

JOURNAL OF THE HOUSE

Fifty-second Legislative Assembly

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Bismarck, March 28, 1991

The House convened at 8:00 a.m., with Speaker R. Anderson presiding.

The prayer was offered by the Rev. Wes Gerber, Bismarck Baptist Church, Bismarck.

The roll was called and all members were present except Representatives Bateman, Dorso, Kunkel, Miller, Mutzenberger, Trautman, and Williams.

A quorum was declared by the Speaker.

MOTION

REP. KLOUBEC MOVED that the House stand in recess until 10:00 a.m., which motion prevailed.

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

HOUSE ENROLLING REPORT

The following bills and resolutions were enrolled: HB 1175, HB 1182, HB 1187, HB 1199, HB 1306, HB 1389, HB 1422, HB 1489, HB 1536, HB 1543, HB 1608, HCR 3001, HCR 3002, HCR 3010, HCR 3015, HCR 3019, HCR 3020, HCR 3021, HCR 3029, HCR 3033, HCR 3034, HCR 3040, HCR 3041, HCR 3047, HCR 3049, HCR 3050, HCR 3052, HCR 3054, HCR 3055, HCR 3058.

HOUSE ENROLLING REPORT

The following resolutions were enrolled: HCR 3059, HCR 3060, HCR 3062, HCR 3065, and HCR 3069.

REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER: Your procedural Committee on Delayed Bills (Rep. Kloubec, Chairman) has examined a concurrent resolution urging Congress to continue its declared policy that the continued regulation and taxation by the several states of the business of insurance is in the public interest.

It shall be numbered HCR 3071.

Your Committee on Delayed Bills cast a vote of 4 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING in favor of accepting this resolution.

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

ANNOUNCEMENT BY THE SPEAKER

SPEAKER R. ANDERSON ANNOUNCED that the House would stand at ease until 10:15 a.m.

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

MR. PRESIDENT: The House has concurred to Senate amendments to HB 1260, subsequently passed and the emergency clause carried.

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

MR. PRESIDENT: The House has passed over the Governor's veto: HB 1276. The vote was 98 YEAS, 7 NAYS, 1 ABSENT AND NOT VOTING, and your favorable consideration is requested.

MOTIONS

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

REP. KLOUBEC MOVED that the rules be suspended and that the amendments to SB 2003, SB 2346, SB 2403, and SB 2572 be adopted, which motion prevailed.

SB 2003, SB 2346, SB 2403, and SB 2572, as amended, were placed on the Fourteenth order of business on the calendar.

MOTION

REP. TOLLEFSON MOVED that the House waive the reading of the titles to SB 2003 and SB 2043, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2003: A BILL for an Act to provide an appropriation for defraying the expenses of the department of public instruction, the state board of vocational education, the school for the deaf, the school for the blind, and the state library; to provide for an appropriation of funds from the displaced homemaker fund and state school construction fund; to amend and reenact sections 15-21-02, 15-21-13.1, 15-44-09, and 15-65-05 of the North Dakota Century Code and section 10 of chapter 218 of the 1989 Session Laws of North Dakota, relating to the salary of the superintendent of public instruction, school district accounting and reporting systems, matching funds of school districts for telecommunication grants and unspent funds of the 1989-91 school restructuring appropriation; to provide an exemption from the provisions of section 54-44.1-11 of the North Dakota Century Code; and to declare an emergency.

MOTION

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

ROLL CALL

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

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

ABSENT AND NOT VOTING: Mutzenberger

Engrossed SB 2003 passed, the title was agreed to, and the emergency clause was declared carried.

SIGNING OF BILLS and RESOLUTIONS

The Speaker signed the following enrolled bills: SB 2348, SB 2409, SB 2410, SB 2411, SB 2430, SB 2433, SB 2434, SB 2440, SB 2444, SB 2450, SB 2454, SB 2484, SB 2485, SB 2504, SB 2519, SB 2522, SB 2524, SB 2531, SB 2548.

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

MR. SPEAKER: The Senate has passed unchanged: HB 1015, HB 1116.

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

MR. SPEAKER: The Senate has failed to pass: HB 1180.

MESSAGE to the HOUSE from the SENATE (Marion Houn, Secretary)
MR. SPEAKER: The Senate has amended and subsequently passed: HB 1117,
HB 1194, HB 1266, HB 1383, HB 1517, HB 1526, HB 1611.

SENATE FLOOR AMENDMENT TO ENGROSSED HB 1117

Page 1, line 4, after "sections" insert "57-43.2-03," and after "57-43.2-05"
insert a comma

Page 1, line 9, after "bond" insert "; and to provide an effective date"

Page 5, after line 13, insert:

"SECTION 8. AMENDMENT. Section 57-43.2-03 of the 1989
Supplement to the North Dakota Century Code is amended and reenacted as
follows:

57-43.2-03. Tax levied. A special excise tax of two percent is
imposed on all sales of special fuels, which are exempted from the tax
imposed under section 57-43.2-02, if the special fuels are sold to a
special fuels user in this state, and the same rate of tax is imposed
if the special fuel is imported for use in this state by a special
fuels user. The rate applies to the sale price of the special fuels
less any discounts for any purposes allowed and taken on the sales.
The tax levied under this section does not apply to state or political
subdivisions when that fuel is used for purposes set forth in section
57-43.1-08. The special excise tax applies to all sales of special
fuels taxed under section 57-43.2-02 for which taxes are later refunded
to a special fuels user. For purposes of this section, "use" means the
consumption of fuel for heating, agricultural, or railroad purposes, or
for industrial purposes other than in the performance of a contract
with any unit of government. If any fuel subject to tax by this
section was subject to tax in any other state or its political
subdivisions, the tax in this section applies but at a rate measured by
the difference between the rate imposed in this section and the rate
imposed by the other state or its political subdivisions. If the tax
imposed by the other state or its political subdivisions is the same or
greater than the tax imposed by this section, no tax is due. ~~The
provisions for credit in this section apply only if the other state or
its political subdivisions allow a credit with respect to the tax
imposed by this section which is substantially similar in effect to the
credit provided in this section."~~

Page 8, after line 26, insert:

"SECTION 13. EFFECTIVE DATE. Section 8 of this Act is effective
for taxable events occurring after December 31, 1990."

Renumber accordingly

SENATE AMENDMENTS TO ENGROSSED HB 1194

Page 1, line 4, remove "section 15-38.1-05,"

Page 1, line 5, replace "7" with "5" and replace "15-47-38.1" with "28-32-03"

Page 2, remove lines 1 through 11

Page 4, remove lines 5 through 18

Page 5, after line 13, insert:

"SECTION 4. AMENDMENT. Subsection 5 of section 28-32-03 of the
1989 Supplement to the North Dakota Century Code is amended and
reenacted as follows:

5. A rule is invalid unless adopted in substantial compliance
with section 28-32-02. However, inadvertent failure to
supply any person with a notice required by section 28-32-02

does not invalidate a rule. An action to contest the validity of a rule on the grounds of noncompliance with section 28-32-02 must be commenced within two years of the effective date of the rule."

Page 7, line 20, replace "17" with "16"

Page 12, line 5, replace "7" with "6"

Page 33, line 7, after "been" insert "substantially"

Page 34, line 11, replace "28" with "27"

Page 40, line 21, after "4." insert "3."

Page 40, line 26, remove the overstrike over "orders of the commission must be"

Page 40, line 27, remove the overstrike over "sustained" and insert immediately thereafter "by the district court" and remove the overstrike over "if the commission has regularly pursued its authority and"

Page 40, remove the overstrike over lines 28 and 29

Renumber accordingly

SENATE AMENDMENTS TO ENGROSSED HB 1266

Page 2, line 27, after "by" insert "a licensed architect or registered professional engineer on"

Page 3, line 20, remove "not required"

Page 3, line 21, replace "or the" with ", and are not subject to section 43-19.1-28."

Page 3, remove lines 22 and 23

Renumber accordingly

SENATE AMENDMENTS TO ENGROSSED HB 1383

Page 1, line 2, remove "; and to amend and reenact sections 11-18-14 and 35-21-01 of"

Page 1, remove line 3

Page 1, line 4, remove "of deeds and to release of liens"

Page 1, remove lines 6 through 19

Page 1, line 20, remove the underscore under "Aircraft repair and maintenance lien authorized. Any"

Page 1, remove the underscore under lines 21 and 22

Page 2, remove the underscore under lines 1 through 4

Page 2, line 5, remove the underscore under "Possession of aircraft."

Page 2, remove the underscore under lines 6 through 13

Page 2, line 14, remove the underscore under "the date the lien is recorded under section", replace "4" with "3", and remove the underscore under "of this Act."

Page 2, remove the underscore under line 15

Page 2, line 16, remove the underscore under "Recording of lien. The holder of a lien under this chapter"

Page 2, remove the underscore under line 17

Page 2, line 18, remove the underscore under "administration aircraft registry not later than the", replace "one hundred twentieth" with "ninetieth", and remove the underscore under "day"

Page 2, remove the underscore under lines 19 through 22

Page 2, line 23, remove the underscore under "under sections", replace "2" with "1", remove the underscore under "through", replace "7" with "6", and remove the underscore under "of this Act."

Page 2, remove the underscore under lines 24 through 28

Page 2, line 29, remove the underscore under "Notice to owner and lienholders."

Page 3, line 1, remove the underscore under "1. The holder of a lien under sections", replace "2" with "1", remove the underscore under "through", replace "7" with "6", and remove the underscore under "of this Act who"

Page 3, remove the underscore under lines 2 through 8

Page 3, line 9, remove the underscore under "lien under sections", replace "2" with "1", remove the underscore under "through", replace "7" with "6", and remove the underscore under "of this Act."

Page 3, remove the underscore under lines 10 through 12

Page 3, line 13, remove the underscore under "lien under sections", replace "2" with "1", remove the underscore under "through", replace "7" with "6", and remove the underscore under "of this Act to sell the"

Page 3, remove the underscore under lines 14 through 16

Page 3, line 17, remove the underscore under "Sale of aircraft authorized. If the holder of a lien under"

Page 3, line 18, remove the underscore under "sections", replace "2" with "1", remove the underscore under "through", replace "7" with "6", remove the underscore under "of this Act provides the notice required by section", replace "5" with "4", and remove the underscore under "of"

Page 3, remove the underscore under lines 19 through 25

Page 3, line 26, replace "Attorney's" with "Attorneys" and remove the underscore under "fees. The court in a suit brought under"

Page 3, line 27, remove the underscore under "sections", replace "2" with "1", remove the underscore under "through", replace "7" with "6", remove the underscore under "of this Act may award reasonable", replace "attorney's" with "attorneys", and remove the underscore under "fees to the"

Page 3, remove the underscore under line 28

Page 4, remove lines 1 through 9

Renumber accordingly

SENATE AMENDMENTS TO HB 1517

Page 1, line 4, replace the fourth comma with "and" and remove ", and 7"

Page 1, line 18, remove "27-01-04,"

Page 11, line 5, replace the first comma with "and" and remove ", and 7"

Page 12, remove lines 10 through 26

Page 46, remove lines 27 and 28

Page 47, remove lines 1 through 10

Page 50, line 11, overstrike "board of county"

Page 50, line 12, overstrike "commissioners" and insert immediately thereafter "presiding judge of the judicial district", overstrike "authorize a judge of", remove "the district", overstrike "court", and remove "serving"

Page 50, line 13, remove "the county" and overstrike "to"

Page 50, line 20, overstrike "board of"

Page 50, line 21, overstrike "county commissioners" and insert immediately thereafter "presiding judge" and after "referee" insert ", within the limits of legislative appropriations"

Page 54, line 12, overstrike "may" and insert immediately thereafter "must"

Page 55, line 22, remove the overstrike over "municipal"

Page 55, line 24, overstrike "county commissioners" and insert immediately thereafter "presiding judge of the judicial district"

Re-number accordingly

SENATE AMENDMENTS TO ENGROSSED HB 1526

Page 1, line 14, replace "five" with "two" and after "thousand" insert "five hundred"

Page 1, line 15, replace "fifty" with "twenty-five"

Page 2, line 8, after "purposes" insert "within one hundred twenty days,"

Page 3, line 4, after "purposes" insert "within one hundred twenty days,"

Page 3, line 19, replace "five" with "two"

Page 3, line 20, after "thousand" insert "five hundred" and replace "fifty" with "twenty-five"

Re-number accordingly

SENATE AMENDMENTS TO ENGROSSED HB 1611

Page 1, line 9, remove "to"

Page 1, line 10, remove "fifty-three"

Page 1, line 11, remove "ninety-eight", overstrike "to one hundred", and replace "six" with "ninety-eight"

Re-number accordingly

MOTION

REP. KLOUBEC MOVED that the House be on the Fifth order of business, and at the conclusion of the Fifth order, the House be on the Seventh order of business and at the conclusion of the Seventh order, the House be on the Twelfth order of business, and at the conclusion of the Twelfth order, the House stand in recess until 1:00 p.m., which motion prevailed.

REPORT OF STANDING COMMITTEE

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 (15 YEAS, 0 NAYS, 1 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,"

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, remove lines 11 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

REPORTS OF CONFERENCE COMMITTEES

HB 1313: Your conference committee (Sens. Tomac, Krauter, Traynor and Reps. Henegar, Brown, Hanson) recommends that the SENATE RECEDE from the Senate amendments on HJ page 989, amend as follows, and then place on the Seventh order:

That the Senate recede from its amendments as printed on page 857 of the Senate Journal and page 989 of the House Journal and that House Bill No. 1313 be amended as follows:

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

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

Page 1, after line 10, insert:

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

Page 1, line 15, after the first underscored comma insert "or" and remove ", deer with"

Page 1, line 16, remove "muzzle-loading long guns, wild turkeys, swans, or sandhill cranes"

Renumber accordingly

HB 1333, as engrossed: Your conference committee (Sens. Meyer, Tomac, Moore and Reps. Byerly, A. Olson, Williams) recommends that the SENATE RECEDE from the Senate amendments on HJ page 1366, amend as follows, and then place on the Seventh order:

That the Senate recede from its amendments as printed on page 1366 of the House Journal and page 1150 of the Senate Journal and that Engrossed House Bill No. 1333 be amended as follows:

Page 2, line 3, replace "sixty-five" with "seventy"

Page 2, line 5, replace "sixty-five" with "seventy"

Page 4, line 4, replace "sixty-five" with "seventy"

ReNUMBER accordingly

HB 1300, as engrossed: Your conference committee (Sens. Dotzenrod, Wogsland, Tennefos and Reps. Freier, Gorman, Hokana) recommends that the HOUSE ACCEDE to the Senate amendments on HJ page 1364 and then place it on the Seventh order.

HOUSE ENGROSSING REPORT

The following resolution was engrossed: HCR 3070.

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

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

HB 1343: Sens. Evanson; Lindgren; Hanson, E.

HB 1384: Sens. Jerome; Bowman; Mathern

HB 1569: Sens. Mathern; Lindgren; Bowman

HCR 3026: Sens. Schoenwald; Mathern; Solberg

SIGNING of BILLS and RESOLUTIONS

The Speaker signed the following enrolled bills and resolutions: SB 2144, SB 2294, SB 2311, SCR 4059, SCR 4060, SCR 4062, SCR 4063, SCR 4065, SCR 4066.

SECOND READING OF SENATE BILLS

SB 2346: A BILL for an Act to create and enact a new section to chapter 54-35.2 of the North Dakota Century Code, relating to administration and provision of planning grants to county and city governments for plans that are intended to improve the efficiency of local government; and to provide an appropriation.

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, 3 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

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

NAYS: Delzer; Grosz; Schimke

ABSENT AND NOT VOTING: Brokaw; Mutzenberger; Myrdal; Stofferahn

Engrossed SB 2346 passed and the title was agreed to.

SB 2403: A BILL for an Act to amend and reenact sections 16.1-04-02, 16.1-13-27, and 48-02-19 of the North Dakota Century Code, relating to physically disabled accessibility requirements for public buildings and facilities and voting places.

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

YEAS: Aarsvold; Anderson, B.; Bateman; Belter; Berg, G.; Berg, R.; Bernstein; Bodine; Boehm; Boucher; Brown; Byerly; Carlisle; Carlson; Clayburgh; Cleary; Coats; Dalrymple; 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; Myrdal; Nelson; Nicholas; Nichols; Nowatzki; Oban; Olsen, D.; Olson, A.; Payne; Peterson; 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: Delzer; Grosz; Schimke

ABSENT AND NOT VOTING: Brokaw; Mutzenberger

Engrossed SB 2403 passed and the title was agreed to.

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

ROLL CALL

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

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

ABSENT AND NOT VOTING: Mutzenberger

SB 2572 passed, the title was agreed to, and the emergency clause was declared carried.

MOTION

REP. KLOUBEC MOVED that SB 2025, SCR 4057, and SB 2012 be placed at the top of the calendar, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2025: A BILL for an Act relating to an agricultural pesticide and pesticide container disposal program; to provide an appropriation; 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 105 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Mutzenberger

Reengrossed SB 2025 passed and the title was agreed to.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4057: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of establishing a basic care program.

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

SCR 4057 was declared adopted on a voice vote.

SECOND READING OF SENATE BILL

SB 2012: A BILL for an Act making an appropriation for the distribution of state aid distribution fund revenue to local political subdivisions of the state of North Dakota; and to provide a statement of legislative intent.

ROLL CALL

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

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

ABSENT AND NOT VOTING: Mutzenberger

Engrossed SB 2012 passed and the title was agreed to.

MOTION

REP. KLOUBEC MOVED that all actions on Senate bills and resolutions up to this point be messaged to the Senate immediately, which motion prevailed.

FIRST READING OF HOUSE CONCURRENT RESOLUTION

Reps. Wald, Whalen and Sen. Tallackson introduced:

(Approved by the Committee on Delayed Bills)

HCR 3071: A concurrent resolution urging Congress to continue its declared policy that the continued regulation and taxation by the several states of the business of insurance is in the public interest.

Was read the first time.

MOTION

REP. KLOUBEC MOVED that the rules be suspended, that HCR 3071 not be printed, not be referred to committee, not be read in its entirety, and be printed in the Journal, and placed on the calendar for second reading and final passage, which motion prevailed.

HOUSE CONCURRENT RESOLUTION NO. 3071

A concurrent resolution urging Congress to continue its declared policy that the continued regulation and taxation by the several states of the business of insurance is in the public interest.

WHEREAS, the safety and soundness of insurance companies operating in the United States is a prime objective of state insurance regulation; and

WHEREAS, the public depends on solvent insurance companies to provide retirement income, income protection in case of death or disability, protection from catastrophic loss, and safe investment opportunities; and

WHEREAS, states are endeavoring to improve insurance company solvency regulation in order to protect state treasuries, fiscally sound companies, state guaranty fund systems, and guaranteed investment contracts; and

WHEREAS, the National Association of Insurance Commissioners has developed an agenda to enhance a state's authority to monitor and regulate insurance company solvency through:

1. Financial regulatory standards and state accreditation;
2. Uniform reinsurance evaluation;
3. Examination processes assessment;
4. Further enhancement of the National Association of Insurance Commissioners' solvency analysis support to state insurance departments; and
5. Review of annual statement disclosure of capitalization and reserving requirements; and

WHEREAS, states are acting to provide an alternative to federal intervention in insurance company solvency regulation and federal preemption of the states' insurance premium tax base;

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

That the Fifty-second Legislative Assembly urges the Congress of the United States to continue its declared policy, as expressed in the

McCarran-Ferguson Act, that "the continued regulation and taxation by the several States of the business of insurance is in the public interest"; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded by the Secretary of State to each member of the North Dakota Congressional Delegation.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3071: A concurrent resolution urging Congress to continue its declared policy that the continued regulation and taxation by the several states of the business of insurance is in the public interest.

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

HCR 3071 was declared adopted on a voice vote.

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 2003.

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

MR. PRESIDENT: The House has amended and subsequently passed: SB 2025, SB 2346, SB 2403.

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 2572.

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

MR. PRESIDENT: The House has passed unchanged: SB 2012, SCR 4057.

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 3070, HCR 3071.

MOTION

REP. TOLLEFSON MOVED that the House waive the reading of the titles to SB 2126 and SB 2528, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2126: A BILL for an Act to create and enact a new section to chapter 57-01 of the North Dakota Century Code, relating to authorizing payment of taxes in immediately available funds; to provide a penalty; and to provide an appropriation.

ROLL CALL

The question being on the final passage of the amended bill, which has been read and has committee recommendation of DO NOT PASS, the roll was called and there were 45 YEAS, 59 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

NAYS: Bateman; Belter; Berg, R.; Bernstein; Boehm; Brown; Byerly; Carlisle; Clayburgh; Dalrymple; Delzer; DeWitz; Dorso; Freier; Gates; Gerntholz; Gorder; Gorman; Grosz; Hausauer; Henegar; Howard; Jensen; Kelsch; Kloubec; Kretschmar; Kunkel; Larson; Martin; 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; Trautman; Urlacher;
Wald; Wardner; Wentz; Whalen; Wilkie; Speaker R. Anderson

ABSENT AND NOT VOTING: Boucher; Mutzenberger

Engrossed SB 2126 was declared lost.

MOTION

REP. KLOUBEC MOVED that SB 2029 be placed at the top of the calendar, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2029: A BILL for an Act to create and enact a new section to chapter 6-09 of the North Dakota Century Code, relating to the allocation of the annual net income of the Bank of North Dakota.

MOTION

REP. STOFFERAHN MOVED that SB 2029 be laid over one legislative day, which motion failed on a verification vote.

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 47 YEAS, 58 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

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

NAYS: Bateman; Belter; Berg, R.; Bernstein; Boehm; Brown; Byerly; Carlisle; Clayburgh; Dalrymple; Delzer; DeWitz; Dorso; Freier; Gates; Gertholz; Gorder; Gorman; Grosz; Hausauer; Henegar; Howard; Jensen; Kelsch; Kloubec; Kretschmar; Kunkel; Larson; Martin; 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; Trautman; Urlacher; Wald; Wardner; Wentz; Whalen; Speaker R. Anderson

ABSENT AND NOT VOTING: Mutzenberger

Engrossed SB 2029 was declared lost.

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

MR. SPEAKER: The Senate has concurred in the House amendments to SB 2024, SB 2204, SB 2210, SB 2275, SB 2281, SB 2327, and SB 2329 and subsequently passed the same.

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

MR. SPEAKER: The Senate has concurred in the House amendments to SB 2340, SB 2351, SB 2352, SB 2354, SB 2372, SB 2389, and SB 2397 and subsequently passed the same.

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

MR. SPEAKER: The Senate has concurred in the House amendments to SB 2431 and SB 2447 and subsequently passed the same.

MOTIONS

REP. KLOUBEC MOVED that all bills on which we have taken action on today be messaged to the Senate, which motion prevailed.

REP. KLOUBEC MOVED that the House be on the Fourth order of business and at the conclusion of the Fourth order, the House be on the Fifth order of business, and at the conclusion of the Fifth order, the House be on the Seventh order of business, and at the conclusion of the Seventh order, the House be on the Twelfth order of business, and at the conclusion of the Twelfth order, the House stand in recess until 3:30 p.m., which motion prevailed.

COMMUNICATION FROM GOVERNOR GEORGE A. SINNER

March 28, 1991

This is to inform you that on March 27, 1991, I signed the following: HB 1023, HB 1029, HB 1044, HB 1047, HB 1108, HB 1111, HB 1137, HB 1141, HB 1151, HB 1159, HB 1161, HB 1164, HB 1176, HB 1185, HB 1188, HB 1189, HB 1203, HB 1208, HB 1216, HB 1227, HB 1231, HB 1245, HB 1248, HB 1270, HB 1277, HB 1293, HB 1318, HB 1322, HB 1324, HB 1328, HB 1370, HB 1382, HB 1409, HB 1410, HB 1434, HB 1451, HB 1484, HB 1497, HB 1504, HB 1513.

REPORTS OF STANDING COMMITTEES

SB 2034, as reengrossed: Committee on Appropriations (Rep. Thompson, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (21 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 3, line 24, remove the overstrike over "~~for a period not to exceed three years~~"

Page 3, line 25, remove the overstrike over "~~from one hundred twenty-five to~~"

Page 3, replace lines 28 and 29 with ". The interim district board shall have the option to receive the amount equivalent to its third-year payment over a two-year period. This extended payment request must be contained in the consortium's third-year cooperative plan"

Page 4, remove lines 1 through 4

Page 4, line 5, remove "year of participation"

Page 4, line 9, remove the overstrike over "~~maximum~~"

Page 4, overstrike lines 14 and 15

Page 4, line 16, overstrike "newly formed school district is eligible to receive" and remove "a"

Page 4, line 17, overstrike "supplemental pupil payment" and remove "in the amount of eighty-five dollars per"

Page 4, line 18, remove "pupil", overstrike "for an additional period of", remove "one year", and overstrike "following the"

Page 4, overstrike lines 19 through 21

Page 8, line 29, replace "one year" with "two years"

Page 10, line 17, replace "Planning grants" with "Pairing"

Page 10, remove lines 18 through 25

Page 10, line 26, replace "Within one year of receipt of the financial assistance, the" with "The"

Page 10, line 27, replace "report" with "plan"

Page 10, line 28, replace "report" with "plan"

Page 10, line 29, replace "An analysis of data studied, findings, and recommendations" with "Evidence of school board approval, by majority vote, of the plan"

Page 11, line 25, replace "eighty-five" with "one hundred sixty-five"

Page 11, line 27, remove "who is participating in the purchased"

Page 11, line 28, remove "educational services"

ReNUMBER accordingly

SB 2168, as engrossed: Committee on Appropriations (Rep. Thompson, Chairman) recommends DO PASS (21 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). SB 2168 was placed on the Fourteenth order on the calendar.

SB 2231, as reengrossed: Committee on Appropriations (Rep. Thompson, Chairman) recommends DO PASS (23 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2231 was placed on the Fourteenth order on the calendar.

REPORTS OF CONFERENCE COMMITTEES

HB 1073: Your conference committee (Sens. E. Hanson, Lindgren, Evanson and Reps. Price, Delzer, Boucher) recommends that the SENATE RECEDE from the Senate amendments on HJ pages 889-890, amend as follows, and then place on the Seventh order:

That the Senate recede from its amendments as printed on page 453 of the Senate Journal and pages 889-890 of the House Journal and that House Bill No. 1073 be amended as follows:

Page 1, line 10, remove the overstrike over "of the"

Page 1, remove the overstrike over line 11

Page 1, line 12, remove the overstrike over "the parties resides", after "resides" insert "or is temporarily domiciled", and remove the overstrike over "or if such county is unorganized or disorganized of"

Page 1, line 13, remove the overstrike over "the county to which it is attached for judicial purposes, or"

Page 1, line 14, remove the overstrike over "by", after the first "the" insert "a", and remove the overstrike over "county judge of the"

Page 1, remove the overstrike over lines 15 through 17

Page 1, line 18, remove the overstrike over "Dakota shall be deemed to reside in the county wherein", after "he" insert "that person", and remove the overstrike over "is stationed"

ReNUMBER accordingly

HB 1132: Your conference committee (Sens. O'Connell, Mathern, Streibel and Reps. Carlisle, Boehm, Boucher) recommends that the HOUSE ACCEDE to the Senate amendments on HJ page 1361 and then place it on the Seventh order.

HB 1152, as engrossed: Your conference committee (Sens. Schoenwald, O'Connell, Tennefos and Reps. Belter, Delzer, Hokana) recommends that the SENATE RECEDE from the Senate amendments on HJ page 988, amend as follows, and then place on the Seventh order:

That the Senate recede from its amendments as printed on page 988 of the House Journal and page 856 of the Senate Journal and that House Bill No. 1152 be amended as follows:

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

Page 1, remove line 13

Page 1, line 14, remove "department must be assessed a fee of one hundred dollars" and after the period insert "Except as provided by section 39-24-04, a person who operates an unregistered snowmobile on land owned, leased, or managed by the parks and recreation department must be assessed a fee of fifty dollars; however, if the person provides proof of registration since the violation the fee may be reduced by one-half."

Renumber accordingly

HB 1157, as engrossed: Your conference committee (Sens. Schoenwald, O'Connell, Tennefos and Reps. Belter, Delzer, Hokana) recommends that the SENATE RECEDE from the Senate amendments on HJ page 988, amend as follows, and then place on the Seventh order:

That the Senate recede from its amendments as printed on page 988 of the House Journal and page 856 of the Senate Journal and that House Bill No. 1157 be amended as follows:

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

Page 1, remove line 13

Page 1, line 14, remove "recreation department a fee of one hundred dollars must be assessed" and after the period insert "Except as provided by section 39-24-04, a person who operates an unregistered snowmobile on land owned, leased, or managed by the parks and recreation department must be assessed a fee of fifty dollars; however, if the person provides proof of registration since the violation the fee may be reduced by one-half."

Renumber accordingly

HB 1507, as engrossed: Your conference committee (Sens. Dotzenrod, Tomac, Moore and Reps. Grosz, Freier, Linderman) recommends that the HOUSE ACCEDE to the Senate amendments on HJ pages 1265-1266, amend as follows, and then place on the Seventh order:

That the House accede to the Senate amendments as printed on pages 1265 and 1266 of the House Journal and pages 1028 and 1029 of the Senate Journal and that Engrossed House Bill No. 1507 be further amended as follows:

Page 1, line 3, after "commissioner" insert "; and to provide an expiration date"

Page 3, after line 27, insert:

"SECTION 4. EXPIRATION DATE. Section 3 of this Act is effective through June 30, 1993, and after that date is ineffective."

Renumber accordingly

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

MR. SPEAKER: The President has signed and your signature is respectfully requested on: SB 2022, SB 2448, SB 2554, SB 2569, SB 2570, SB 2574, SB 2581, SB 2582, SB 2584, SB 2585.

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

MR. SPEAKER: The President has signed and your signature is respectfully requested on: SCR 4020, SCR 4023, SCR 4041, SCR 4042, SCR 4045, SCR 4069.

MESSAGE to the SENATE from the HOUSE (Roy Gilbreath, Chief Clerk)
MR. PRESIDENT: The Speaker has signed: SB 2348, SB 2409, SB 2410, SB 2411, SB 2430, SB 2433, SB 2434, SB 2440, SB 2444, SB 2450, SB 2454, SB 2484, SB 2485, SB 2504, SB 2519, SB 2522, SB 2524, SB 2531, SB 2548.

MESSAGE to the SENATE from the HOUSE (Roy Gilbreath, Chief Clerk)
MR. PRESIDENT: The Speaker has signed: SB 2144, SB 2294, SB 2311, SCR 4059, SCR 4060, SCR 4062, SCR 4063, SCR 4065, SCR 4066.

MESSAGE to the SENATE from the HOUSE (Roy Gilbreath, Chief Clerk)
MR. PRESIDENT: The House has amended and failed to pass: SB 2126.

MESSAGE to the SENATE from the HOUSE (Roy Gilbreath, Chief Clerk)
MR. PRESIDENT: The House has failed to pass: SB 2029.

SIGNING of BILLS and RESOLUTIONS

The Speaker signed the following enrolled bills and resolutions: HB 1175, HB 1182, HB 1187, HB 1199, HB 1306, HB 1389, HB 1422, HB 1489, HB 1536, HB 1543, HB 1608, HCR 3001, HCR 3002, HCR 3010, HCR 3015, HCR 3019, HCR 3020, HCR 3021, HCR 3029, HCR 3033, HCR 3034, HCR 3040, HCR 3041, HCR 3047, HCR 3049, HCR 3050, HCR 3052, HCR 3054, HCR 3055, HCR 3058, HCR 3059, HCR 3060, HCR 3062, HCR 3065, HCR 3069.

SECOND READING OF SENATE BILLS

SB 2541: A BILL for an Act to amend and reenact subsection 1 of section 53-06.1-06 of the North Dakota Century Code, relating to persons permitted to conduct games of chance.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and is PLACED ON THE CALENDAR WITHOUT RECOMMENDATION, the roll was called and there were 45 YEAS, 59 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Bodine; Boucher; Carlson; Clayburgh; Cleary; Coats; DeMers; Dorso; Enget; Erickson; Flaagan; Freier; Gabrielson; Gates; Gorman; Grumbo; Hokana; Huether; Jacobson; Jensen; Kelsch; Kolbo; Kretschmar; Larson; Laughlin; Mahoney; Martinson; Meyer; Miller; Muhs; Oban; Peterson; Porter; Ring; Schneider; Snyder; St. Aubyn; Starke; Stofferahn; Svedjan; Timm; Tollefson; Wald; Whalen; Wilkie

NAYS: Aarsvold; Anderson, B.; Bateman; Belter; Berg, G.; Berg, R.; Bernstein; Boehm; Brokaw; Brown; Byerly; Carlisle; Dalrymple; Delzer; DeWitz; Gerntholz; Gilmore; Goffe; Gorder; Grosz; Hanson; Henegar; Howard; Kaldor; Kerzman; Kloubec; Kroeber; Kunkel; Linderman; Martin; Myrdal; Nelson; Nicholas; Nichols; Nowatzki; Olsen, D.; Olson, A.; Payne; Price; Pyle; Rennerfeldt; Ritter; Rydell; Scherber; Schimke; Schindler; Schmidt; Shide; Skar; Skjerven; Soukup; Thompson; Thorpe; Trautman; Urlacher; Wardner; Wentz; Williams; Speaker R. Anderson

ABSENT AND NOT VOTING: Hausauer; Mutzenberger

Engrossed SB 2541 was declared lost.

SB 2187: A BILL for an Act to amend and reenact section 51-05.1-01.1 of the North Dakota Century Code, relating to the application for an auctioneer's or auction clerk's license, an increase in fees, and bonds.

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 3 YEAS, 101 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Grumbo; Huether; Ring

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

Engrossed SB 2187 was declared lost.

SB 2366: A BILL for an Act to repeal section 57-39.2-28 of the North Dakota Century Code, relating to a refund allowed residents of Canada of sales taxes paid in this state; and to declare an emergency.

MOTION

REP. KLOUBEC MOVED that debate on this issue be limited until 4:25 p.m., which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, which has been read, and is PLACED ON THE CALENDAR WITHOUT RECOMMENDATION, the roll was called and there were 59 YEAS, 46 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Boucher; Brokaw; Carlson; Cleary; Coats; Dalrymple; DeMers; DeWitz; Dorso; Flaagan; Gabrielson; Gates; Gertholz; Gilmore; Goffe; Gorder; Grumbo; Hanson; Hausauer; Hokana; Huether; Jacobson; Kaldor; Kerzman; Kloubec; Kretschmar; Kroeber; Kunkel; Larson; Laughlin; Linderman; Mahoney; Martin; Meyer; Miller; Muhs; Nichols; Nowatzki; Oban; Payne; Peterson; Pyle; Ring; Ritter; Rydell; Scherber; Schindler; Schneider; Skar; Skjerven; St. Aubyn; Starke; Stofferahn; Thorpe; Urlacher; Wilkie; Williams

NAYS: Bateman; Belter; Berg, G.; Berg, R.; Bernstein; Bodine; Boehm; Brown; Byerly; Carlisle; Clayburgh; Delzer; Enget; Erickson; Freier; Gorman; Grosz; Henegar; Howard; Jensen; Kelsch; Kolbo; Martinson; Myrdal; Nelson; Nicholas; Olsen, D.; Olson, A.; Porter; Price; Rennerfeldt; Schimke; Schmidt; Shide; Snyder; Soukup; Svedjan; Thompson; Timm; Tollefson; Trautman; Wald; Wardner; Wentz; Whalen; Speaker R. Anderson

ABSENT AND NOT VOTING: Mutzenberger

Engrossed SB 2366 passed and the title was agreed to, and the emergency clause was declared lost.

MOTION

REP. WILLIAMS MOVED that the vote by which SB 2366 passed be reconsidered and the motion to reconsider be laid on the table, which motion failed on a verification vote.

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 1175, HB 1182, HB 1187, HB 1199, HB 1306, HB 1389, HB 1422, HB 1489, HB 1536, HB 1543, HB 1608, HCR 3001, HCR 3002, HCR 3010, HCR 3015, HCR 3019, HCR 3020, HCR 3021, HCR 3029, HCR 3033, HCR 3034, HCR 3040,

HCR 3041, HCR 3047, HCR 3049, HCR 3050, HCR 3052, HCR 3054, HCR 3055, HCR 3058, HCR 3059, HCR 3060, HCR 3062, HCR 3065, HCR 3069.

SIGNING of BILLS and RESOLUTIONS

The Speaker signed the following enrolled bills and resolutions: SB 2223, SB 2235, SB 2236, SB 2238, SB 2239, SB 2240, SB 2245, SB 2253, SB 2429, SCR 4005, SCR 4009, SCR 4037, SCR 4040, SCR 4044, SCR 4046, SCR 4049, SCR 4053, SCR 4055, SCR 4056.

SECOND READING OF SENATE BILLS

SB 2528: A BILL for an Act to amend and reenact subsections 1 and 10 of section 53-06.2-01, subsection 7 of section 53-06.2-04, sections 53-06.2-05, 53-06.2-06, 53-06.2-10.1, and 53-06.2-11 of the North Dakota Century Code, relating to the definitions of breeders' fund and purse fund for parimutuel horse racing, duties and powers of the North Dakota racing commission, organizations eligible to conduct racing and simulcast parimutuel wagering, and payoff formulas for parimutuel wagering.

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 4 YEAS, 98 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Hokana; Oban; Ring; Stofferahn

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

ABSENT AND NOT VOTING: Anderson, B.; Mutzenberger; Nowatzki; Snyder

Engrossed SB 2528 was declared lost.

SB 2099: A BILL for an Act to create and enact two new sections to chapter 54-16 of the North Dakota Century Code, relating to the allocation of funds and the authorization of the exchange of goods and services by the emergency commission.

ROLL CALL

The question being on the final passage of the amended bill, which has been read and has committee recommendation of DO NOT PASS, the roll was called and there were 34 YEAS, 71 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Bodine; Boucher; Brokaw; Carlson; DeMers; Enget; Erickson; Flaagan; Gabrielson; Gilmore; Goffe; Grumbo; Hanson; Hokana; Kaldor; Kerzman; Kolbo; Kroeber; Laughlin; Linderman; Mahoney; Meyer; Nichols; Peterson; Pyle; Ring; Ritter; Scherber; Skjerven; Starke; Stofferahn; Wilkie

NAYS: Bateman; Belter; Berg, G.; Berg, R.; Bernstein; Boehm; Brown; Byerly; Carlisle; Clayburgh; Cleary; Coats; Dalrymple; Delzer; DeWitz; Dorso; Freier; Gates; Gerntholz; Gorder; Gorman; Grosz; Hausauer; Henegar; Howard; Huether; Jacobson; Jensen; Kelsch; Kloubec; Kretschmar; Kunkel; Larson; Martin; Martinson; Miller; Muhs; Myrdal; Nelson; Nicholas;

Nowatzki; Oban; Olsen, D.; Olson, A.; Payne; Porter; Price; Rennerfeldt; Rydell; Schimke; Schindler; Schmidt; Schneider; Shide; Skar; Snyder; Soukup; St. Aubyn; Svedjan; Thompson; Thorpe; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Whalen; Williams; Speaker R. Anderson

ABSENT AND NOT VOTING: Mutzenberger

SB 2099 was declared lost.

MOTION

REP. KLOUBEC MOVED that SB 2231 and SB 2168 be placed at the top of the Fourteenth order on the calendar, which motion prevailed.

SECOND READING OF SENATE BILLS

SB 2231: A BILL for an Act relating to protection of ground water resources, use of chemicals, coordination of educational programs and safe disposal of wastes, and water monitoring authority where contamination may exist.

ROLL CALL

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

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

ABSENT AND NOT VOTING: Mutzenberger

Reengrossed SB 2231 passed and the title was agreed to.

SB 2168: A BILL for an Act to create and enact a new section to chapter 54-16 of the North Dakota Century Code, relating to emergency commission authorization for acceptance and expenditure of funds received between legislative sessions; and providing an 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 101 YEAS, 4 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

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

Peterson; 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; Speaker R. Anderson

NAYS: Gorder; Payne; Schimke; Schmidt

ABSENT AND NOT VOTING: Mutzenberger

Engrossed SB 2168 passed and the title was agreed to.

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

MR. PRESIDENT: The Speaker has signed: SB 2223, SB 2235, SB 2236, SB 2238, SB 2239, SB 2240, SB 2245, SB 2253, SB 2429, SCR 4005, SCR 4009, SCR 4037, SCR 4040, SCR 4044, SCR 4046, SCR 4049, SCR 4053, SCR 4055, SCR 4056.

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

MR. SPEAKER: The Senate does not concur in the House amendments to SB 25 and SCR 4058, and the President has appointed as a conference committee to act with a like committee from the House on:

SB 2515: Sens. Keller; Krauter; Streibel

SCR 4058: Sens. Jerome; Krebsbach; Hanson, O.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. MARTINSON MOVED that the House do concur in the Senate amendments to Engrossed HB 1193 as printed on HJ pages 1361-1362, which motion prevailed.

Engrossed HB 1193, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1193: A BILL for an Act to create and enact four new subsections to section 54-23.3-04 of the North Dakota Century Code, relating to giving the director of the department of corrections and rehabilitation powers and duties held by the director of institutions to issue bonds, contract for correctional services, lease and sell penitentiary lands, and provide certain meals to officers and employees; to amend and reenact subsection 48 of section 30.1-01-06 of the North Dakota Century Code, relating to trust accounts; and to repeal sections 54-21-07, 54-21-25, 54-21-26, 54-21-26.1, 54-23-22, 54-23-29, 54-23-45, 54-23-56, 54-23-57, and 54-23-59 of the North Dakota Century Code, relating to duties of the director of institutions in the operation of correctional institutions.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 90 YEAS, 9 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Bateman; Belter; Bernstein; Bodine; Boehm; Boucher; Brown; Byerly; Carlisle; Carlson; Clayburgh; Cleary; Coats; DeWitt; Dorso; Enget; Erickson; Flaagan; Freier; 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; Martinson; Meyer; Miller; Muhs; Myrdal; Nelson; Nicholas; Nowatzki; Oban; Olsen, D.; Olson, A.; Payne; Peterson; Porter; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schimke; Schindler; Schneider; Shide; Skjerven; Snyder; Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Thorpe; Timm; Tollefson; Trautman; Wald; Wardner; Wentz; Whalen; Williams

NAYS: Brokaw; Delzer; DeMers; Martin; Nichols; Thompson; Urlacher; Wilkie; Speaker R. Anderson

ABSENT AND NOT VOTING: Berg, G.; Berg, R.; Dalrymple; Gabrielson; Mutzenberger; Schmidt; Skar

Engrossed HB 1193 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. A. OLSON MOVED that the House do concur in the Senate amendments to Engrossed HB 1215 as printed on HJ page 1362, which motion prevailed.

Engrossed HB 1215, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1215: A BILL for an Act to make an appropriation for defraying North Dakota's cost share of the Belfield/Bowman radiation remediation project costs under authority of the Uranium Mill Tailings Radiation Control Act; to provide authorization to the state department of health and consolidated laboratories to negotiate with the department of energy on behalf of the state of North Dakota concerning the Belfield/Bowman radiation remediation project; and to provide authorization to acquire necessary land by purchase or eminent domain.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 83 YEAS, 17 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

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

NAYS: Anderson, B.; Brokaw; Byerly; Carlson; Coats; DeMers; Erickson; Kerzman; Linderman; Nelson; Nichols; Oban; Ring; Ritter; Scherber; Snyder; Williams

ABSENT AND NOT VOTING: Berg, R.; Dalrymple; Gabrielson; Kloubec; Mutzenberger; Schmidt

Engrossed HB 1215 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. DORSO MOVED that the House do concur in the Senate amendments to Engrossed HB 1242 as printed on HJ pages 1418-1420, which motion prevailed.

Engrossed HB 1242, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1242: A BILL for an Act to create and enact chapter 26.1-06.1, sections 26.1-10-03.1 and 26.1-10-10.1, chapters 26.1-26.2, 26.1-26.3, 26.1-31.1, and 26.1-31.2 of the North Dakota Century Code, relating to rehabilitation and liquidation of insurance companies, insurance

broker-controlled property and casualty insurance companies, managing general agents, reinsurance intermediaries, and credit for reinsurance; to amend and reenact subsections 2 and 4 of section 26.1-10-02, subsections 4 and 5 of section 26.1-10-03, sections 26.1-10-04, 26.1-10-05, 26.1-10-10, and 26.1-10-11, relating to insurance holding company systems; to repeal sections 26.1-07-08, 26.1-07-09, 26.1-07-10, 26.1-07-11, 26.1-07-12, 26.1-07-13, 26.1-07-14, 26.1-07-15, 26.1-07-16, 26.1-07-17, 26.1-07-18, 26.1-07-19, and 26.1-07-20, relating to rehabilitation and liquidation of insurance companies; and to provide a penalty.

ROLL CALL

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

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

ABSENT AND NOT VOTING: Berg, R.; Dalrymple; Kloubec; Mutzenberger; Schmidt

Engrossed HB 1242 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. LARSON MOVED that the House do concur in the Senate amendments to Engrossed HB 1291 as printed on HJ page 1051, which motion prevailed.

Engrossed HB 1291, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1291: A BILL for an Act to create and enact a new subsection to section 43-12.1-02, a new subsection to section 43-12.1-04, a new subsection to section 43-12.1-08, a new subsection to section 43-12.1-15, and a new section to chapter 43-12.1 of the North Dakota Century Code, relating to regulation of nurses and assistants to nurses; to amend and reenact sections 43-12.1-01 and 43-12.1-04 of the North Dakota Century Code, relating to policy with respect to the regulation of nursing practice; to provide a penalty; to provide an expiration date; and to declare an emergency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 89 YEAS, 11 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Bateman; Belter; Berg, G.; Boehm; Boucher; Brown; Byerly; Carlisle; Carlson; Clayburgh; Cleary; Coats; DeMers; DeWitz; Dorso; 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; Martin; Martinson; Meyer; Miller; Muhs; Myrdal; Nowatzki; Oban; Olsen, D.;

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

NAYS: Bernstein; Bodine; Brokaw; Delzer; Enget; Erickson; Grosz; Mahoney; Nelson; Nichols; Whalen

ABSENT AND NOT VOTING: Berg, R.; Dalrymple; Kloubec; Mutzenberger; Nicholas; Schmidt

Engrossed HB 1291 passed, the title was agreed to, and the emergency clause was declared carried.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. THOMPSON MOVED that the House do concur in the Senate amendments to HB 1001 as printed on HJ page 1416, which motion prevailed.

HB 1001, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1001: A BILL for an Act providing an appropriation for defraying the expenses of the legislative branch of government; and declaring an emergency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 93 YEAS, 7 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

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

NAYS: Bernstein; Erickson; Jensen; Mahoney; Martin; Rydell; Stofferahn

ABSENT AND NOT VOTING: Berg, R.; Dalrymple; Kloubec; Mutzenberger; Nicholas; Schmidt

HB 1001 passed, the title was agreed to, and the emergency clause was declared carried.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. THOMPSON MOVED that the House do concur in the Senate amendments to Engrossed HB 1009 as printed on HJ page 1416, which motion prevailed.

Engrossed HB 1009, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1009: A BILL for an Act making an appropriation for defraying the expenses of the veterans' home and the department of veterans' affairs.

ROLL CALL

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

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

ABSENT AND NOT VOTING: Berg, R.; Dalrymple; Kloubec; Mutzenberger; Nicholas

Engrossed HB 1009 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. A. OLSON MOVED that the House do concur in the Senate amendments to Engrossed HB 1060 as printed on HJ pages 1417, which motion prevailed.

Engrossed HB 1060, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF SENATE BILL

HB 1060: A BILL for an Act to create and enact a new subsection to section 23-29-02, four new subsections to section 23-29-04, and eleven new sections to chapter 23-29 of the North Dakota Century Code, relating to solid waste management; to amend and reenact subsections 3 and 5 of section 23-20.2-02, section 23-29-03, subsection 8 of section 23-29-04, sections 23-29-05, 23-29-06, 23-29-12, and subsection 1 of section 39-10-59 of the North Dakota Century Code, relating to solid waste management; to repeal sections 23-29-15 and 24-12-03 of the North Dakota Century Code, relating to a short title and to the deposit of garbage; and to provide a penalty.

ROLL CALL

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

YEAS: Aarsvold; Anderson, B.; Bateman; Belter; Berg, G.; Bodine; Boehm; Boucher; Brokaw; Brown; Byerly; Carlisle; Carlson; Clayburgh; Cleary; Coats; Delzer; DeMers; DeWitz; Dorso; Enget; Erickson; 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; Myrdal; Nelson; Nichols; Nowatzki; Oban; Olsen, D.; Olson, A.; Payne; Peterson; Porter; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schimke; Schindler; Schmidt; Schneider; Shide; Skar; Skjerven; Snyder; Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Thompson; Thorpe; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Whalen; Wilkie; Williams; Speaker R. Anderson

NAYS: Bernstein

ABSENT AND NOT VOTING: Berg, R.; Dalrymple; Flaagan; Kloubec; Mutzenberger; Nicholas

Engrossed HB 1060 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. DORSO MOVED that the House do concur in the Senate amendments to HB 1072 as printed on HJ page 1360, which motion prevailed.

HB 1072, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1072: A BILL for an Act to create and enact a new paragraph to subdivision i of subsection 18 of section 52-01-01 of the North Dakota Century Code, relating to the exclusion of golf caddies under the age of eighteen from the definition of employment under the unemployment compensation law.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 98 YEAS, 0 NAYS, 0 EXCUSED, 8 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Bateman; Belter; Berg, G.; Bernstein; Bodine; Boehm; Boucher; Brokaw; Brown; Byerly; Carlisle; Carlson; Clayburgh; Cleary; Coats; Delzer; DeMers; DeWitz; Dorso; Enget; Erickson; 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; Myrdal; Nelson; Nichols; Nowatzki; Oban; Olsen, D.; Olson, A.; Payne; Peterson; Porter; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schimke; Schindler; Schmidt; Shide; Skar; Skjerven; Snyder; Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Thompson; Thorpe; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Whalen; Wilkie; Williams; Speaker R. Anderson

ABSENT AND NOT VOTING: Berg, R.; Dalrymple; Flaagan; Kloubec; Muhs; Mutzenberger; Nicholas; Schneider

HB 1072 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. MARTIN MOVED that the House do concur in the Senate amendments to HB 1083 as printed on HJ pages 1360-1361, which motion prevailed.

HB 1083, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1083: A BILL for an Act to amend and reenact section 40-08-03 of the North Dakota Century Code, relating to the number of aldermen on a city council.

ROLL CALL

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

YEAS: Aarsvold; Anderson, B.; Belter; Berg, G.; Bernstein; Bodine; Boehm; Boucher; Brokaw; Brown; Byerly; Carlisle; Carlson; Clayburgh; Cleary; Coats; Delzer; DeMers; DeWitz; Dorso; Enget; Erickson; 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; Myrdal; Nelson; Nichols; Nowatzki; Oban; Olsen, D.; Olson, A.; Payne; Peterson; Porter; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schimke; Schindler; Schmidt; Schneider; Shide; Skar; Skjerven; Snyder; Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Thompson; Thorpe; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Whalen; Wilkie; Williams; Speaker R. Anderson

ABSENT AND NOT VOTING: Bateman; Berg, R.; Dalrymple; Flaagan; Kloubec; Mutzenberger; Nicholas

HB 1083 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. DORSO MOVED that the House do concur in the Senate amendments to Engrossed HB 1095 as printed on HJ page 1361, which motion prevailed.

Engrossed HB 1095, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1095: A BILL for an Act to create and enact a new section to the North Dakota Century Code, relating to the access of operator services of telecommunications companies.

ROLL CALL

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

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

ABSENT AND NOT VOTING: Berg, R.; Dalrymple; Mutzenberger; Nelson; Nicholas

Engrossed HB 1095 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. TIMM MOVED that the House do concur in the Senate amendments to Engrossed HB 1098 as printed on HJ page 1361, which motion prevailed.

Engrossed HB 1098, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1098: A BILL for an Act to create and enact sections 57-51-02.2 and 57-51-02.3 of the North Dakota Century Code, relating to gross production tax on gas and oil; to amend and reenact sections 57-51-01, 57-51-02, 57-51-05, and subsections 1 and 2 of section 57-51-06 of the North Dakota Century Code and to amend and reenact section 1 of chapter 733 of the 1989 Session Laws of North Dakota, relating to imposition of

gross production tax and the apportionment and use of the gross production tax; to repeal section 57-51-18 of the North Dakota Century Code, relating to payment where ownership is in dispute; and to provide an effective date.

ROLL CALL

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

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

ABSENT AND NOT VOTING: Berg, R.; Dalrymple; Grosz; Meyer; Mutzenberger; Nelson; Nicholas

Engrossed HB 1098 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. LARSON MOVED that the House do concur in the Senate amendments to Engrossed HB 1110 as printed on HJ page 1314, which motion prevailed.

Engrossed HB 1110, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1110: A BILL for an Act 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 to amend and reenact subsection 5 of section 43-12.1-02 and subsection 16 of section 43-12.1-08 of the North Dakota Century Code, relating to definition of the practice of nursing as a registered nurse and the powers and duties of the board of nursing.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 78 YEAS, 20 NAYS, 0 EXCUSED, 8 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Belter; Berg, G.; Bodine; Boucher; Brokaw; Byerly; Carlisle; Carlson; Clayburgh; Cleary; Coats; DeMers; DeWitz; Dorso; Flaagan; Freier; Gabrielson; Gates; Gerntholz; Gilmore; Gorder; Gorman; Grumbo; Hanson; Hausauer; Henegar; Hokana; Huether; Jacobson; Jensen; Kerzman; Kloubec; Kolbo; Kretschmar; Kroeber; Kunkel; Larson; Laughlin; Linderman; Mahoney; Martin; Miller; Myrdal; Nelson; Nicholas; Nowatzki; Oban; Payne; Peterson; Porter; Price; Pyle; Rennerfeldt; Ring; Ritter; Scherber; Schindler; Schmidt; Schneider; Skar; Skjerven; Snyder; Soukup; St. Aubyn; Stofferahn; Svedjan; Thorpe; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Wilkie; Williams; Speaker R. Anderson

NAYS: Bateman; Bernstein; Boehm; Brown; Delzer; Enget; Erickson; Goffe; Grosz; Kelsch; Martinson; Muhs; Nichols; Olsen, D.; Olson, A.; Rydell; Schimke; Shide; Thompson; Whalen

ABSENT AND NOT VOTING: Berg, R.; Dalrymple; Howard; Kaldor; Meyer; Mutzenberger; Starke; Timm

Engrossed HB 1110 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. LARSON MOVED that the House do concur in the Senate amendments to Engrossed HB 1112 as printed on HJ page 1361, which motion prevailed.

Engrossed HB 1112, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1112: A BILL for an Act to amend and reenact section 23-01-02 of the North Dakota Century Code, relating to health council membership.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 88 YEAS, 10 NAYS, 0 EXCUSED, 8 ABSENT AND NOT VOTING.

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

NAYS: Bernstein; Brown; Delzer; Erickson; Gates; Muhs; Olsen, D.; Shide; Thompson; Whalen

ABSENT AND NOT VOTING: Berg, R.; Dalrymple; Howard; Kloubec; Meyer; Mutzenberger; Schmidt; Wilkie

Engrossed HB 1112 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. BELTER MOVED that the House do concur in the Senate amendments to HB 1139 as printed on HJ page 1375, which motion prevailed.

HB 1139, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1139: A BILL for an Act to amend and reenact sections 2-05-10, 2-05-11, 2-05-11.3, 2-05-12, 2-05-18, 2-08-03, 2-08-04, 57-40.5-09, 57-43.3-06, and 57-43.3-07 of the North Dakota Century Code, relating to the distribution of funding for the aeronautics commission; and to declare an emergency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 78 YEAS, 17 NAYS, 0 EXCUSED, 11 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Belter; Berg, G.; Bernstein; Bodine; Brown; Byerly; Carlisle; Clayburgh; Cleary; DeMers; Dorso; Enget; Erickson; Flaagan;

Freier; Gabrielson; Gates; Gilmore; Goffe; Gorder; Gorman; Grumbo; Hanson; Hausauer; Henegar; Hokana; Huether; Jacobson; Jensen; Kaldor; Kelsch; Kloubec; Kolbo; Kretschmar; Kroeber; Kunkel; Larson; Martin; Martinson; Meyer; Miller; Myrdal; Nelson; Nicholas; Nichols; Nowatzki; Olsen, D.; Olson, A.; Payne; Peterson; Porter; Price; Pyle; Rennerfeldt; Ritter; Rydell; Schimke; Schneider; Shide; Skar; Skjervén; Snyder; Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Thompson; Thorpe; Timm; Tollefson; Trautman; Wald; Wardner; Whalen; Williams; Speaker R. Anderson

NAYS: Anderson, B.; Bateman; Boehm; Boucher; Brokaw; Carlson; Coats; Delzer; DeWitz; Grosz; Kerzman; Linderman; Mahoney; Muhs; Ring; Scherber; Schindler

ABSENT AND NOT VOTING: Berg, R.; Dalrymple; Gerntholz; Howard; Laughlin; Mutzenberger; Oban; Schmidt; Urlacher; Wentz; Wilkie

Engrossed HB 1139 passed, the title was agreed to, and the emergency clause was declared carried.

MOTION

REP. KLOUBEC MOVED that the members of the Government Operations Division of the Appropriations Committee (Reps. Gerntholz, Wentz, Howard, Schmidt, DeMers, Laughlin, and Meyer) be excused, which motion prevailed.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. MARTIN MOVED that the House do concur in the Senate amendments to HB 1177 as printed on HJ page 1418, which motion prevailed.

HB 1177, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1177: A BILL for an Act to create and enact a new subsection to section 11-11.1-03, a new section to chapter 11-11.1, a new subsection to section 40-57.4-03, and a new section to chapter 40-57.4 of the North Dakota Century Code, relating to county and city jobs development authorities; and to amend and reenact subsection 4 of section 11-11.1-01 and subsection 29 of section 57-15-06.7 of the North Dakota Century Code, relating to the membership of the county jobs development authority.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 93 YEAS, 0 NAYS, 7 EXCUSED, 6 ABSENT AND NOT VOTING.

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

EXCUSED: DeMers; Gerntholz; Howard; Laughlin; Meyer; Schmidt; Wentz

ABSENT AND NOT VOTING: Berg, R.; Dalrymple; Kerzman; Mutzenberger; Nicholas; Thorpe

HB 1177 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. BELTER MOVED that the House do concur in the Senate amendments to Engrossed HB 1219 as printed on HJ page 1362, which motion prevailed.

Engrossed HB 1219, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1219: A BILL for an Act to create and enact a new section to chapter 54-45 of the North Dakota Century Code, relating to the civil air patrol; to amend and reenact sections 54-45-03, 65-06.1-01, and 65-06.1-02 of the North Dakota Century Code, relating to the civil air patrol; and to repeal sections 54-45-01, 54-45-02, and 54-45-04 of the North Dakota Century Code, relating to the civil air patrol.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 92 YEAS, 0 NAYS, 7 EXCUSED, 7 ABSENT AND NOT VOTING.

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

EXCUSED: DeMers; Gerntholz; Howard; Laughlin; Meyer; Schmidt; Wentz

ABSENT AND NOT VOTING: Anderson, B.; Berg, R.; Brown; Dalrymple; Mutzenberger; Snyder; Thorpe

Engrossed HB 1219 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. DORSO MOVED that the House do concur in the Senate amendments to HB 1247 as printed on HJ pages 1263-1264, which motion prevailed.

HB 1247, as amended was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1247: A BILL for an Act to create and enact a new subsection to section 10-04-05 of the North Dakota Century Code, relating to securities exemptions; and to amend and reenact subsection 7 of section 10-04-10 of the North Dakota Century Code, relating to fees collected by the securities commissioner.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 90 YEAS, 5 NAYS, 7 EXCUSED, 4 ABSENT AND NOT VOTING.

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

Coats; DeWitz; Dorso; Enget; Erickson; Flaagan; Freier; Gabrielson; Gates; Gilmore; Goffe; Gorder; Gorman; Grumbo; Hanson; Hausauer; Henegar; Hokana; Huether; Jacobson; Jensen; Kaldor; Kelsch; Kerzman; Kloubec; Kolbo; Kretschmar; Kroeber; Kunkel; Larson; Linderman; Mahoney; Martin; Martinson; Miller; Muhs; Myrdal; Nelson; Nicholas; Nichols; Nowatzki; Oban; Olsen, D.; Olson, A.; Payne; Peterson; Porter; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schindler; Schneider; Shide; Skar; Skjerven; Snyder; Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Thompson; Tollefson; Trautman; Urlacher; Wald; Wardner; Whalen; Wilkie; Williams; Speaker R. Anderson

NAYS: Brown; Delzer; Grosz; Schimke; Timm

EXCUSED: DeMers; Gerntholz; Howard; Laughlin; Meyer; Schmidt; Wentz

ABSENT AND NOT VOTING: Berg, R.; Dalrymple; Mutzenberger; Thorpe

HB 1247 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. KRETSCHMAR MOVED that the House do concur in the Senate amendments to HB 1255 as printed on HJ page 1362, which motion prevailed.

HB 1255, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1255: A BILL for an Act to amend and reenact section 51-15-09 of the North Dakota Century Code, relating to remedies for violation of consumer protection provisions.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 94 YEAS, 0 NAYS, 7 EXCUSED, 5 ABSENT AND NOT VOTING.

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

EXCUSED: DeMers; Gerntholz; Howard; Laughlin; Meyer; Schmidt; Wentz

ABSENT AND NOT VOTING: Berg, R.; Dalrymple; Mutzenberger; Snyder; Thorpe

HB 1255 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. MARTIN MOVED that the House do concur in the Senate amendments to Engrossed HB 1256 as printed on HJ page 1363, which motion prevailed.

Engrossed HB 1256, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1256: A BILL for an Act to amend and reenact sections 16.1-01-10 and 44-08-21 of the North Dakota Century Code, relating to petitions for the recall of political subdivision elected officials.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 92 YEAS, 1 NAY, 7 EXCUSED, 6 ABSENT AND NOT VOTING.

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

NAYS: Grosz

EXCUSED: DeMers; Gerntholz; Howard; Laughlin; Meyer; Schmidt; Wentz

ABSENT AND NOT VOTING: Berg, G.; Berg, R.; Dalrymple; Mutzenberger; Porter; Thorpe

Engrossed HB 1256 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. KRETSCHMAR MOVED that the House do concur in the Senate amendments to Engrossed HB 1261 as printed on HJ page 1363, which motion prevailed on a verification vote.

Engrossed HB 1261, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1261: A BILL for an Act to amend and reenact subsections 2 and 4 of section 6-08-16 and subsections 2, 3, and 7 of section 6-08-16.2 of the North Dakota Century Code, relating to fees for collection costs on checks or drafts issued without sufficient funds.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 51 YEAS, 44 NAYS, 7 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Bateman; Belter; Bernstein; Byerly; Carlisle; Clayburgh; Cleary; DeWitz; Dorso; Enget; Freier; Gates; Gorman; Hanson; Hausauer; Henegar; Jensen; Kelsch; Kloubec; Kretschmar; Kroeber; Kunkel; Larson; Martin; Martinson; Miller; Myrdal; Nicholas; Nichols; Olsen, D.; Olson, A.; Payne; Porter; Price; Rennerfeldt; Rydell; Schimke; Schindler; Shide; Skjerven; Soukup; St. Aubyn; Svedjan; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Williams; Speaker R. Anderson

NAYS: Aarsvold; Anderson, B.; Berg, G.; Bodine; Boehm; Boucher; Brokaw; Brown; Carlson; Coats; Delzer; Erickson; Flaagan; Gabrielson; Gilmore; Goffe; Gorder; Grosz; Grumbo; Hokana; Huether; Jacobson; Kaldor; Kerzman; Kolbo; Linderman; Mahoney; Muhs; Nelson; Nowatzki; Oban;

Peterson; Pyle; Ring; Ritter; Scherber; Schneider; Skar; Snyder;
Starke; Stofferahn; Thompson; Thorpe; Wilkie

EXCUSED: DeMers; Gerntholz; Howard; Laughlin; Meyer; Schmidt; Wentz

ABSENT AND NOT VOTING: Berg, R.; Dalrymple; Mutzenberger; Whalen

Engrossed HB 1261 was declared lost for want of a Constitutional majority.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. MARTINSON MOVED that the House do concur in the Senate amendments to HB 1292 as printed on HJ page 1264, which motion prevailed.

HB 1292, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1292: A BILL for an Act to authorize the director of the department of human services to transfer title and convey certain land owned by the state of North Dakota at the state hospital.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 93 YEAS, 0 NAYS, 7 EXCUSED, 6 ABSENT AND NOT VOTING.

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

EXCUSED: DeMers; Gerntholz; Howard; Laughlin; Meyer; Schmidt; Wentz

ABSENT AND NOT VOTING: Berg, R.; Dalrymple; Kloubec; Mahoney; Mutzenberger; Whalen

HB 1292 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. LARSON MOVED that the House do concur in the Senate amendments to Engrossed HB 1296 as printed on HJ pages 1363-1364, which motion prevailed.

Engrossed HB 1296, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1296: A BILL for an Act to provide for informed consent to health care on behalf of an incapacitated person by certain classes of persons.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 93 YEAS, 0 NAYS, 7 EXCUSED, 6 ABSENT AND NOT VOTING.

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

EXCUSED: DeMers; Gerntholz; Howard; Laughlin; Meyer; Schmidt; Wentz

ABSENT AND NOT VOTING: Belter; Berg, R.; Dalrymple; Kloubec; Mutzenberger; Whalen

Engrossed HB 1296 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. LARSON MOVED that the House do concur in the Senate amendments to Engrossed HB 1310 as printed on HJ page 1364 which motion prevailed.

Engrossed HB 1310, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1310: A BILL for an Act to create and enact a new subsection to section 23-06.4-11 of the North Dakota Century Code, relating to declarations governing the use, withholding, or withdrawal of life-prolonging treatment; and to amend and reenact subsection 4 of section 23-06.4-02 and sections 23-06.4-03 and 23-06.4-04 of the North Dakota Century Code, relating to declarations governing the use, withholding, or withdrawal of life-prolonging treatment.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 92 YEAS, 1 NAY, 7 EXCUSED, 6 ABSENT AND NOT VOTING.

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

NAYS: Ring

EXCUSED: DeMers; Gerntholz; Howard; Laughlin; Meyer; Schmidt; Wentz

ABSENT AND NOT VOTING: Berg, R.; Bernstein; Dalrymple; Kloubec; Mutzenberger; Whalen

Engrossed HB 1310 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. DORSO MOVED that the House do concur in the Senate amendments to HB 1317 as printed on HJ page 989, which motion prevailed.

HB 1317, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1317: A BILL for an Act to amend and reenact sections 51-18-02 and 51-18-04 of the North Dakota Century Code, relating to the time period for cancellation of a home solicitation sale agreement by a person sixty-five years of age or older.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 92 YEAS, 1 NAY, 7 EXCUSED, 6 ABSENT AND NOT VOTING.

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

NAYS: Muhs

EXCUSED: DeMers; Gerntholz; Howard; Laughlin; Meyer; Schmidt; Wentz

ABSENT AND NOT VOTING: Berg, R.; Dalrymple; Kloubec; Mutzenberger; Wald; Whalen

HB 1317 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. DORSO MOVED that the House do concur in the Senate amendments to Engrossed HB 1321 as printed on HJ pages 1364-1365, which motion prevailed.

Engrossed HB 1321, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1321: A BILL for an Act to create and enact a new section to chapter 65-04 of the North Dakota Century Code, relating to calculation of employer's premiums; to amend and reenact section 65-04-04 of the North Dakota Century Code, relating to the basis for establishing workers' compensation premiums; and to provide an effective date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 93 YEAS, 0 NAYS, 7 EXCUSED, 6 ABSENT AND NOT VOTING.

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

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

EXCUSED: DeMers; Gerntholz; Howard; Laughlin; Meyer; Schmidt; Wentz

ABSENT AND NOT VOTING: Berg, R.; Dalrymple; Flaagan; Kloubec; Mutzenberger; Whalen

Engrossed HB 1321 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. A. OLSON MOVED that the House do concur in the Senate amendments to Engrossed HB 1329 as printed on HJ pages 1365-1366, which motion prevailed.

Engrossed HB 1329, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1329: A BILL for an Act to amend and reenact section 20.1-08-05 of the North Dakota Century Code, relating to publication of gubernatorial game and fish proclamations.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 87 YEAS, 8 NAYS, 7 EXCUSED, 4 ABSENT AND NOT VOTING.

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

NAYS: Bodine; Brown; Delzer; DeWitz; Erickson; Grosz; Muhs; Schindler

EXCUSED: DeMers; Gerntholz; Howard; Laughlin; Meyer; Schmidt; Wentz

ABSENT AND NOT VOTING: Berg, R.; Dalrymple; Mutzenberger; Whalen

Engrossed HB 1329 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. LARSON MOVED that the House do concur in the Senate amendments to Engrossed HB 1338 as printed on HJ page 1366, which motion prevailed.

Engrossed HB 1338, as amended was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1338: A BILL for an Act relating to damage or destruction of animal research facilities; and to provide a penalty.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 82 YEAS, 13 NAYS, 7 EXCUSED, 4 ABSENT AND NOT VOTING.

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

NAYS: Anderson, B.; Bodine; Carlson; Enget; Erickson; Linderman; Mahoney; Nichols; Payne; Peterson; Ring; Scherber; Snyder

EXCUSED: DeMers; Gerntholz; Howard; Laughlin; Meyer; Schmidt; Wentz

ABSENT AND NOT VOTING: Berg, R.; Dalrymple; Mutzenberger; Whalen

HB 1338 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. MARTIN MOVED that the House do concur in the Senate amendments to Engrossed HB 1375 as printed on HJ page 1366, which motion prevailed.

Engrossed HB 1375, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1375: A BILL for an Act to create and enact a new section to chapter 40-08 of the North Dakota Century Code, relating to the election of council members in council cities; and to amend and reenact section 40-08-05 of the North Dakota Century Code, relating to qualifications of aldermen.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 93 YEAS, 1 NAY, 7 EXCUSED, 5 ABSENT AND NOT VOTING.

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

NAYS: Brokaw

EXCUSED: DeMers; Gerntholz; Howard; Laughlin; Meyer; Schmidt; Wentz

ABSENT AND NOT VOTING: Berg, R.; Dalrymple; Mutzenberger; Whalen; Wilkie

Engrossed HB 1375 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. TIMM MOVED that the House do concur in the Senate amendments to Engrossed HB 1414 as printed on HJ pages 1314-1317, which motion prevailed.

Engrossed HB 1414, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1414: A BILL for an Act to amend and reenact subsections 5 and 6 of section 57-51.1-01 and sections 57-51.1-02 and 57-51.1-03 of the North Dakota Century Code, relating to an exemption from the oil extraction tax for production from secondary or tertiary recovery projects; and to provide an effective date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 81 YEAS, 13 NAYS, 7 EXCUSED, 5 ABSENT AND NOT VOTING.

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

NAYS: Anderson, B.; Brokaw; Carlson; Cleary; Gilmore; Goffe; Kerzman; Kroeber; Ring; Ritter; Scherber; Snyder; Williams

EXCUSED: DeMers; Gerntholz; Howard; Laughlin; Meyer; Schmidt; Wentz

ABSENT AND NOT VOTING: Berg, R.; Dalrymple; Flaagan; Mutzenberger; Whalen

Engrossed HB 1414 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. DORSO MOVED that the House do concur in the Senate amendments to Engrossed HB 1420 as printed on HJ pages 1264-1265, which motion prevailed.

Engrossed HB 1420, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1420: A BILL for an Act to create and enact two new sections to chapter 5-01, a new subsection to section 5-01-01, a new subsection to section 5-02-02, two new subsections to section 5-03-01, and a new section to chapter 5-03 of the North Dakota Century Code, relating to violations of alcoholic beverage laws and alcoholic beverage license applicants; to amend and reenact sections 5-01-11, 5-03-02, 5-03-05, 5-03-06, subsection 3 of section 5-04-01, and section 5-04-14 of the North Dakota Century Code, relating to alcoholic beverage laws; and to provide a penalty.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 94 YEAS, 0 NAYS, 7 EXCUSED, 5 ABSENT AND NOT VOTING.

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

EXCUSED: DeMers; Gerntholz; Howard; Laughlin; Meyer; Schmidt; Wentz

ABSENT AND NOT VOTING: Berg, R.; Dalrymple; Mutzenberger; Nelson; Whalen

Engrossed HB 1420 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. GATES MOVED that the House do concur in the Senate amendments to HB 1431 as printed on HJ page 1367, which motion prevailed.

HB 1431, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1431: A BILL for an Act to amend and reenact section 15-10-02 of the North Dakota Century Code, relating to the state board of higher education.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 68 YEAS, 26 NAYS, 7 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Berg, G.; Bodine; Boehm; Boucher; Brokaw; Carlson; Clayburgh; Cleary; Coats; Dorso; Enget; Erickson; Flaagan; Gabrielson; Gates; Gilmore; Goffe; Gorman; Grumbo; Hanson; Hausauer; Henegar; Hokana; Huether; Jacobson; Jensen; Kaldor; Kerzman; Kloube; Kolbo; Kretschmar; Kroeber; Kunkel; Larson; Linderman; Mahoney; Martinson; Myrdal; Nicholas; Nichols; Nowatzki; Oban; Peterson; Porter; Price; Pyle; Ring; Ritter; Rydell; Scherber; Schneider; Skar; Skjerven; Snyder; Soukup; St. Aubyn; Starke; Stofferahn; Thompson; Thorpe; Timm; Tollefson; Wald; Wardner; Wilkie; Williams

NAYS: Bateman; Belter; Bernstein; Brown; Byerly; Carlisle; Delzer; DeWitz; Freier; Gorder; Grosz; Kelsch; Martin; Miller; Muhs; Olsen, D.; Olson, A.; Payne; Rennerfeldt; Schimke; Schindler; Shide; Svedjan; Trautman; Urlacher; Speaker R. Anderson

EXCUSED: DeMers; Gerntholz; Howard; Laughlin; Meyer; Schmidt; Wentz

ABSENT AND NOT VOTING: Berg, R.; Dalrymple; Mutzenberger; Nelson; Whalen

HB 1431 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. TIMM MOVED that the House do concur in the Senate amendments to Engrossed HB 1461 as printed on HJ page 1265, which motion prevailed.

Engrossed HB 1461, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1461: A BILL for an Act to create and enact a new subsection to section 57-38-60 of the North Dakota Century Code, relating to an exemption from filing of agricultural employers' returns and remittances under income tax withholding laws; and to provide an effective date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 94 YEAS, 0 NAYS, 7 EXCUSED, 5 ABSENT AND NOT VOTING.

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

EXCUSED: DeMers; Gerntholz; Howard; Laughlin; Meyer; Schmidt; Wentz

ABSENT AND NOT VOTING: Berg, R.; Dalrymple; Mutzenberger; St. Aubyn; Whalen

Engrossed HB 1461 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. LARSON MOVED that the House do concur in the Senate amendments to Engrossed HB 1475 as printed on HJ page 1118, which motion prevailed.

Engrossed HB 1475, as amended was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1475: A BILL for an Act to amend and reenact section 14-15-16 of the North Dakota Century Code, relating to disclosure of adoption records.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 88 YEAS, 4 NAYS, 7 EXCUSED, 7 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Bateman; Belter; Berg, G.; Bernstein; Bodine; Boehm; Brokaw; Brown; Byerly; Carlisle; Clayburgh; Cleary; Coats; Delzer; DeWitz; Enget; Erickson; Flaagan; Freier; Gabrielson; Gates; Gilmore; Goffe; Gorder; Gorman; Grosz; Grumbo; Hanson; Hausauer; Henegar; Hokana; Huether; Jacobson; Jensen; Kaldor; Kelsch; Kerzman; Kloubec; Kolbo; Kretschmar; Kroeber; Kunkel; Larson; Linderman; Mahoney; Martin; Martinson; Miller; Muhs; Myrdal; Nelson; Nicholas; Nichols; Nowatzki; Oban; Olsen, D.; Olson, A.; Payne; Peterson; Porter; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schimke; Schindler; Shide; Skar; Skjerven; Snyder; Soukup; Starke; Stofferahn;

Svedjan; Thompson; Thorpe; Timm; Tollefson; Trautman; Urlacher; Wald; Wilkie; Speaker R. Anderson

NAYS: Boucher; Carlson; Schneider; Williams

EXCUSED: DeMers; Gerntholz; Howard; Laughlin; Meyer; Schmidt; Wentz

ABSENT AND NOT VOTING: Berg, R.; Dalrymple, Dorso; Mutzenberger; St. Aubyn; Wardner; Whalen

Engrossed HB 1475 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. LARSON MOVED that the House do concur in the Senate amendments to Engrossed HB 1477 as printed on HJ pages 1368-1371, which motion prevailed.

Engrossed HB 1477, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1477: A BILL for an Act to provide for utilization review of health care services; and to provide a penalty.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 89 YEAS, 1 NAY, 7 EXCUSED, 9 ABSENT AND NOT VOTING.

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

NAYS: Muhs

EXCUSED: DeMers; Gerntholz; Howard; Laughlin; Meyer; Schmidt; Wentz

ABSENT AND NOT VOTING: Berg, G.; Berg, R.; Dalrymple; Kaldor; Kloubec; Mutzenberger; Pyle; St. Aubyn; Whalen

Engrossed HB 1477 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. MARTIN MOVED that the House do concur in the Senate amendments to Engrossed HB 1488 as printed on HJ page 1371, which motion prevailed.

Engrossed HB 1488, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1488: A BILL for an Act to amend and reenact subsection 1 of section 11-15-08 and section 11-15-09 of the North Dakota Century Code, relating to commissions collected by the sheriff.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 92 YEAS, 0 NAYS, 7 EXCUSED, 7 ABSENT AND NOT VOTING.

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

EXCUSED: DeMers; Gerntholz; Howard; Laughlin; Meyer; Schmidt; Wentz

ABSENT AND NOT VOTING: Berg, R.; Dalrymple; Kaldor; Kunkel; Mutzenberger; St. Aubyn; Whalen

Engrossed HB 1488 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. KRETCHMAR MOVED that the House do concur in the Senate amendments to Engrossed HB 1516 as printed on HJ pages 1371-1373, which motion prevailed.

Engrossed HB 1516, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1516: A BILL for an Act to establish a single trial court of general jurisdiction through the abolition of county courts and the provision for additional district court judgeships; to create and enact two new sections to chapter 27-05 of the North Dakota Century Code, relating to vacancies in the office of district court judge and the appointment of magistrates; to amend and reenact sections 11-21-01, 12.1-20-16, 23-07.1-09, subsection 2 of section 25-03.1-21, sections 27-05-01, 27-05-06, subsection 1 of section 27-05-08, sections 27-06-01, 27-07.1-02, 27-07.1-03, 27-23-02, 29-07-01.1, 29-22-02, 30.1-02-02, 40-18-06.2, 40-18-15.1, 40-18-19, and 58-02-23 of the North Dakota Century Code, relating to references to county courts and county judges, chambers of district judges and jurisdiction of district courts, multicounty agreements to share county judge services, vacancies in the office of county court judge, and abolition of the office of municipal judge upon transfer of all municipal cases to county or district court; to repeal sections 11-09-22, 11-09-23, 11-11-12, 11-15-10, 24-07-25, 27-01-04, 27-01-05, chapters 27-07.1 and 27-08.2, sections 27-09.1-21, 27-20-04, chapter 27-26, and section 31-09-07 of the North Dakota Century Code, relating to references to county courts and county court judges; to provide an effective date; and to provide an expiration date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 30 YEAS, 66 NAYS, 7 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Belter; Berg, R.; Bernstein; Brown; Byerly; Clayburgh; DeWitz; Flaagan; Freier; Jensen; Kelsch; Kerzman; Kretschmar; Kunkel; Larson; Myrdal; Nicholas; Nowatzki; Oban; Pyle; Rennerfeldt; Ring; Rydell; Schindler; Skar; Snyder; Soukup; Svedjan; Timm

NAYS: Anderson, B.; Bateman; Berg, G.; Bodine; Boehm; Boucher; Brokaw; Carlisle; Carlson; Cleary; Coats; Dalrymple; Delzer; Dorso; Enget; Erickson; Gabrielson; Gates; Gilmore; Goffe; Gorder; Gorman; Grosz; Grumbo; Hanson; Hausauer; Henegar; Hokana; Huether; Jacobson; Kaldor; Kloubec; Kolbo; Kroeber; Linderman; Mahoney; Martin; Martinson; Miller; Muhs; Nelson; Nichols; Olsen, D.; Olson, A.; Payne; Peterson; Porter; Price; Ritter; Scherber; Schimke; Schneider; Shide; Skjerven; Starke; Stofferahn; Thompson; Thorpe; Tollefson; Trautman; Urlacher; Wald; Wardner; Wilkie; Williams; Speaker R. Anderson

EXCUSED: DeMers; Gerntholz; Howard; Laughlin; Meyer; Schmidt; Wentz

ABSENT AND NOT VOTING: Mutzenberger; St. Aubyn; Whalen

Engrossed HB 1516 was declared lost.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. NICHOLAS MOVED that the House do concur in the Senate amendments to HB 1538 as printed on HJ page 1373 which motion prevailed.

HB 1538, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1538: A BILL for an Act to amend and reenact section 35-31-02 of the North Dakota Century Code, relating to filing of agricultural supplier's lien statements.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 77 YEAS, 18 NAYS, 7 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Bateman; Belter; Berg, G.; Berg, R.; Bernstein; Boehm; Boucher; Brokaw; Byerly; Carlisle; Carlson; Cleary; Coats; Dalrymple; DeWitz; Dorso; Enget; Erickson; Flaagan; Gabrielson; Gates; Gilmore; Goffe; Gorder; Gorman; Grosz; Grumbo; Hanson; Hausauer; Henegar; Hokana; Huether; Jacobson; Jensen; Kaldor; Kelsch; Kloubec; Kolbo; Kroeber; Kunkel; Larson; Linderman; Martinson; Miller; Muhs; Myrdal; Nicholas; Nichols; Nowatzki; Oban; Olson, A.; Payne; Peterson; Porter; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schimke; Schneider; Skar; Skjerven; Snyder; Starke; Stofferahn; Svedjan; Thompson; Thorpe; Tollefson; Trautman; Wald; Wardner; Williams

NAYS: Bodine; Brown; Clayburgh; Delzer; Freier; Kerzman; Mahoney; Martin; Nelson; Olsen, O.; Price; Schindler; Shide; Soukup; Timm; Urlacher; Wilkie; Speaker R. Anderson

EXCUSED: DeMers; Gerntholz; Howard; Laughlin; Meyer; Schmidt; Wentz

ABSENT AND NOT VOTING: Kretschmar; Mutzenberger; St. Aubyn; Whalen

HB 1538 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. KRETSCHMAR MOVED that the House do concur in the Senate amendments to HB 1561 as printed on HJ page 1317 which motion prevailed.

HB 1561, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1561: A BILL for an Act to amend and reenact section 27-11-22 of the North Dakota Century Code, relating to annual license fees to practice law.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 89 YEAS, 6 NAYS, 7 EXCUSED, 4 ABSENT AND NOT VOTING.

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

NAYS: Bateman; Carlisle; Erickson; Martinson; Schimke; Wald

EXCUSED: DeMers; Gerntholz; Howard; Laughlin; Meyer; Schmidt; Wentz

ABSENT AND NOT VOTING: Kloubec; Mutzenberger; St. Aubyn; Whalen

HB 1561 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. LARSON MOVED that the House do concur in the Senate amendments to Engrossed HB 1578 as printed on HJ page 1119, which motion prevailed.

Engrossed HB 1578, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1578: A BILL for an Act to create and enact a new section to chapter 15-59 of the North Dakota Century Code, relating to payment of attorneys' fees to the parent or guardian of a handicapped child or a handicapped adult in certain cases; and to declare an emergency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 94 YEAS, 0 NAYS, 7 EXCUSED, 5 ABSENT AND NOT VOTING.

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

EXCUSED: DeMers; Gerntholz; Howard; Laughlin; Meyer; Schmidt; Wentz

ABSENT AND NOT VOTING: Belter; Kloubec; Mutzenberger; St. Aubyn; Whalen

Engrossed HB 1578 passed, the title was agreed to, and the emergency clause was declared carried.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. LARSON MOVED that the House do concur in the Senate amendments to Engrossed HB 1595 as printed on HJ pages 1118-1119, which motion prevailed.

Engrossed HB 1595, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1595: A BILL for an Act to create and enact a new section to chapter 50-24.4 of the North Dakota Century Code, relating to payments for private rooms in nursing homes.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 95 YEAS, 0 NAYS, 7 EXCUSED, 4 ABSENT AND NOT VOTING.

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

EXCUSED: DeMers; Gerntholz; Howard; Laughlin; Meyer; Schmidt; Wentz

ABSENT AND NOT VOTING: Kretschmar; Mutzenberger; St. Aubyn; Whalen

Engrossed HB 1595 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. TIMM MOVED that the House do concur in the Senate amendments to HB 1596 as printed on HJ pages 1420-1421, which motion prevailed.

HB 1596, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1596: A BILL for an Act to create and enact a new section to title 6, a new section to title 7, and a new section to title 47 of the North Dakota Century Code, allowing banking institutions, credit unions, savings and loan associations, and other persons to pay interest on escrow accounts related to mortgages on residences.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 50 YEAS, 44 NAYS, 7 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Belter; Berg, G.; Bodine; Boucher; Brokaw; Carlson; Cleary; Coats; DeWitz; Enget; Erickson; Flaagan; Gabrielson;

Gilmore; Goffe; Gorder; Grumbo; Hanson; Huether; Jacobson; Kaldor; Kerzman; Kolbo; Kretschmar; Kroeber; Linderman; Mahoney; Muhs; Nelson; Nichols; Nowatzki; Oban; Peterson; Price; Pyle; Ring; Ritter; Scherber; Schneider; Skar; Skjerven; Snyder; Starke; Stofferahn; Thorpe; Tollefson; Wilkie; Williams

NAYS: Bateman; Berg, R.; Bernstein; Boehm; Brown; Byerly; Carlisle; Clayburgh; Dalrymple; Delzer; Freier; Gates; Gorman; Grosz; Hausauer; Henegar; Hokana; Jensen; Kelsch; Kloubec; Kunkel; Larson; Martin; Martinson; Miller; Myrdal; Nicholas; Olsen, D.; Olson, A.; Payne; Porter; Rennerfeldt; Rydell; Schimke; Schindler; Shide; Soukup; Svedjan; Timm; Trautman; Urlacher; Wald; Wardner; Speaker R. Anderson

EXCUSED: DeMers; Gerntholz; Howard; Laughlin; Meyer; Schmidt; Wentz

ABSENT AND NOT VOTING: Dorso; Mutzenberger; St. Aubyn; Thompson; Whalen

HB 1596 was declared lost for want of a Constitutional majority.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. MARTIN MOVED that the House do concur in the Senate amendments to Engrossed HB 1604 as printed on HJ page 1373, which motion prevailed.

Engrossed HB 1604, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

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

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 81 YEAS, 13 NAYS, 7 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Bateman; Belter; Berg, G.; Berg, R.; Bodine; Boehm; Boucher; Brown; Carlisle; Carlson; Clayburgh; Cleary; Coats; Dalrymple; Delzer; DeWitz; Enget; Erickson; Flaagan; Freier; Gabrielson; Gates; Gilmore; Goffe; Gorder; Gorman; Grumbo; Hanson; Hausauer; Henegar; Hokana; Huether; Jensen; Kaldor; Kelsch; Kloubec; Kolbo; Kretschmar; Kroeber; Kunkel; Larson; Mahoney; Martin; Martinson; Miller; Muhs; Myrdal; Nelson; Nicholas; Nichols; Nowatzki; Oban; Payne; Peterson; Porter; Price; Pyle; Ring; Ritter; Rydell; Scherber; Schimke; Schindler; Schneider; Skar; Skjerven; Soukup; Starke; Svedjan; Thompson; Thorpe; Timm; Tollefson; Urlacher; Wald; Wardner; Wilkie; Williams; Speaker R. Anderson

NAYS: Bernstein; Brokaw; Byerly; Grosz; Jacobson; Kerzman; Linderman; Olsen, D.; Olson, A.; Rennerfeldt; Shide; Snyder; Trautman

EXCUSED: DeMers; Gerntholz; Howard; Laughlin; Meyer; Schmidt; Wentz

ABSENT AND NOT VOTING: Dorso; Mutzenberger; St. Aubyn; Stofferahn; Whalen

Engrossed HB 1604 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. TIMM MOVED that the House do concur in the Senate amendments to Engrossed HB 1606 as printed on HJ pages 1422-1424, which motion prevailed.

Engrossed HB 1606, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1606: A BILL for an Act to create and enact a new section to chapter 57-39.2 and a new section to chapter 57-40.2 of the North Dakota Century Code, relating to sales tax exemptions and use tax rates; to amend and reenact subsections 2 and 3 of section 57-60-02 of the North Dakota Century Code, relating to exemption from the privilege tax on coal facilities during the first five years of production from a new electrical generating plant; and to provide an effective date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 95 YEAS, 0 NAYS, 7 EXCUSED, 4 ABSENT AND NOT VOTING.

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

EXCUSED: DeMers; Gerntholz; Howard; Laughlin; Meyer; Schmidt; Wentz

ABSENT AND NOT VOTING: Miller; Mutzenberger; St. Aubyn; Whalen

Engrossed HB 1606 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. A. OLSON MOVED that the House do concur in the Senate amendments to HCR 3032 as printed on HJ page 1266, which motion prevailed.

HCR 3032, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3032: A concurrent resolution directing the Legislative Council to study the problems caused by and associated with severed mineral interests.

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

HCR 3032 was declared adopted on a voice vote.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. KRETCHMAR MOVED that the House do concur in the Senate amendments to Engrossed HCR 3035, which motion prevailed.

Engrossed HCR 3035, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3035: A concurrent resolution to create and enact a new section to article X of the Constitution of North Dakota, relating to the creation of a Bicentennial trust fund; and to provide an effective date.

ROLL CALL

The question being on the final passage of the amended resolution, which has been read, the roll was called and there were 73 YEAS, 17 NAYS, 7 EXCUSED, 9 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Berg, G.; Bernstein; Bodine; Boucher; Brokaw; Carlson; Clayburgh; Cleary; Coats; Dalrymple; DeWitz; Enget; Freier; Gabrielson; Gates; Gilmore; Goffe; Gorder; Gorman; Grumbo; Hanson; Hausauer; Henegar; Hokana; Huether; Jacobson; Jensen; Kaldor; Kelsch; Kloubec; Kolbo; Kretschmar; Kroeber; Larson; Linderman; Mahoney; Martinson; Miller; Muhs; Myrdal; Nelson; Nicholas; Nowatzki; Oban; Olsen, D.; Olson, A.; Payne; Peterson; Porter; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schindler; Shide; Skar; Skjerven; Snyder; Soukup; Starke; Svedjan; Thorpe; Tollefson; Trautman; Urlicher; Wardner; Wilkie; Speaker R. Anderson

NAYS: Bateman; Belter; Berg, R.; Boehm; Brown; Byerly; Carlisle; Delzer; Erickson; Grosz; Kerzman; Kunkel; Nichols; Schimke; Thompson; Timm; Wald

EXCUSED: DeMers; Gerntholz; Howard; Laughlin; Meyer; Schmidt; Wentz

ABSENT AND NOT VOTING: Dorso; Flaagan; Martin; Mutzenberger; Schneider; St. Aubyn; Stofferahn; Whalen; Williams

Engrossed HCR 3035 was declared adopted on a roll call vote.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. GATES MOVED that the House do concur in the Senate amendments to HCR 3039 as printed on HJ pages 1266-1267, which motion prevailed.

HCR 3039, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3039: A concurrent resolution directing the Legislative Council to study all aspects of special education.

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

HCR 3039 was declared adopted on a voice vote.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. A. OLSON MOVED that the House do concur in the Senate amendments to HCR 3042 as printed on HJ pages 1373-1374, which motion prevailed.

HCR 3042, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3042: A concurrent resolution directing the Legislative Council to study the problems associated with waste management, including the operation and effect of legislation relating to waste management, whether the Department of Health and Consolidated Laboratories is the appropriate state agency for waste management responsibilities, and the effect of establishing district and state waste management plans, and to request, accept, and expend funds to conduct the study.

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

HCR 3042 was declared adopted on a voice vote.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. NICHOLAS MOVED that the House do concur in the Senate amendments to HCR 3043 as printed on HJ pages 1374-1375, which motion prevailed.

HCR 3043, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3043: A concurrent resolution directing the Legislative Council to study the methods and manner in which tax-exempt entities acquire and hold real property, the effect of such acquisition and ownership on local tax bases, and the feasibility and desirability of limiting such acquisition, eliminating or limiting such tax exemptions, or requiring divestiture of such property and to study funding sources for the wetland tax exemption program.

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

HCR 3043 was declared adopted on a voice vote.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. THOMPSON MOVED that the House do concur in the Senate amendments to Engrossed HB 1017 as printed on HJ page 1446, which motion prevailed.

Engrossed HB 1017, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1017: A BILL for an Act making an appropriation for defraying the expenses of the commissioner of university and school lands; and to provide for an appropriation of funds from the oil and gas impact grant fund.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 91 YEAS, 2 NAYS, 7 EXCUSED, 6 ABSENT AND NOT VOTING.

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

NAYS: Nelson; Schimke

EXCUSED: DeMers; Gertholz; Howard; Laughlin; Meyer; Schmidt; Wentz

ABSENT AND NOT VOTING: Dorso; Hausauer; Mutzenberger; Nichols; St. Aubyn; Whalen

Engrossed HB 1017 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. MARTINSON MOVED that the House do concur in the Senate amendments to Engrossed HB 1380 as printed on HJ page 1447, which motion prevailed.

Engrossed HB 1380, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1380: A BILL for an Act to authorize the director of institutions to sell and convey certain land belonging to the state of North Dakota to to Burleigh County for use as fairgrounds.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 90 YEAS, 3 NAYS, 7 EXCUSED, 6 ABSENT AND NOT VOTING.

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

NAYS: Brokaw; Byerly; Schimke

EXCUSED: DeMers; Gerntholz; Howard; Laughlin; Meyer; Schmidt; Wentz

ABSENT AND NOT VOTING: Dorso; Hausauer; Mutzenberger; Nicholas; St. Aubyn; Whalen

Engrossed HB 1380 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. TIMM MOVED that the House do concur in the Senate amendments to HB 1599 as printed on HJ page 1447, which motion prevailed.

HB 1599, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1599: A BILL for an Act to create and enact a new subsection to section 23-11-11 of the North Dakota Century Code, relating to the powers of housing authorities; and to amend and reenact section 54-17-07.6 of the North Dakota Century Code, relating to the acceptance of grants, contributions, loans, and other aid by the state housing finance agency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 84 YEAS, 10 NAYS, 7 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Bateman; Berg, R.; Bernstein; Bodine; Boehm; Boucher; Byerly; Carlisle; Carlson; Clayburgh; Cleary; Coats; Dalrymple; DeWitz; Dorso; Flaagan; Freier; Gabrielson; Gates; Gilmore; Goffe; Gorder; Gorman; Grumbo; Hanson; Henegar; Huether; Jacobson; Jensen; Kaldor; Kelsch; Kerzman; Kloubec; Kolbo; Kretschmar; Kroeber;

Kunkel; Larson; Linderman; Mahoney; Martin; Martinson; Miller; Muhs; Myrdal; Nelson; Nicholas; Nowatzki; Oban; Olsen, D.; Olson, A.; Payne; Peterson; Porter; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schimke; Schindler; Schneider; Shide; Skar; Skjerven; Snyder; Soukup; Starke; Svedjan; Thompson; Thorpe; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Wilkie; Williams; Speaker R. Anderson

NAYS: Berg, G.; Brokaw; Brown; Delzer; Enget; Erickson; Grosz; Hokana; Nichols; Stofferahn

EXCUSED: DeMers; Gerntholz; Howard; Laughlin; Meyer; Schmidt; Wentz

ABSENT AND NOT VOTING: Belter; Hausauer; Mutzenberger; St. Aubyn; Whalen

HB 1599 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. DORSO MOVED that the House do concur in the Senate amendments to HB 1613 as printed on HJ page 1447, which motion prevailed.

HB 1613, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

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

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 95 YEAS, 0 NAYS, 7 EXCUSED, 4 ABSENT AND NOT VOTING.

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

EXCUSED: DeMers; Gerntholz; Howard; Laughlin; Meyer; Schmidt; Wentz

ABSENT AND NOT VOTING: Gilmore; Mutzenberger; St. Aubyn; Whalen

HB 1613 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. KRETCHMAR MOVED that the House do concur in the Senate amendments to Engrossed HB 1194, which motion prevailed.

Engrossed HB 1194, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1194: A BILL for an Act to create and enact five new subsections to section 28-32-01 and twelve new sections to chapter 28-32 of the North Dakota Century Code, relating to practices and procedures in administrative proceedings; to amend and reenact subsection 3 of section 4-18.1-18, subsection 2 of section 15-47-38, subsection 5 of section 28-32-03, sections 28-32-05, 28-32-06, 28-32-07, 28-32-08, 28-32-09, 28-32-11, 28-32-12, 28-32-13, 28-32-14, 28-32-15, 28-32-17, 28-32-18, 28-32-19, 28-32-20, 28-32-21, 28-32-21.1, 38-08-11, 38-08-13, 38-08-14, subsection 3 of section 38-14.1-30, and subsection 3 of section 43-23-11.1 of the North Dakota Century Code, relating to administrative practices and procedures; to repeal section 28-32-10 of the North Dakota Century Code, relating to proceedings when subpoenas are disobeyed; and to provide an appropriation.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 95 YEAS, 0 NAYS, 7 EXCUSED, 4 ABSENT AND NOT VOTING.

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

EXCUSED: DeMers; Gerntholz; Howard; Laughlin; Meyer; Schmidt; Wentz

ABSENT AND NOT VOTING: Boehm; Mutzenberger; St. Aubyn; Whalen

Engrossed HB 1194 passed and the title was agreed to.

MOTION

REP. KLOUBEC MOVED that HB 1517 be laid over one legislative day, which motion prevailed.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. KRETSCHMAR MOVED that the House do concur in the Senate amendments to Engrossed HB 1526, which motion prevailed.

Engrossed HB 1526, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1526: A BILL for an Act to amend and reenact sections 35-13-01, 35-13-02, 35-13-03, and 35-13-04 of the North Dakota Century Code, relating to repairmen's liens.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 96 YEAS, 0 NAYS, 7 EXCUSED, 3 ABSENT AND NOT VOTING.

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

EXCUSED: DeMers; Gerntholz; Howard; Laughlin; Meyer; Schmidt; Wentz

ABSENT AND NOT VOTING: Mutzenberger; St. Aubyn; Whalen

Engrossed HB 1526 passed and the title was agreed to.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SCR 4058: Reps. Clayburgh, Freier, Mutzenberger.

MOTIONS

REP. KLOUBEC MOVED that the rules be suspended and that all Senate Bills that were acted upon today, with the exception of SB 2366 and SB 2541, be messaged to the Senate, which motion prevailed.

REP. KLOUBEC MOVED that the vote by which all House Bills passed, with the exception of HB 1261 and HB 1596, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

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 stand adjourned until 12:00 noon, Monday, April 1, 1991, which motion prevailed.

REPORTS OF STANDING COMMITTEES

SB 2016, as engrossed: Committee on Appropriations (Rep. Thompson, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (23 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 1, line 2, replace "tourism" with "recreation, department of tourism," and after the semicolon insert "providing a statement of legislative intent regarding historic site master plans;"

Page 1, line 9, replace "tourism" with "recreation, department of tourism,"

Page 1, line 13, replace "TOURISM" with "RECREATION"

Page 1, line 14, replace "4,113,089" with "3,401,516"

Page 1, line 15, replace "56,000" with "36,000"

Page 1, line 16, replace "5,226,480" with "1,831,851"

Page 1, line 17, replace "186,060" with "160,682"

Page 1, line 19, replace "3,706,080" with "3,646,080"

Page 1, line 21, replace "15,705,309" with "11,493,729"

Page 1, line 22, replace "5,609,905" with "5,429,905"

Page 2, line 1, replace "10,095,404" with "6,063,824"

Page 2, after line 1, insert:

"Subdivision 2.

DEPARTMENT OF TOURISM

Salaries and wages	\$ 711,573
Information services	20,000
Operating expenses	3,443,129
Equipment	25,378
Grants, benefits, and claims	60,000
Total all funds	<u>\$4,260,080</u>
Less estimated income	180,000
Total general fund appropriation	<u>\$4,080,080"</u>

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

Page 2, line 11, replace "1,710,418" with "1,766,668"

Page 2, line 12, replace "3,344,956" with "3,288,706"

Page 2, line 13, replace "13,602,860" with "13,595,110"

Page 2, line 14, replace "7,420,323" with "\$7,476,573"

Page 2, line 15, replace "21,023,183" with "21,071,683"

Page 2, line 25, remove "parks and"

Page 3, line 5, replace "tourism" with "recreation"

Page 3, line 8, replace "TOURISM" with "RECREATION"

Page 3, line 11, replace "tourism" with "recreation"

Page 3, line 13, replace "tourism" with "recreation"

Page 3, line 14, replace "transfer" with "make payments of"

Page 3, line 15, after "board" insert "for defraying the costs of parks and historic sites improvements conducted by the state historical board"

Page 3, line 19, replace "tourism" with "recreation, department of tourism,"

Page 3, after line 24, insert:

"SECTION 8. LEGISLATIVE INTENT - HISTORICAL BOARD - PLANNING. It is the intent of the legislative assembly that the state historical board develop master plans for the Fort Totten state historic site, the Fort Buford state historic site, and the Fort Seward state historic site during the biennium beginning July 1, 1991, and ending June 30, 1993.

SECTION 9. FORT SEWARD MASTER PLAN. The state historical board shall provide a grant to the city of Jamestown for the development of the Fort Seward state historic site master plan."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 701 - HISTORICAL SOCIETY

The estimated income line item is increased by \$56,250 with a corresponding decrease in general fund support for the Historical Society due to the

Historical Society collecting fees for services as provided for in Senate Bill No. 2170.

A section of legislative intent is added providing that the Historical Society develop master plans at Fort Totten, Fort Buford, and Fort Seward and regarding the Fort Seward master plan, a section is added that the Historical Society shall provide a grant to the city of Jamestown for the development of the Fort Seward master plan.

DEPARTMENT 740 - DEPARTMENT OF TOURISM

This amendment separates the appropriation for the Department of Tourism from the Department of Parks and Recreation in an amount of \$4,322,580, of which \$4,142,580 is from the general fund and \$180,000 is from other funds, and providing 10 FTE positions.

DEPARTMENT 750 - DEPARTMENT OF PARKS AND RECREATION

This amendment separates the appropriation for the Department of Tourism from the Department of Parks and Recreation and provides the Department of Parks and Recreation funding of \$11,645,229, of which \$6,115,324 is from the general fund, \$2,624,061 is from federal funds, and \$2,905,844 is from other funds, and includes 38 FTE positions.

The operating expenses line item is increased by \$48,500 from the general fund for space rental payments of the Parks and Recreation Department because the department will not be collocating with the Department of Tourism in the Liberty Memorial Building.

SB 2113, as reengrossed: Committee on Appropriations (Rep. Thompson, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (21 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 "Act" insert "to create and enact a new section to chapter 15-40.1 of the North Dakota Century Code, relating to state school aid;"

Page 1, after line 5, insert:

"SECTION 1. A new section to chapter 15-40.1 of the North Dakota Century Code is created and enacted as follows:

State school aid - Limited enrollment. Beginning with the 2000-2001 school year, any school district that has twenty-five or fewer students enrolled in grades nine through twelve is not eligible to receive any state aid for students enrolled in grades nine through twelve unless the school district is a part of a restructured school district program or a cooperative arrangement with another school district, including a reciprocal agreement for attending an out-of-state school under a plan approved by the superintendent of public instruction."

Page 1, line 11, replace "thirty-one" with "fifty-two"

Page 1, line 13, overstrike "five" and insert immediately thereafter "six" and replace "eighty-seven" with "eight"

Page 1, line 15, remove "It is the intent of the"

Page 1, remove lines 16 through 18

ReNUMBER accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

The amendments increase the per-pupil payments for the 1991-93 biennium from \$1,531 to \$1,552 for the first year of the biennium and from \$1,587 to \$1,608 for the second year of the biennium. The amendments also provide a new section to the North Dakota Century Code providing that beginning with the 2000-2001 school year a school district with 25 or fewer high school students will not be eligible for state aid relating to these students unless the school district is cooperating with another school district in a plan approved by the Superintendent of Public Instruction.

SB 2169, as reengrossed: Committee on Appropriations (Rep. Thompson, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (20 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 1, line 13, after "cents" insert "per mile [1.61 kilometers]"

Renumber accordingly

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

ROY GILBREATH, Chief Clerk