementation by the registered nurse with advanced licensure who is authorized by the board to write a prescription to be filled by a licensed pharmacist."

Page 2, after line 17, insert:

"SECTION 3. A new section to chapter 43-12.1 of the North Dakota Century Code is created and enacted as follows:

Prescriptive practices for registered nurses with advanced licenses. The nature and extent of prescriptive practices must be determined by a prescriptive authority committee comprised of two members of the board of nursing, one of whom must be a registered nurse; one physician appointed by the board of medical examiners; and one pharmacist appointed by the board of pharmacy. The committee may retain consultants as necessary. The committee shall recommend rules regarding prescriptive practices for adoption by the board. Rules adopted by the board must include the evidence required by the board as verification of education and training in pharmacology and clinical management of drug therapy in order to consider an application for prescriptive privileges, and the nature and extent of the collaboration and consultation required from the supervising physician. The application for prescriptive practices must include an affidavit from the supervising physician acknowledging the manner of review and approval of the planned prescriptive practices. The board shall notify the board of pharmacy on an annual basis, or more frequent basis if necessary, of the registered nurses with advanced licenses who are authorized to write prescriptions to be filled by a licensed pharmacist."

Renumber accordingly

SENATE AMENDMENTS TO ENGROSSED HB 1414

Page 1, line 12, remove "and the tax exemption provided under"

Page 1, line 13, remove "section 57-51.1-03"

Page 1, line 15, remove the overstrike over "and the project operator must"

Page 1, remove the overstrike over lines 16 and 17

Page 1, line 18, remove the overstrike over "~~have been recovered under normal recovery operations~~" and after the period insert "To be eligible for the tax exemption provided under section 57-51.1-03 and subsequent thereto the rate reduction provided under section 57-51.1-02, a secondary recovery project must be certified as qualifying by the industrial commission and the project operator must have obtained incremental production as defined in subsection 5 of section 57-51.1-03."

Page 2, line 16, remove "and the tax exemption provided under section"

Page 2, line 17, remove "57-51.1-03"

Page 2, line 18, remove "and"

Page 2, line 20, remove the overstrike over "~~and the project operator must have achieved for at least~~"

Page 2, remove the overstrike over lines 21 and 22

Page 2, line 23, remove the overstrike over "~~operations~~" and after the period insert "To be eligible for the tax exemption provided under section 57-51.1-03 and subsequent thereto the rate reduction provided under section 57-51.1-02, a tertiary recovery project must be certified as qualifying by the industrial commission, the project operator must continue to operate the unit as a qualifying tertiary recovery project, and the project operator must have obtained incremental production as defined in subsection 5 of section 57-51.1-03."

Page 3, line 3, after "for" insert "oil produced from"

Page 3, line 4, overstrike the second "and" and insert immediately thereafter "for oil produced from a secondary or tertiary recovery project that was certified as qualifying by the industrial commission before July 1, 1991,"

Page 3, line 5, remove "the incremental", after "oil" insert "that does not qualify as incremental oil but is", overstrike "qualifying", and after "secondary" insert "or tertiary"

Page 3, line 6, overstrike "or", remove "from", overstrike "a" and insert immediately thereafter "that is certified as", after "qualifying" insert "by the industrial commission after June 30, 1991, and for incremental oil produced from a secondary or", and after "that" insert "is certified as qualifying by the industrial commission after June 30, 1991, and which production"

Page 4, line 23, before "a." insert "5."

Page 4, line 25, replace "subsequent to June 30" with "during the period beginning July 1" and after the second underscored comma insert "and ending June 30, 1995,"

Page 4, line 27, remove "The"

Page 4, remove lines 28 and 29

Page 5, line 4, replace "five" with "ten"

Page 5, line 8, replace "interpreting" with "determining"

Page 5, line 15, replace "definition" with "paragraph"

Page 5, line 18, replace "is responsible for determining" with "shall determine"

Page 5, line 19, remove "and must do so"

Page 5, line 20, replace "its existing" with "the" and after "procedure" insert "used by the commission at the time the project is certified"

Page 5, line 21, replace "interpreting" with "determining"

Page 5, line 24, after the underscored comma insert "and where the industrial commission cannot establish an accurate production decline curve,"

Page 6, line 1, replace "five" with "ten"

Page 6, line 2, replace "is responsible for determining" with "shall determine"

Page 6, line 6, replace "definition" with "paragraph"

Page 6, line 10, replace "five" with "ten"

Page 6, after line 11, insert:

"(3) For purposes of determining the exemption provided for in subdivision a of this subsection and with respect to a unit where a secondary recovery project was in existence before July 1, 1991 and where the industrial commission can establish an accurate production decline curve, incremental production means the difference between the total amount of oil produced from the unit during the new secondary recovery project and the total amount of oil that would have been produced from the unit if the new secondary recovery project had not been commenced. For purposes of this paragraph, the total amount of oil that would have been produced from the unit if the new secondary recovery project had not been commenced includes both primary production and production that occurred as a result of the secondary recovery project that was in existence before July 1, 1991. The industrial commission shall determine the amount of oil that would have been produced from the unit if the new secondary recovery project had not been commenced in a manner that conforms to the practice and procedure used by the commission at the time the new secondary recovery project is certified."

Page 6, line 12, replace "(3)" with "(4)" and replace "interpreting" with "determining"

Page 6, line 19, replace "definition" with "paragraph"

Page 6, line 22, replace "is responsible for determining" with "shall determine"

Page 6, line 23, remove "and must do so"

Page 6, line 24, replace "its existing" with "the" and after "procedure" insert "used by the commission at the time the project is certified"

Page 6, line 25, replace "(4)" with "(5)" and replace "interpreting" with "determining"

Page 6, line 28, after "the" insert "difference between the"

Page 7, line 4, replace "five" with "ten"

Page 7, line 5, replace "is responsible for determining" with "shall determine"

Page 7, line 9, replace "definition" with "paragraph"

Page 7, line 13, replace "five" with "ten"

Page 7, after line 14, insert:

"(6) For purposes of determining the exemption provided for in subdivision b of this subsection and with respect to a unit where there is or has been a secondary recovery project and where the industrial commission can establish an accurate production decline curve, incremental production means the difference between the total amount of oil produced from the unit during the tertiary recovery project and the total amount of oil that would have been produced from the unit if the tertiary recovery project had not been commenced. For purposes of this paragraph, the total amount of oil that would have been produced from the unit if the tertiary recovery project had not been commenced includes both primary production and production that occurred as a result of any secondary recovery project. The industrial commission shall determine the amount of oil that would have been produced from the unit if the tertiary recovery project had not been commenced in a manner that conforms to the practice and procedure used by the commission at the time the tertiary recovery project is certified."

ReNUMBER accordingly

SENATE AMENDMENTS TO HB 1561

Page 1, line 17, after the period insert "Issuance of an annual license to practice law may not be conditioned upon payment of any surcharge, assessment, or fee in excess of the maximum fee established by this section. This section does not prohibit imposition of a reasonable fee for filing and processing reports of compliance with continuing education requirements."

ReNUMBER accordingly

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

MR. SPEAKER: The Senate has amended, subsequently passed, and the emergency clause carried: HB 1571.

Page 1, line 5, after the first comma insert "4-12.2-22,"

Page 1, line 9, after the semicolon insert "to provide a penalty; to provide an appropriation;"

Page 5, line 25, overstrike ", setting forth specifically the"

Page 5, line 26, overstrike "type of apiary, the location"

Page 10, after line 6, insert:

"SECTION 13. AMENDMENT. Section 4-12.2-22 of the North Dakota Century Code is amended and reenacted as follows:

4-12.2-22. Penalties - Criminal - Civil - License revocation or nonrenewal.

1. A person who violates this chapter or any rules adopted under this chapter is guilty of a class A misdemeanor.

2. In addition to criminal sanctions which may be imposed pursuant to subsection 1, a person found guilty of violating this chapter or rules adopted under this chapter is subject to a civil penalty not to exceed five thousand dollars for each violation. The civil penalty may be adjudicated by the courts or by the commissioner through an administrative hearing pursuant to chapter 28-32.
3. The department may, in accordance with the laws of this state, maintain an appropriate civil action in the name of the state against any person violating this chapter or rules adopted under this chapter.
4. The commissioner may refuse to grant a license to any person found guilty of repeated violations of this chapter or rules adopted under this chapter, or to any person who has failed to pay an adjudicated civil penalty for violation of this chapter within thirty days after a final determination that the civil penalty is owed.
5. Any person who knowingly makes a false statement, representation, or certification in any application, record, report, or other document may be subject to the penalties provided in this chapter."

Page 11, after line 9, insert:

"SECTION 16. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, to the commissioner of agriculture for the purpose of defraying administrative expenses created as a result of this Act for the biennium beginning July 1, 1991, and ending June 30, 1993.

Salaries and wages	\$ 8,000
Operating expenses	16,000
Total general fund appropriation	\$24,000"

Renumber accordingly

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following bills were delivered to the Governor for his approval at the hour of 3:10 p.m., March 22, 1991: HB 1045, HB 1091, HB 1120, HB 1123, HB 1131, HB 1146, HB 1160, HB 1195, HB 1207, HB 1218, HB 1268, HB 1284, HB 1316, HB 1351, HB 1377, HB 1415, HB 1448, HB 1455, HB 1551, HB 1553, HB 1588.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following bills were delivered to the Governor for his approval at the hour of 3:10 p.m., March 22, 1991: 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.

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 10.00a.m., Monday, March 25, 1991, which motion prevailed.

REPORTS OF STANDING COMMITTEES

SB 2009: 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 16, replace "46,848" with "51,700"

Page 1, line 18, replace "691,251" with "745,386"

Page 1, line 19, replace "1,292,516" with "1,351,503"

Page 1, line 22, replace "101,462" with "169,602"

Page 2, line 3, replace "all" with "special", after "funds" insert "appropriation", and replace "170,682" with "238,822"

Page 2, remove lines 4 and 5

Page 2, line 6, replace "1,346,651" with "1,351,503"

Page 2, line 7, replace "116,547" with "438,822"

Page 2, line 8, replace "1,463,198" with "1,790,325"

Page 2, line 11, replace "the agency funded under each subdivision of" with "each agency to which funds are appropriated in"

Page 2, line 12, replace "is fiscally responsible for the moneys appropriated to" with "must operate within the limits of legislative appropriations included in each subdivision in section 1."

Page 2, remove line 13

Page 2, after line 13, insert:

"SECTION 3. SOIL CONSERVATION COMMITTEE - AUTHORITY TO TRANSFER FUNDS. The soil conservation committee may transfer \$195,971, or so much thereof as may be necessary, from the general fund for 5.5 FTE positions for the soil survey digitizing center included in the salaries and wages line item in subdivision 1 of section 1 of this Act to the operating expenses line item to pay for contract personnel for the soil survey digitizing center or to the grants, benefits, and claims line item to provide additional grants in the soil conservation technician grants program.

SECTION 4. CENTENNIAL TREES PROGRAM - CENTENNIAL TREES PROGRAM TRUST FUND. The total special funds appropriation line item in subdivision 2 of section 1 of this Act includes \$116,547, or so much thereof as may be necessary, from the centennial trees program trust fund for operating costs of the centennial trees commission for the biennium beginning July 1, 1991, and ending June 30, 1993.

SECTION 5. CENTENNIAL TREES PROGRAM - APPROPRIATION. The sum of \$200,000, or so much thereof as may be necessary, of special funds, derived from sales income, gifts, grants, and donations, is hereby appropriated to the centennial trees commission for defraying the expenses of the commission for the biennium beginning July 1, 1991, and ending June 30, 1993."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 710 - SOIL CONSERVATION COMMITTEE

This amendment increases the operating expenses line item by \$4,852 from the general fund to provide additional funding for travel, postage, and printing costs.

The grants line item is increased by \$54,135, from \$691,251 to \$745,386, from the general fund for additional funding for the soil conservation technician grants program.

A section is added to the bill allowing the Soil Conservation Committee to transfer up to \$195,971 provided for 5.5 FTE positions for the soil survey digitizing center from the salaries and wages line item to the operating expenses line item to contract for personnel for the soil survey digitizing program or to the grants line item to provide additional funding for the soil conservation technician grants program.

DEPARTMENT 711 - CENTENNIAL TREES PROGRAM

The salaries and wages line item is increased by \$68,140, \$40,000 of which is from federal funds and \$28,140 of which is from other funds to be raised by the Centennial Trees Commission, for one FTE volunteer coordinator position (\$60,000) for the federal America the Beautiful tree planting program and for temporary salaries (\$8,140).

The estimated income line item is increased by \$54,135 of other funds to be raised by the Centennial Trees Commission for the operating costs of the commission and the general fund appropriation of \$54,135 is removed.

An appropriation section is added to the bill authorizing the receipt and expenditure of up to \$200,000 of other funds received from sales income, gifts, grants, and donations to pay for operating costs of the commission for the 1991-93 biennium.

SB 2022, as engrossed: Committee on Appropriations (Rep. Thompson, Chairman) recommends DO PASS (22 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2022 was placed on the Fourteenth order on the calendar.

SB 2024, as engrossed: Committee on Appropriations (Rep. Thompson, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (19 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 1, line 5, after the second comma insert "35-17-01,"

Page 1, line 9, remove "the destruction of"

Page 1, line 15, after "penalty" insert "; to provide an appropriation"

Page 2, after line 21, insert:

"SECTION 3. AMENDMENT. Section 35-17-01 of the North Dakota Century Code is amended and reenacted as follows:

35-17-01. Agister's lien authorized. Any person to whom any ~~horses, mules, cattle, or sheep~~ animal is entrusted by the owner thereof for the purpose of feeding, herding, pasturing, or ranching has a lien upon the ~~horses, mules, cattle, or sheep~~ animals for the amount that may be due for feeding, herding, pasturing, or ranching, and is authorized to retain possession of the ~~horses, mules, cattle, or sheep~~ animal until the amount is paid. ~~These provisions may~~ This section does not be construed to apply to stolen stock."

Page 2, line 25, overstrike "horses, mules, cattle,"

Page 2, line 26, overstrike "or sheep are" and insert immediately thereafter "animal is"

Page 2, line 28, overstrike "horses, mules, cattle, or sheep" and insert immediately thereafter "animal"

Page 3, line 2, overstrike "horses, mules, cattle, or sheep" and insert immediately thereafter "animal" and underscore the period

Page 3, line 3, remove the underscore under the period

Page 3, line 3, replace "horses, mules, cattle, or sheep" with "animal"

Page 3, line 11, overstrike "horses, mules, cattle, or sheep" and insert immediately thereafter "animal"

Page 3, line 18, overstrike "horses, mules,"

Page 3, line 19, overstrike "cattle, or sheep" and insert immediately thereafter "animals"

Page 3, line 25, replace "horses," with "animals"

Page 3, line 26, remove "mules, cattle, or sheep"

Page 18, line 5, replace ". The principal and interest of the computerized" with "and may be spent within the limits of legislative appropriations"

Page 18, remove line 6

Page 18, line 7, remove "a continuing appropriation to the secretary of state"

Page 23, after line 14, insert:

"SECTION 22. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are appropriated out of any moneys in the computerized Uniform Commercial Code central filing system fund in the state treasury, not otherwise appropriated, to the secretary of state for the purpose of implementing, maintaining, updating, and administering the computerized Uniform Commercial Code central filing data base system, the computerized central notice system, and the computerized statutory lien data base system for the period beginning with the effective date of this Act and ending June 30, 1993, as follows:

Salaries and wages	\$ 212,959
Information services	343,900
Operating expenses	186,210
Equipment	269,600
Grants, benefits, and claims	418,000
Contingency	53,713
Total special funds appropriation	<u>\$1,484,382"</u>

Page 23, line 15, replace "16 and 18" with "17, 19, and 22"

Page 23, line 16, replace "15, 17, 19, and 20" with "16, 18, 20, and 21"

Renumber accordingly

SB 2065, as engrossed: Committee on Judiciary (Rep. Kretschmar, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS and BE REREFERRED to the Committee on Appropriations (11 YEAS, 2 NAYS, 3 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

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

Page 1, line 3, remove "53-06.1-02,"

Page 1, line 4, remove "53-06.1-02.1," and remove "53-06.1-06, 53-06.1-06.1, subsection 1 of section"

Page 1, remove line 5

Page 1, line 6, remove "53-06.1-11.1, 53-06.1-12, 53-06.1-12.1, 53-06.1-12.2, 53-06.1-13, 53-06.1-11.1,"

Page 1, line 7, replace "53-06.1-15, 53-06.1-15.1, 53-06.1-16, 53-06.1-16.2," with "and" and remove ", subsection 1"

Page 1, remove line 8

Page 1, line 9, remove "and 7 of section 57-40.2-01"

Page 1, line 10, replace the first comma with "and" and remove "and parimutuel horse racing,"

Page 1, line 11, remove "; and to repeal sections 53-06.2-02, 53-06.2-03,"

Page 1, remove lines 12 through 14

Page 1, line 15, remove "chance"

Page 2, remove line 28

Page 3, line 1, replace "8" with "7"

Page 3, line 10, replace "9" with "8"

Page 5, line 1, replace "10" with "9"

Page 5, line 4, replace "11" with "10"

Page 5, line 7, remove the overstrike over "~~attorney~~"

Page 5, line 8, remove the overstrike over "~~general~~" and remove "~~commission~~"

Page 5, line 10, replace "12" with "11"

Page 5, line 13, replace "13" with "12"

Page 5, line 19, replace "14" with "13"

Page 5, line 21, replace "15" with "14"

Page 5, line 23, after the first overstruck period insert "15." and remove the overstrike over "~~licensing authority means the attorney general.~~"

Page 7, line 1, replace "Three" with "Two"

Page 7, line 7, replace "five-year" with "three-year"

Page 7, line 12, remove "At the expiration of the five-year term of each incumbent"

Page 7, remove lines 13 and 14

Page 7, line 25, after "compensation" insert "for each day spent on commission duties"

Page 7, remove lines 27 and 28

Page 8, remove lines 1 through 9

Page 8, remove lines 16 through 28

Page 9, remove lines 1 through 14

Page 9, line 21, remove the overstrike over "~~attorney general~~" and remove "commission"

Page 9, line 22, remove the overstrike over "~~attorney general~~"

Page 9, line 23, remove "commission"

Page 10, line 24, remove the overstrike over "~~attorney~~"

Page 10, line 25, remove the overstrike over "~~general~~" and remove "commission"

Page 11, line 4, remove the overstrike over "~~attorney general~~" and remove "commission"

Page 11, line 12, remove the overstrike over "~~attorney general~~" and remove "commission"

Page 11, line 22, remove the overstrike over "~~attorney general~~" and remove "commission"

Page 12, line 3, remove the overstrike over "~~attorney general~~" and remove "commission"

Page 12, line 11, remove the overstrike over "~~attorney general~~"

Page 12, line 12, remove "commission"

Page 12, line 14, remove the overstrike over "~~attorney~~"

Page 12, line 15, remove the overstrike over "~~general~~" and remove "commission"

Page 12, line 24, remove the overstrike over "~~attorney general~~" and remove "commission"

Page 12, line 27, remove the overstrike over "~~attorney general~~" and remove "commission"

Page 12, line 28, remove "or the commission"

Page 13, remove lines 16 through 28

Page 14, remove lines 1 through 29

Page 15, remove lines 1 through 28

Page 16, remove lines 1 through 29

Page 17, remove lines 1 through 29

Page 18, remove lines 1 through 29

Page 19, remove lines 1 through 29

Page 20, remove lines 1 through 29

Page 21, line 6, remove the overstrike over "~~attorney~~"

Page 21, line 7, remove the overstrike over "~~general~~" and remove "commission"

Page 21, line 9, remove the overstrike over "~~attorney~~"

Page 21, line 10, remove the overstrike over "~~general~~" and remove "commission"

Page 22, line 5, remove the overstrike over "~~attorney general's office~~"

Page 22, line 6, remove "commission"

Page 22, line 12, remove the overstrike over "~~attorney general~~" and insert immediately thereafter "or"

Page 22, remove lines 18 through 29

Page 23, remove lines 1 through 29

Page 24, remove lines 1 through 25

Page 25, remove lines 15 through 29

Page 26, remove lines 1 through 29

Page 27, remove lines 1 through 29

Page 28, remove lines 1 through 29

Page 29, remove lines 1 through 14

Renumber accordingly

SB 2188, as engrossed: Committee on Natural Resources (Rep. A. Olson, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (14 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 3, line 20, replace "counties" with "county"

Page 5, line 16, remove "not less than one"

Page 5, line 17, remove "thousand dollars and" and replace "twenty-five" with "fifteen"

Page 5, line 21, after the period insert "The state and its political subdivisions and employees of the state or a political subdivision acting within the scope of their employment are not subject to the civil fines established in this subdivision."

Page 5, line 29, after the period insert "The state and its political subdivisions and employees of the state or a political subdivision acting within the scope of their employment are not subject to the penalty established in this subdivision."

Renumber accordingly

SB 2339, as engrossed: Committee on Industry, Business and Labor (Rep. Dorso, Chairman) recommends DO NOT PASS (8 YEAS, 7 NAYS, 1 ABSENT AND NOT VOTING). SB 2339 was placed on the Fourteenth order on the calendar.

SB 2448, as reengrossed: Committee on Appropriations (Rep. Thompson, Chairman) recommends DO PASS (14 YEAS, 9 NAYS, 0 ABSENT AND NOT VOTING). SB 2448 was placed on the Fourteenth order on the calendar.

SB 2579: Committee on Finance and Taxation (Rep. Timm, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (14 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to provide for disposition of excess assessments for escrow accounts on residential real estate mortgage loans."

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. Definitions. In this Act, unless the context or subject matter otherwise requires:

1. "Borrower" means the obligor under a residential mortgage held by a secondary mortgagee.
2. "Excess amount" means any amount received in an escrow account during a calendar year in excess of three hundred dollars plus the amount necessary to pay real estate taxes, special assessments, and insurance premiums during that calendar year.
3. "Secondary mortgagee" means a successor mortgagee not residing or domiciled in this state who purchased the interest originally belonging to the mortgagee who originated a loan, under which an escrow is required to assure payment of obligations including property taxes, special assessments, and insurance premiums, if that loan is secured by a first lien real estate mortgage or equivalent security interest in a dwelling that the borrower uses as a principal place of residence in this state, not including a mobile home.
4. "Servicer" means a person or entity maintaining an escrow account for a secondary residential mortgagee.

SECTION 2. Notice of excess escrow payments. If an escrow account is maintained by the servicer of a secondary residential mortgage for a secondary mortgagee, and the account contains an excess amount, the servicer shall provide written notice to the borrower, on or before March first of the following year, of the escrow account status. The information provided to the borrower must include the balance in the escrow account after the annual payment of taxes and special assessments.

SECTION 3. Application of excess escrow payments. Upon receipt of the written notice under section 2 of this Act, the borrower may, within thirty days after the date of the notice, elect in a written request to the servicer one of the following options:

1. Refund of all or part of the excess amount; or
2. Retention of all or part of the excess amount in the escrow account.

If the borrower does not advise the servicer in writing within the time provided in this section, the servicer may continue maintenance of the escrow account in the same manner until the next report to the borrower under this Act. If the borrower advises the servicer of an election within the time prescribed in this Act, the servicer must comply with the borrower's election within thirty days of the election."

ReNUMBER accordingly

SB 2589, as engrossed: Committee on Human Services and Veterans Affairs (Rep. Larson, Chairman) recommends DO PASS (8 YEAS, 6 NAYS, 1 ABSENT AND NOT VOTING). SB 2589 was placed on the Fourteenth order on the calendar.

SB 2591: Committee on Agriculture (Rep. Nicholas, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (12 YEAS, 1 NAY, 4 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 1, line 14, remove "This penalty may"

Page 1, remove lines 15 and 16

ReNUMBER accordingly

SCR 4067: Committee on Industry, Business and Labor (Rep. Dorso, Chairman) recommends DO PASS and BE PLACED ON THE CONSENT CALENDAR (14 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SCR 4067 was placed on the Tenth order.

FIRST READING OF SENATE BILLS

SB 2593: A BILL for an Act to create and enact a new subsection to section 15-29-08 of the North Dakota Century Code, relating to school board meetings.

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

SB 2594: A BILL for an Act to provide an appropriation for additional compensation to North Dakota state employees; to amend and reenact sections 4-01-21, 15-21-02, 26.1-01-09, 27-02-02, 27-05-03, 34-05-01.2, 49-01-05, 54-07-04, 54-08-03, 54-09-05, 54-10-10, 54-11-13, 54-12-11, and 57-01-04 of the North Dakota Century Code, relating to the salaries of the commissioner of agriculture, superintendent of public instruction, commissioner of insurance, supreme court justices, district court judges, commissioner of labor, public service commissioners, governor, lieutenant governor, secretary of state, state auditor, state treasurer, attorney general, and tax commissioner; and to provide an effective date.

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

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

ROY GILBREATH, Chief Clerk