

SECOND READING OF HOUSE BILL

HB 1137: A BILL for an Act to amend and reenact section 43-34-05 of the North Dakota Century Code, relating to license fees for nursing home administrators.

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 41 YEAS, 6 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Bowman; Christmann; DeMers; Goetz; Grindberg; Heinrich; Heitkamp; Holmberg; Kelsh; Kinnoin; Krauter; Krebsbach; Kringstad; LaFountain; Langley; Lindaas; Lips; Mushik; Mutch; Naaden; Nalewaja; Nelson, C.; Nelson, G.; Nething; Redlin; Robinson; Sand; Scherber; Schobinger; St. Aubyn; Stenehjem, W.; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Uriacher; Wanzek; Watne; Wogsland

NAYS: Andrist; Freborg; O'Connell; Solberg; Stenehjem, B.; Yockim

ABSENT AND NOT VOTING: Lee; Mathern

Engrossed HB 1137 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1142: A BILL for an Act to amend and reenact subsection 3 of section 57-02-08.3, sections 57-38-49, 57-38-50, subsections 3, 4, 5, and 6 of section 57-39.2-13, subsections 3, 4, 5, and 6 of section 57-40.2-16, subsections 2, 3, and 4 of section 57-40.3-07.1, subsections 3, 4, and 6 of section 57-43.1-17.4, and subsections 3, 4, and 6 of section 57-43.2-16.3 of the North Dakota Century Code, relating to the filing of tax liens with the secretary of state; and to provide an effective date.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; Christmann; DeMers; Freborg; Goetz; Grindberg; Heinrich; Heitkamp; Holmberg; Kelsh; Kinnoin; Krauter; Krebsbach; Kringstad; LaFountain; Langley; Lindaas; Lips; Mushik; Mutch; Naaden; Nalewaja; Nelson, C.; Nelson, G.; Nething; O'Connell; Redlin; Robinson; Sand; Scherber; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Uriacher; Wanzek; Watne; Wogsland; Yockim

ABSENT AND NOT VOTING: Lee; Mathern

Engrossed HB 1142 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1144: A BILL for an Act to amend and reenact section 5-03-07 of the North Dakota Century Code, relating to metric equivalents for wholesale alcoholic beverage taxes.

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 47 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; Christmann; DeMers; Freborg; Goetz; Grindberg; Heinrich; Heitkamp; Holmberg; Kelsh; Kinnoin; Krauter; Krebsbach; Kringstad; LaFountain; Langley; Lindaas; Lips; Mushik; Mutch; Naaden; Nalewaja; Nelson, C.; Nelson, G.; Nething; O'Connell; Redlin; Robinson; Sand; Scherber; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Urlacher; Wanzek; Watne; Wogsland; Yockim

ABSENT AND NOT VOTING: Lee; Mathern

HB 1144 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1242: A BILL for an Act to amend and reenact section 16.1-13-06 of the North Dakota Century Code, relating to the eligibility of a candidate defeated at a primary election to have the candidate's name placed on the general election ballot.

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 47 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; Christmann; DeMers; Freborg; Goetz; Grindberg; Heinrich; Heitkamp; Holmberg; Kelsh; Kinnoin; Krauter; Krebsbach; Kringstad; LaFountain; Langley; Lindaas; Lips; Mushik; Mutch; Naaden; Nalewaja; Nelson, C.; Nelson, G.; Nething; O'Connell; Redlin; Robinson; Sand; Scherber; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Urlacher; Wanzek; Watne; Wogsland; Yockim

ABSENT AND NOT VOTING: Lee; Mathern

HB 1242 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1319: A BILL for an Act to amend and reenact subsection 1 of section 10-19.1-10 and section 10-19.1-12 of the North Dakota Century Code, relating to the contents of articles of incorporation and the effective date of incorporation.

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 47 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; Christmann; DeMers; Freborg; Goetz; Grindberg; Heinrich; Heitkamp; Holmberg; Kelsh; Kinnoin; Krauter; Krebsbach; Kringstad; LaFountain; Langley; Lindaas; Lips; Mushik; Mutch; Naaden; Nalewaja; Nelson, C.; Nelson, G.; Nething; O'Connell; Redlin; Robinson; Sand; Scherber; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Urlacher; Wanzek; Watne; Wogsland; Yockim

ABSENT AND NOT VOTING: Lee; Mathern

Engrossed HB 1319 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1357: A BILL for an Act to create and enact a new subsection to section 57-38-40 of the North Dakota Century Code, relating to refunds of overpaid penalty and interest; and to provide an effective date.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; Christmann; DeMers; Freborg; Goetz; Grindberg; Heinrich; Heitkamp; Holmberg; Kelsh; Kinnoin; Krauter; Krebsbach; Kringstad; LaFountain; Langley; Lindaas; Lips; Mushik; Mutch; Naaden; Nalewaja; Nelson, C.; Nelson, G.; Nething; O'Connell; Redlin; Robinson; Sand; Scherber; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Urlacher; Wanzek; Watne; Wogsland; Yockim

ABSENT AND NOT VOTING: Lee; Mathern

Engrossed HB 1357 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1364: A BILL for an Act relating to contracts between athletes and athlete agents; and to provide a penalty.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; Christmann; DeMers; Freborg; Goetz; Grindberg; Heinrich; Heitkamp; Holmberg; Kelsh; Kinnoin; Krauter; Krebsbach; Kringstad; LaFountain; Langley; Lindaas; Lips; Mushik; Mutch; Naaden; Nalewaja; Nelson, C.; Nelson, G.; Nething; O'Connell; Redlin; Robinson; Sand; Scherber; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Urlacher; Wanzek; Watne; Wogsland; Yockim

ABSENT AND NOT VOTING: Lee; Mathern

HB 1364 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1410: A BILL for an Act to create and enact a new subsection to section 53-01-07 of the North Dakota Century Code, relating to the establishment of a fee to pay for expenses of members of the athletic advisory board.

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 40 YEAS, 7 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Bowman; Christmann; DeMers; Freborg; Goetz; Grindberg; Heinrich; Heitkamp; Kelsh; Kinnoin; Krauter; Krebsbach; Kringstad; Langley; Lindaas; Lips; Mushik; Mutch; Naaden; Nalewaja; Nelson, G.; Nething; O'Connell; Redlin; Robinson; Sand; Scherber; Solberg; St. Aubyn; Stenehjem, W.; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Urlacher; Wanzek; Watne; Yockim

YAYS: Andrist; Holmberg; LaFountain; Nelson, C.; Schobinger; Stenehjem, B.; Wogsland

ABSENT AND NOT VOTING: Lee; Mathern

Engrossed HB 1410 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1483: A BILL for an Act to amend and reenact section 40-18-15.1 of the North Dakota Century Code, relating to the transfer of municipal court cases to district court.

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 47 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; Christmann; DeMers; Freborg; Goetz; Grindberg; Heinrich; Heitkamp; Holmberg; Kelsh; Kinnoin; Krauter; Krebsbach; Kringstad; LaFountain; Langley; Lindaas; Lips; Mushik; Mutch; Naaden; Nalewaja; Nelson, C.; Nelson, G.; Nething; O'Connell; Redlin; Robinson; Sand; Scherber; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Urlacher; Wanzek; Watne; Wogsland; Yockim

ABSENT AND NOT VOTING: Lee; Mathern

HB 1483 passed and the title was agreed to.

SECOND READING OF SENATE CONCURRENT RESOLUTION ON CONSENT CALENDAR

SCR 4032: A concurrent resolution directing the Legislative Council to study the library system in North Dakota, including the role and mission of the state library, cooperative library ventures, and research and information systems to determine if the citizens of this state have access to essential library services that are delivered efficiently.

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

SCR 4032 was declared adopted on a voice vote, and the title was agreed to.

MOTION

SEN. THANE MOVED that SCR 4028 be returned to the Senate floor from the Political Subdivisions Committee for the purpose of withdrawal, which motion prevailed.

REQUEST

SEN. THANE REQUESTED the unanimous consent of the Senate to withdraw SCR 4028. There being no objection, it was so ordered by the President.

MOTION

SEN. GOETZ MOVED that HB 1292 be returned to the Senate floor from the Political Subdivisions Committee and be rereferred to the Finance and Taxation Committee, which motion prevailed. Pursuant to Sen. Goetz's motion, HB 1292 was rereferred.

MOTION

SEN. GOETZ MOVED that the absent members be excused, which motion prevailed.

MOTION

SEN. GOETZ MOVED that the Senate be on the Fifth order of business and at the conclusion of that order, the Senate stand adjourned until 1:00 p.m., Monday, February 27, 1995, which motion prevailed.

REPORT OF STANDING COMMITTEE

SCR 4011: Government and Veterans Affairs Committee (Sen. Krebsbach, Chairman) recommends DO NOT PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4011 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4050: Natural Resources Committee (Sen. Traynor, Chairman) recommends DO PASS and BE PLACED ON THE CONSENT CALENDAR (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SCR 4050 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4053: Natural Resources Committee (Sen. Traynor, Chairman) recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4053 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4057: Agriculture Committee (Sen. Bowman, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4057 was placed on the Sixth order on the calendar.

Page 1, line 3, replace "public" with "federal"

Page 1, line 19, replace "critics of the United States Forest Service failed to" with "these national"

Page 1, remove lines 20 and 21

Page 1, line 22, remove "of multiple use" and after "grasslands" insert "operate under a different legislative authority with a distinctly different purpose from national forests"

Page 2, line 11, replace "public" with "federal"

Re-number accordingly

REPORT OF STANDING COMMITTEE

SCR 4059: Education Committee (Sen. Freborg, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SCR 4059 was placed on the Sixth order on the calendar.

Page 1, line 3, replace "tax credits or vouchers" with "assistance"

Page 1, line 4, replace "8,536" with "many"

Page 2, line 4, replace "tax credits or vouchers" with "assistance"

Re-number accordingly

REPORT OF STANDING COMMITTEE

HB 1024: Natural Resources Committee (Sen. Traynor, Chairman) recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1024 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1046, as engrossed: Education Committee (Sen. Freborg, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO

PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1046 was placed on the Sixth order on the calendar.

Page 1, line 17, replace "elementary, middle" with "kindergarten through grade twelve"

Page 1, line 18, remove "school, and high school"

Re-number accordingly

REPORT OF STANDING COMMITTEE

HB 1078: Political Subdivisions Committee (Sen. Urlacher, Chairman) recommends DO PASS (5 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). HB 1078 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1087, as engrossed: Education Committee (Sen. Freborg, Chairman) recommends DO PASS (4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1087 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1098: Government and Veterans Affairs Committee (Sen. Krebsbach, Chairman) recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1098 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1103, as engrossed: Government and Veterans Affairs Committee (Sen. Krebsbach, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1103 was placed on the Sixth order on the calendar.

Page 2, line 19, after "dollars" insert "plus any additional applicable state or local taxes"

Page 3, line 21, remove the underscored comma

Page 3, line 25, remove the underscored comma

Re-number accordingly

REPORT OF STANDING COMMITTEE

HB 1122: Political Subdivisions Committee (Sen. Urlacher, Chairman) recommends DO PASS (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1122 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1130: Political Subdivisions Committee (Sen. Urlacher, Chairman) recommends DO PASS (5 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1130 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1140: Judiciary Committee (Sen. W. Stenehjem, Chairman) recommends DO PASS (4 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1140 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1280, as engrossed: Political Subdivisions Committee (Sen. Urlacher, Chairman) recommends DO PASS (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1280 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1298: Judiciary Committee (Sen. W. Stenehjem, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (4 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1298 was placed on the Sixth order on the calendar for immediate second reading.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to repeal section 15 of chapter 374 of the 1987 Session Laws, section 1 of chapter 379 of the 1989 Session Laws, and section 6 of chapter 24 of the 1993 Session Laws, relating to the expiration date for legislation that established the court of appeals.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. REPEAL. Section 15 of chapter 374 of the 1987 Session Laws, section 1 of chapter 379 of the 1989 Session Laws, and section 6 of chapter 24 of the 1993 Session Laws are repealed."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1304, as engrossed: Political Subdivisions Committee (Sen. Urlacher, Chairman) recommends DO PASS (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1304 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1403, as engrossed: Judiciary Committee (Sen. W. Stenehjem, Chairman) recommends DO PASS (4 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1403 was placed on the Fourteenth order on the calendar.

The Senate stood adjourned pursuant to Senator Goetz's motion.

William C. Parker, Secretary