

JOURNAL OF THE HOUSE

Fifty-first Legislative Assembly

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Bismarck, February 15, 1989

The House convened at 12:30 p.m., with Speaker Kretschmar presiding.

The prayer was offered by Rev. John Nicolai, Trinity Lutheran Church, Bismarck.

The roll was called and all Representatives were present, except Representatives G. Berg, Gerhard, V. Thompson.

A quorum was declared by the Speaker.

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

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

Page 722, line 37, remove the words "twelve" and replace them with the words "eleven"

Page 724, line 30, after the first comma, remove the remainder of the line and lines 31 and 32 and replace with "and House Rule 507, concerning bills in committee, be"

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

HOUSE ENGROSSING REPORT

The following bills were engrossed: HB 1169, HB 1170, HB 1172, HB 1178, HB 1211, HB 1259, HB 1287, HB 1314, HB 1365, HB 1366, HB 1420, HB 1456, HB 1469, HB 1475, HB 1476, HB 1481, HB 1549, HB 1574, HB 1591, HB 1595, HB 1602.

MOTION

REP. KLOUBEC MOVED that the rules be suspended and that the committee reports on HB 1075, HB 1228, HB 1262, HB 1272, HB 1284, HB 1302, HB 1313, HB 1350, HB 1413, HB 1453, HB 1482, HB 1509, HB 1527, HB 1597, HB 1599, HB 1614, HB 1635, HB 1640, HB 1641, HB 1647, HCR 3029 recommending amendments on the Sixth order of business on the legislative calendar of the Thirty-first Day be adopted, which motion prevailed.

SIXTH ORDER OF BUSINESS

REP. LINDGREN MOVED that the amendments to HB 1075 as recommended by the Committee on Political Subdivisions as printed on pages 738-739 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

HB 1075 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. PETERSON MOVED that the amendments to HB 1228 as recommended by the Committee on Appropriations as printed on pages 739-740 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

HB 1228 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. NICHOLAS MOVED that the amendments to HB 1262 as recommended by the Committee on Agriculture as printed on pages 740-741 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

HB 1262 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. LINDGREN MOVED that the amendments to HB 1272 as recommended by the Committee on Political Subdivisions as printed on page 741 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

HB 1272 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. A. OLSON MOVED that the amendments to HB 1284 as recommended by the Committee on Natural Resources as printed on pages 741-742 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

HB 1284 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. A. OLSON MOVED that the amendments to HB 1302 as recommended by the Committee on Natural Resources as printed on page 742 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

HB 1302 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. TIMM MOVED that the amendments to HB 1313 as recommended by the Committee on Transportation as printed on page 743 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

HB 1313 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. GATES MOVED that the amendments to HB 1350 as recommended by the Committee on Education as printed on pages 743-744 of the House Journal be adopted, and when so adopted, recommends the same DO NOT PASS.

HB 1350 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. WHALEN MOVED that the amendments to HB 1413 as recommended by the Committee on Industry, Business and Labor as printed on page 744 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

HB 1413 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. LINDGREN MOVED that the amendments to HB 1453 as recommended by the Committee on Political Subdivisions as printed on page 744 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

HB 1453 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. WHALEN MOVED that the amendments to HB 1482 as recommended by the Committee on Industry, Business and Labor as printed on page 745 of the House Journal be adopted, and when so adopted, recommends the same DO NOT PASS.

HB 1482 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. WHALEN MOVED that the amendments to HB 1509 as recommended by the Committee on Industry, Business and Labor as printed on page 745 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

HB 1509 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. NICHOLAS MOVED that the amendments to HB 1527 as recommended by the Committee on Agriculture as printed on pages 745-746 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

HB 1527 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. A. OLSON MOVED that the amendments to HB 1597 as recommended by the Committee on Natural Resources as printed on page 747 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

HB 1597 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. HAUGLAND MOVED that the amendments to HB 1599 as recommended by the Committee on Human Services and Veterans Affairs as printed on pages 747-748 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

HB 1599 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. GATES MOVED that the amendments to HB 1614 as recommended by the Committee on Education as printed on page 748 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

HB 1614 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. GATES MOVED that the amendments to HB 1635 as recommended by the Committee on Education as printed on page 748 of the House Journal be adopted, and when so adopted, recommends the same DO NOT PASS.

HB 1635 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. GATES MOVED that the amendments to HB 1640 as recommended by the Committee on Education as printed on pages 748-750 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

HB 1640 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. LINDGREN MOVED that the amendments to HB 1641 as recommended by the Committee on Political Subdivisions as printed on pages 750-754 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

HB 1641 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. NICHOLAS MOVED that the amendments to HB 1647 as recommended by the Committee on Agriculture as printed on page 754 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

HB 1647 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. A. OLSON MOVED that the amendments to HCR 3029 as recommended by the Committee on Natural Resources as printed on pages 754-755 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

HCR 3029 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

THE HOUSE RECOGNIZED THE PRESENCE OF:

Former Representative Wes Belter, father of current Representative Wesley R. Belter

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3045: A concurrent resolution urging the Governor of North Dakota to declare 1989 as the Year of the Young Reader.

The question being on the final adoption of the amended resolution.

HCR 3045 was declared adopted on a voice vote.

SECOND READING OF HOUSE BILLS

HB 1170: A BILL for an Act to amend and reenact subsection 3 of section 39-06.1-06 of the North Dakota Century Code, relating to increased statutory fees for speeding violations.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 11 YEAS, 93 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Carlson; Graba; Halmrast; Hoffner; Hokana; Kaldor; Larson, D.; Oban; Sorensen

NAYS: Aas; Anderson, R.; Belter; Berg, G.; Berg, R.; Bernstein; Brokaw; Christman; Clayburgh; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Enget; Flaagan; Frey; Gates; Gerhardt; Gerl; Gerntholz; Gilmore; Goetz; Gorman; Gunsch; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Howard; Huether; Jensen; Kelly; Kingsbury; Kloubec; Knell; Kolbo; Kouba; Lang; Larson, R.; Laughlin; Lindgren; Marks; Martin; Martinson; Melby; Mertens; Murphy; Myrdal; Nelson; Ness; Nicholas; Nowatzki; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Peterson; Ring; Rydell; Schatz; Scherber; Schindler; Schmidt;

Schneider; Shaft; Shide; Shockman; Skjerven; Smette; Solberg; Soukup; Starke; Stenehjem; Thompson, K.; Thompson, V.; Timm; Tokach; Tollefson; Tomac; Trautman; Ulmer; Urlacher; Vander Vorst; Wald; Watne; Wentz; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

ABSENT AND NOT VOTING: Stofferahn; Whalen

HB 1170 lost.

HB 1172: A BILL for an Act to create and enact a new subsection to section 39-06-02 of the North Dakota Century Code, relating to national guard operator's licenses; and to amend and reenact subsection 1 of section 39-06-01, sections 39-06-04, 39-06-13, subsection 7 of section 39-06-14, and section 39-16-03 of the North Dakota Century Code, relating to the surrender of drivers' licenses, instruction permits, the examination of applicants, and the recovery of canceled, suspended, or revoked licenses.

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, 4 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Aas; Anderson, B.; Anderson, R.; Belter; Berg, G.; Berg, R.; Bernstein; Brokaw; Carlson; Christman; Clayburgh; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Enget; Flaagan; Frey; Gates; Gerhardt; Gerl; Gerntholz; Gilmore; Goetz; Gorman; Graba; Halmrast; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hoffner; Hokana; Howard; Huether; Jensen; Kaldor; Kelly; Kingsbury; Kloubec; Knell; Kolbo; Kouba; Lang; Larson, D.; Larson, R.; Laughlin; Lindgren; Marks; Martin; Martinson; Melby; Myrdal; Nelson; Ness; Nicholas; Nowatzki; Oban; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Peterson; Ring; Rydell; Schatz; Scherber; Schindler; Schneider; Shaft; Shide; Shockman; Skjerven; Smette; Solberg; Sorensen; Soukup; Starke; Stenehjem; Stofferahn; Thompson, K.; Thompson, V.; Timm; Tokach; Tollefson; Tomac; Trautman; Ulmer; Urlacher; Vander Vorst; Wald; Watne; Wentz; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: Gunsch; Mertens; Murphy; Schmidt

ABSENT AND NOT VOTING: Whalen

HB 1172 passed and the title was agreed to.

HB 1178: A BILL for an Act to amend and reenact sections 24-02-26.1, 24-02-27, and 24-02-32 of the North Dakota Century Code, relating to the arbitration of claims on contracts for the construction or repair of highways.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 97 YEAS, 9 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Aas; Anderson, B.; Anderson, R.; Belter; Berg, G.; Berg, R.; Bernstein; Brokaw; Carlson; Christman; Clayburgh; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Enget; Flaagan; Frey; Gates; Gerhardt; Gerl; Gerntholz; Gilmore; Goetz; Gorman; Graba; Halmarst; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hoffner; Hokana; Howard; Jensen; Kaldor; Kingsbury; Kloubec; Kolbo; Lang; Larson, R.; Laughlin; Lindgren; Marks; Martin; Martinson; Mertens; Murphy; Myrdal; Nelson; Ness; Nicholas; Nowatzki; Oban; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Peterson; Ring; Rydell; Scherber; Schindler; Schmidt; Schneider; Shaft; Shide; Shockman; Skjerven; Smette; Solberg; Sorensen; Soukup; Starke; Stenehjem; Stofferahn; Thompson, K.; Thompson, V.; Tokach; Tollefson; Tomac; Trautman; Ulmer; Urlacher; Vander Vorst; Wald; Watne; Wentz; Whalen; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: Gunsch; Huether; Kelly; Knell; Kouba; Larson, D.; Melby; Schatz; Timm

ABSENT AND NOT VOTING: None

HB 1178 passed and the title was agreed to.

HB 1211: A BILL for an Act to amend and reenact sections 6-09.9-02, 6-09.9-03, and 6-09.9-04 of the North Dakota Century Code, relating to operating loans to farmers and agribusinesses; and to repeal section 6-09.9-06 of the North Dakota Century Code, relating to participation interests in operating loans to agribusinesses.

ROLL CALL

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

YEAS: Aarsvold; Aas; Anderson, B.; Anderson, R.; Belter; Berg, G.; Berg, R.; Bernstein; Brokaw; Carlson; Christman; Clayburgh; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Enget; Flaagan; Frey; Gates; Gerhardt; Gerl; Gerntholz; Gilmore; Goetz; Gorman; Graba; Gunsch; Halmarst; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hoffner; Hokana; Howard; Huether; Jensen; Kaldor; Kelly; Kingsbury; Kloubec; Knell; Kolbo; Kouba; Lang; Larson, D.; Larson, R.; Laughlin; Lindgren; Marks; Martin; Martinson; Melby; Mertens; Murphy; Myrdal; Nelson; Ness; Nicholas; Nowatzki; Oban; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Ring; Rydell; Schatz; Scherber; Schindler; Schmidt; Schneider; Shaft; Shide; Shockman; Skjerven; Smette; Solberg; Sorensen; Soukup; Starke; Stenehjem; Stofferahn; Thompson, K.; Thompson, V.; Timm; Tokach; Tollefson; Tomac; Trautman; Ulmer; Urlacher; Vander Vorst; Wald; Watne; Wentz; Whalen; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: None

ABSENT AND NOT VOTING: Peterson

HB 1211 passed and the title was agreed to.

MESSAGE to the HOUSE from the SENATE (Patricia Conrad, Secretary)

MR. SPEAKER: The Senate has passed and your favorable consideration is requested on: SB 2010, SB 2019, SB 2023, SB 2026, SB 2036, SB 2036, SB 2114, SB 2321, SB 2392, SB 2434, SB 2471, SB 2483.

SECOND READING OF HOUSE BILLS

HB 1259: A BILL for an Act to amend and reenact sections 49-18-41.1 and 49-18-42 of the North Dakota Century Code, relating to the collection of fees for registration of interstate motor carriers and dedicating the use of the fees; and to provide for allocation of the fees.

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, 23 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Aas; Anderson, B.; Anderson, R.; Belter; Berg, G.; Berg, R.; Bernstein; Brokaw; Carlson; Christman; Clayburgh; Dalrymple; DeMers, J.; Dorso; Enget; Flaagan; Frey; Gates; Gerhardt; Gerl; Gerntholz; Gilmore; Goetz; Gorman; Graba; Gunsch; Halmrast; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hokana; Howard; Huether; Jensen; Kaldor; Kelly; Kloubec; Knell; Kolbo; Larson, D.; Larson, R.; Laughlin; Lindgren; Marks; Martin; Martinson; Mertens; Nelson; Nicholas; Nowatzki; Payne; Ring; Rydell; Schatz; Scherber; Shide; Solberg; Sorensen; Soukup; Starke; Stenehjem; Stofferahn; Thompson, K.; Thompson, V.; Timm; Tokach; Tollefson; Tomac; Trautman; Ulmer; Urlacher; Wald; Watne; Wentz; Whalen; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: DeMers, P.; Haugen; Hoffner; Kingsbury; Kouba; Lang; Melby; Murphy; Myrdal; Ness; Oban; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Schindler; Schmidt; Schneider; Shaft; Shockman; Skjerven; Smette; Vander Vorst

ABSENT AND NOT VOTING: Hausauer, R.; Peterson

HB 1259 passed and the title was agreed to.

HB 1217: A BILL for an Act to amend and reenact sections 49-18-32, 49-18-41, and 49-18-41.1 of the North Dakota Century Code, relating to motor carrier fees charged by the public service commission.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 2 YEAS, 102 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Scherber; Ulmer

NAYS: Aarsvold; Aas; Anderson, B.; Anderson, R.; Belter; Berg, G.; Berg, R.; Bernstein; Brokaw; Carlson; Christman; Clayburgh; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Enget; Flaagan; Frey; Gates; Gerhardt; Gerl; Gerntholz; Gilmore; Goetz; Gorman; Graba; Gunsch; Halmrast; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hoffner; Hokana; Howard; Huether; Jensen; Kaldor; Kelly; Kingsbury; Kloubec; Knell; Kolbo; Kouba; Lang; Larson, D.; Larson, R.; Laughlin; Lindgren; Marks; Martin; Martinson; Melby; Mertens; Murphy; Myrdal; Nelson; Ness; Nicholas; Nowatzki; Oban; Olsen, D.; Olson, A.;

Olson, V.; O'Shea; Payne; Ring; Rydell; Schatz; Schindler; Schmidt; Schneider; Shaft; Shide; Shockman; Skjerven; Smette; Solberg; Sorensen; Soukup; Starke; Stenehjem; Stofferahn; Thompson, K.; Thompson, V.; Timm; Tokach; Tollefson; Tomac; Trautman; Urlacher; Vander Vorst; Wald; Watne; Wentz; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

ABSENT AND NOT VOTING: Peterson; Whalen

HB 1217 lost.

HB 1287: A BILL for an Act to amend and reenact section 35-05-01 of the North Dakota Century Code, relating to security agreements on crops.

ROLL CALL

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

YEAS: Aarsvold; Aas; Anderson, B.; Anderson, R.; Belter; Berg, G.; Berg, R.; Bernstein; Brokaw; Carlson; Christman; Clayburgh; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Enget; Flaagan; Frey; Gates; Gerhard; Gerl; Gerntholz; Gilmore; Goetz; Gorman; Graba; Gunsch; Halmrast; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hoffner; Hokana; Howard; Huether; Jensen; Kaldor; Kelly; Kingsbury; Kloubec; Knell; Kolbo; Kouba; Lang; Larson, D.; Larson, R.; Laughlin; Lindgren; Marks; Martin; Martinson; Melby; Mertens; Murphy; Myrdal; Nelson; Ness; Nicholas; Nowatzki; Oban; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Ring; Rydell; Schatz; Scherber; Schindler; Schmidt; Schneider; Shaft; Shide; Shockman; Skjerven; Smette; Solberg; Sorensen; Soukup; Starke; Stenehjem; Stofferahn; Thompson, K.; Thompson, V.; Timm; Tokach; Tollefson; Tomac; Trautman; Ulmer; Urlacher; Vander Vorst; Wald; Watne; Wentz; Whalen; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: None

ABSENT AND NOT VOTING: Peterson

HB 1287 passed and the title was agreed to.

MOTION

REP. WENTZ MOVED that HB 1293 be returned to the House floor from the Committee on Judiciary, which motion prevailed.

REQUEST

REP. WALD REQUESTED the unanimous consent of the House to withdraw HB 1293. There being no objection, it was so ordered by the Speaker.

SECOND READING OF HOUSE BILLS

HB 1314: A BILL for an Act to create and enact a new section to chapter 57-15 and a new subsection to section 57-15-06.7 of the North Dakota Century Code, relating to a county levy for support of a sheriff's office.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 3 YEAS, 102 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Flaagan; Laughlin; Starke

NAYS: Aarsvold; Aas; Anderson, B.; Anderson, R.; Belter; Berg, G.; Berg, R.; Bernstein; Brokaw; Carlson; Christman; Clayburgh; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Enget; Frey; Gates; Gerhardt; Gerl; Gerntholz; Gilmore; Goetz; Gorman; Graba; Gunsch; Halmrast; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hoffner; Hokana; Howard; Huether; Jensen; Kaldor; Kelly; Kingsbury; Kloubec; Knell; Kolbo; Kouba; Lang; Larson, D.; Larson, R.; Lindgren; Marks; Martin; Martinson; Melby; Mertens; Murphy; Myrdal; Nelson; Ness; Nicholas; Nowatzki; Oban; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Ring; Rydell; Schatz; Scherber; Schindler; Schmidt; Schneider; Shaft; Shide; Shockman; Skjerven; Smette; Solberg; Sorensen; Soukup; Stenehjem; Stofferahn; Thompson, K.; Thompson, V.; Timm; Tokach; Tollefson; Tomac; Trautman; Ulmer; Urlacher; Vander Vorst; Wald; Watne; Wentz; Whalen; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

ABSENT AND NOT VOTING: Peterson

HB 1314 lost.

HB 1365: A BILL for an Act to amend and reenact the new subsection 4 to section 12.1-32-02 of the North Dakota Century Code as created by section 2 of House Bill No. 1052, if approved by the fifty-first legislative assembly, relating to a court's authority to impose deferred impositions of sentence; or in the alternative, if House Bill No. 1052 does not become effective, to amend and reenact section 12-53-13 of the North Dakota Century Code, relating to a court's authority to impose deferred impositions of sentence.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 100 YEAS, 4 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Anderson, R.; Belter; Berg, G.; Berg, R.; Bernstein; Brokaw; Carlson; Christman; Clayburgh; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Enget; Flaagan; Frey; Gates; Gerhardt; Gerntholz; Gilmore; Goetz; Gorman; Graba; Gunsch; Halmrast; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hoffner; Hokana; Howard; Huether; Jensen; Kaldor; Kelly; Kloubec; Knell; Kolbo; Kouba; Lang; Larson, D.; Larson, R.; Laughlin; Lindgren; Marks; Martin; Martinson; Melby; Mertens; Myrdal; Nelson; Ness; Nicholas; Nowatzki; Oban; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Ring; Rydell; Schatz; Scherber; Schindler; Schmidt; Schneider; Shaft; Shide; Shockman; Skjerven; Smette; Solberg; Sorensen; Soukup; Starke; Stenehjem; Stofferahn; Thompson, K.; Thompson, V.; Timm; Tokach; Tollefson; Tomac; Trautman; Urlacher; Vander Vorst; Wald; Watne; Wentz; Whalen; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: Gerl; Kingsbury; Murphy; Ulmer

ABSENT AND NOT VOTING: Aas; Peterson

HB 1365 passed and the title was agreed to.

HB 1366: A BILL for an Act to create and enact a new subsection to section 40-49-12 and a new subsection to section 57-15-12.2 of the North Dakota Century Code, relating to a tax levy by park districts for comprehensive health care benefits.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 56 YEAS, 48 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Aas; Anderson, B.; Anderson, R.; Brokaw; Carlson; Christman; DeMers, J.; DeMers, P.; Enget; Flaagan; Frey; Gates; Gerhardt; Gerl; Gerntholz; Gorman; Halmrast; Hanson, L.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hoffner; Hokana; Howard; Huether; Jensen; Kelly; Kloubec; Kolbo; Larson, R.; Laughlin; Lindgren; Marks; Martin; Martinson; Mertens; Oban; Olson, V.; Ring; Rydell; Schatz; Scherber; Schneider; Sorensen; Stenehjem; Stofferahn; Timm; Tollefson; Trautman; Ulmer; Urlacher; Watne; Wentz; Williams, W.; Speaker Kretschmar

NAYS: Aarsvold; Belter; Berg, G.; Berg, R.; Bernstein; Clayburgh; Dalrymple; Dorso; Gilmore; Goetz; Gunsch; Hanson, O.; Kaldor; Kingsbury; Knell; Kouba; Lang; Larson, D.; Melby; Murphy; Myrdal; Nelson; Ness; Nicholas; Nowatzki; Olsen, D.; Olson, A.; O'Shea; Payne; Schindler; Schmidt; Shaft; Shide; Shockman; Skjerven; Smette; Solberg; Soukup; Starke; Thompson, K.; Thompson, V.; Tokach; Tomac; Vander Vorst; Wald; Whalen; Wilkie; Williams, A.

ABSENT AND NOT VOTING: Graba; Peterson

HB 1366 passed and the title was agreed to.

HB 1420: A BILL for an Act to amend and reenact section 4-27-04 of the North Dakota Century Code, relating to the membership on the North Dakota dairy promotion commission.

ROLL CALL

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

YEAS: Aarsvold; Aas; Anderson, B.; Anderson, R.; Belter; Berg, G.; Berg, R.; Bernstein; Brokaw; Carlson; Christman; Clayburgh; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Enget; Flaagan; Frey; Gates; Gerhardt; Gerl; Gerntholz; Gilmore; Goetz; Gorman; Graba; Gunsch; Halmrast; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hoffner; Hokana; Howard; Huether; Jensen; Kaldor; Kelly; Kingsbury; Kloubec; Knell; Kolbo; Kouba; Lang; Larson, D.; Larson, R.; Laughlin; Lindgren; Marks; Martin; Martinson; Melby; Mertens; Murphy; Myrdal; Nelson; Ness; Nicholas; Nowatzki; Oban; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Ring; Rydell; Schatz; Scherber; Schindler;

Schmidt; Schneider; Shide; Shockman; Skjerven; Smette; Solberg; Sorensen; Soukup; Starke; Stenehj m; Stofferahn; Thompson, K.; Thompson, V.; Timm; Tokach; Tollefson; Tomac; Trautman; Ulmer; Urlacher; Vander Vorst; Wald; Watne; Wentz; Whalen; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: None

ABSENT AND NOT VOTING: Peterson; Shaft

HB 1420 passed and the title was agreed to.

MESSAGE to the HOUSE from the SENATE (Patricia Conrad, Secretary)
MR. SPEAKER: The Senate has passed and your favorable consideration is requested on: SCR 4051.

SECOND READING OF HOUSE BILL

HB 1456: A BILL for an Act to allow the centennial commission to establish a centennial decade trees committee by rule, to establish a centennial tree program trust fund, and to provide for uses of the fund; to create and enact a new section to chapter 57-38 of the North Dakota Century Code, relating to an optional contribution to the centennial tree program trust fund to be included on North Dakota income tax returns; to provide a continuing appropriation; 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 59 YEAS, 45 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Aas; Anderson, B.; Berg, G.; Bernstein; Brokaw; Carlson; Christman; Clayburgh; Enget; Flaagan; Frey; Gertholz; Gilmore; Gorman; Gunsch; Halmrast; Hanson, L.; Haugland; Hoffner; Hokana; Huether; Kelly; Kingsbury; Kolbo; Kouba; Laughlin; Marks; Martin; Martinson; Mertens; Myrdal; Ness; Nicholas; Nowatzki; Oban; Olson, V.; O'Shea; Ring; Rydell; Schatz; Scherber; Shide; Shockman; Smette; Solberg; Soukup; Starke; Stofferahn; Thompson, V.; Timm; Tokach; Tollefson; Trautman; Ulmer; Urlacher; Vander Vorst; Wentz; Speaker Kretschmar

NAYS: Anderson, R.; Belter; Berg, R.; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Gates; Gerhardt; Goetz; Graba; Hanson, O.; Haugen; Hausauer, A.; Hausauer, R.; Howard; Jensen; Kaldor; Kloubec; Knell; Lang; Larson, D.; Larson, R.; Lindgren; Melby; Murphy; Nelson; Olsen, D.; Olson, A.; Payne; Schindler; Schmidt; Schneider; Shaft; Skjerven; Sorensen; Stenehj m; Thompson, K.; Tomac; Wald; Watne; Whalen; Wilkie; Williams, A.; Williams, W.

ABSENT AND NOT VOTING: Gerl; Peterson

HB 1456 passed and the title was agreed to.

FIRST READING OF SENATE CONCURRENT RESOLUTION

Sens. Nalewaja, Olson, Wogsland and Reps. Bernstein, Hoffner, Goetz introduced:

(Approved by Committee on Delayed Bills)

SCR 4051: A concurrent resolution declaring Wednesday, February 15, 1989, as Higher Education Awareness Day.

Was read the first time.

MOTION

REP. BERNSTEIN MOVED that the rules be suspended, that SCR 4051 not be referred to committee, be read in its entirety, not be printed in the Journal, and placed on the calendar for second reading and final passage, which motion prevailed.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4051: A concurrent resolution declaring Wednesday, February 15, 1989, as Higher Education Awareness Day.

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

SCR 4051 was declared adopted on a voice vote.

MOTIONS

REP. KLOUBEC MOVED that the rules be suspended and that SCR 4051 be messaged to the Senate immediately, which motion prevailed.

REP. R. ANDERSON MOVED that HB 1309 be placed at the top of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1309: A BILL for an Act to amend and reenact sections 61-32-03 and 61-32-07 of the North Dakota Century Code, relating to drainage permits and closing drains; and to repeal sections 61-32-01, 61-32-02, 61-32-04, 61-32-05, 61-32-06, 61-32-08, 61-32-09, and 61-32-10 of the North Dakota Century Code, relating to wetlands; and to provide a penalty.

MOTION

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

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 43 YEAS, 61 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Anderson, R.; Belter; Berg, G.; Brokaw; Clayburgh; Dalrymple; DeMers, P.; Enget; Flaagan; Gates; Gerntholz; Gansch; Hanson, O.; Haugen; Hausauer, A.; Jensen; Kaldor; Kingsbury; Kolbo; Lang; Laughlin; Melby; Mertens; Myrdal; Nelson; Ness; Nicholas; Nowatzki; Olsen, D.; Olson, A.; O'Shea; Schindler; Schmidt; Shockman; Skjerven; Smette; Solberg; Stofferahn; Vander Vorst; Watne; Wilkie

NAYS: Aas; Berg, R.; Bernstein; Carlson; Christman; DeMers, J.; Dorso; Frey; Gerhardt; Gerl; Gilmore; Goetz; Gorman; Graba; Halmrast; Hanson, L.; Haugland; Hausauer, R.; Hoffner; Hokana; Howard; Huether; Kelly; Kloubec; Kneill; Kouba; Larson, D.; Larson, R.; Lindgren; Marks; Martin;

Martinson; Murphy; Oban; Olson, V.; Payne; Ring; Rydell; Schatz; Scherber; Schneider; Shaft; Shide; Sorensen; Soukup; Starke; Stenehjem; Thompson, K.; Thompson, V.; Timm; Tokach; Tollefson; Tomac; Trautman; Ulmer; Urlacher; Wentz; Whalen; Williams, A.; Williams, W.; Speaker Kretschmar

ABSENT AND NOT VOTING: Peterson; Wald

HB 1309 lost.

MOTION

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

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

REQUESTS

REP. KLOUBEC REQUESTED that the record show that the members of the Committee on Appropriations (Reps. Peterson, R. Hausauer, Dalrymple, Gerntholz, Gunsch, O. Hanson, Jensen, Kingsbury, Payne, Smette, Sorensen, K. Thompson, Wald, Graba, Hoffner, Kelly, Laughlin, Mertens, Nowatzki, O'Shea, Solberg, Stofferahn, and Watne) be excused to attend a committee meeting, which request was granted.

REP. KLOUBEC REQUESTED that the record show that Rep. Peterson, Chairman of the Committee on Appropriations had been absent since 1:30 p.m. because he was conducting business of the Committee on Appropriations, which request was granted.

MOTIONS

REP. KLOUBEC MOVED that HB 1475, HB 1476, HB 1549, HB 1591, HB 1595, HB 1602, HB 1321, and HB 1331 be placed at the head of the calendar, which motion prevailed.

REP. R. ANDERSON MOVED that HB 1475 be placed directly after HB 1549 on the calendar, which motion prevailed.

SECOND READING OF HOUSE BILLS

HB 1476: A BILL for an Act to create and enact two new subsections to section 19-20.2-06 of the North Dakota Century Code, relating to anhydrous ammonia transfer hose requirements.

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, 0 NAYS, 28 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Aas; Anderson, B.; Anderson, R.; Belter; Berg, R.; Bernstein; Brokaw; Carlson; Christman; Clayburgh; DeMers, J.; DeMers, P.; Dorso; Enget; Flaagan; Frey; Gates; Gerhardt; Gilmore; Goetz; Gorman; Halmrast; Hanson, L.; Haugen; Haugland; Hausauer, A.; Hokana; Howard; Huether; Kloube; Knell; Kolbo; Kouba; Lang; Larson, D.; Larson, R.; Lindgren; Marks; Martin; Martinson; Melby; Murphy; Myrdal; Nelson; Ness; Oban; Olsen, D.; Olson, A.; Olson, V.; Ring; Rydell; Schatz; Scherber; Schindler; Schmidt; Schneider; Shaft;

Shide; Shockman; Skjerven; Soukup; Starke; Stenehjem; Thompson, V.; Timm; Tokach; Tollefson; Tomac; Trautman; Urlacher; Vander Vorst; Wentz; Whalen; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: None

ABSENT AND NOT VOTING: Berg, G.; Dalrymple; Gerl; Gerntholz; Graba; Gunsch; Hanson, O.; Hausauer, R.; Hoffner; Jensen; Kaldor; Kelly; Kingsbury; Laughlin; Mertens; Nicholas; Nowatzki; O'Shea; Payne; Peterson; Smette; Solberg; Sorensen; Stofferahn; Thompson, K.; Ulmer; Wald; Watne

(Committee on Appropriations members excused.)

HB 1476 passed and the title was agreed to.

HB 1549: A BILL for an Act to amend and reenact section 57-40.4-01.1 of the North Dakota Century Code, relating to refunds of motor vehicle excise taxes with respect to returned motor vehicles; and to provide for application of the 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 83 YEAS, 0 NAYS, 23 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Aas; Anderson, B.; Anderson, R.; Belter; Berg, G.; Berg, R.; Bernstein; Brokaw; Carlson; Christman; Clayburgh; DeMers, J.; DeMers, P.; Dorso; Enget; Flaagan; Frey; Gates; Gerhardt; Gerl; Gilmore; Goetz; Gorman; Halmrast; Hanson, L.; Haugen; Haugland; Hausauer, A.; Hokana; Howard; Huether; Kaldor; Kloubec; Knell; Kolbo; Kouba; Lang; Larson, D.; Larson, R.; Lindgren; Marks; Martin; Martinson; Melby; Murphy; Myrdal; Nelson; Ness; Nicholas; Oban; Olsen, D.; Olson, A.; Olson, V.; Ring; Rydell; Schatz; Scherber; Schindler; Schmidt; Schneider; Shaft; Shide; Shockman; Skjerven; Soukup; Starke; Stenehjem; Thompson, V.; Timm; Tokach; Tollefson; Tomac; Trautman; Ulmer; Urlacher; Vander Vorst; Wentz; Whalen; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: None

ABSENT AND NOT VOTING: Dalrymple; Gerntholz; Graba; Gunsch; Hanson, O.; Hausauer, R.; Hoffner; Jensen; Kelly; Kingsbury; Laughlin; Mertens; Nowatzki; O'Shea; Payne; Peterson; Smette; Solberg; Sorensen; Stofferahn; Thompson, K.; Wald; Watne

(Committee on Appropriations members excused.)

HB 1549 passed and the title was agreed to.

MOTION

REP. KLOUBEC MOVED that the House waive the reading of the title to HB 1475, which motion prevailed.

SECOND READING OF HOUSE BILLS

HB 1475: A BILL for an Act to amend and reenact subdivision a of subsection 4 of section 4-35-05, subsection 3 of section 4-35-06, sections 4-35-08, 4-35-09, 4-35-10, 4-35-11, 4-35-12, 4-35-13, subsection 3 of section 4-35-14, sections 4-35-15, 4-35-16, 4-35-17, 4-35-18, subsections 1 and 2 of section 4-35-19, section 4-35-22, subsection 7 of section 4-35-24, and section 4-35-28 of the North Dakota Century Code, relating to certification of pesticide applicators and distribution of funds; 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, 0 NAYS, 25 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Aas; Anderson, B.; Anderson, R.; Belter; Berg, G.; Berg, R.; Bernstein; Brokaw; Carlson; Christman; Clayburgh; DeMers, J.; DeMers, P.; Dorso; Enget; Flaagan; Frey; Gates; Gerhardt; Gerl; Gilmore; Goetz; Gorman; Halmrast; Hanson, L.; Haugen; Haugland; Hausauer, A.; Hokana; Howard; Huether; Kaldor; Kloubec; Knell; Kolbo; Kouba; Lang; Larson, D.; Larson, R.; Lindgren; Marks; Martin; Martinson; Melby; Murphy; Myrdal; Nelson; Ness; Oban; Olsen, D.; Olson, A.; Olson, V.; Ring; Schatz; Scherber; Schindler; Schmidt; Schneider; Shaft; Shide; Shockman; Skjerven; Soukup; Starke; Stenehjem; Thompson, V.; Timm; Tokach; Tollefson; Tomac; Trautman; Ulmer; Urlacher; Vander Vorst; Wentz; Whalen; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: None

ABSENT AND NOT VOTING: Dalrymple; Gerntholz; Graba; Gunsch; Hanson, O.; Hausauer, R.; Hoffner; Jensen; Kelly; Kingsbury; Laughlin; Mertens; Nicholas; Nowatzki; O'Shea; Payne; Peterson; Rydell; Smette; Solberg; Sorensen; Stofferahn; Thompson, K.; Wald; Watne

(Committee on Appropriations members excused.)

HB 1475 passed and the title was agreed to.

HB 1591: A BILL for an Act to create and enact a new section to chapter 19-02 of the North Dakota Century Code, relating to the manufacture, storage, and sale of ice and inspections by the state department of health and consolidated laboratories; 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 8 YEAS, 74 NAYS, 24 ABSENT AND NOT VOTING.

YEAS: Berg, R.; Frey; Haugen; Olson, A.; Ring; Shockman; Tollefson; Wentz

NAYS: Aarsvold; Aas; Anderson, B.; Anderson, R.; Belter; Berg, G.; Bernstein; Brokaw; Carlson; Christman; Clayburgh; DeMers, J.; DeMers, P.; Dorso; Enget; Flaagan; Gates; Gerhardt; Gerl; Gilmore; Goetz; Gorman; Halmrast; Hanson, L.; Haugland; Hausauer, A.; Hokana; Howard; Huether; Kaldor; Kloubec; Knell; Kolbo; Kouba; Lang;

Larson, D.; Larson, R.; Lindgren; Marks; Martin; Martinson; Melby; Murphy; Myrdal; Nelson; Ness; Oban; Olsen, D.; Olson, V.; Rydell; Schatz; Scherber; Schindler; Schmidt; Schneider; Shaft; Shide; Skjerven; Soukup; Starke; Stenehjem; Thompson, V.; Timm; Tokach; Tomac; Trautman; Ulmer; Urlacher; Vander Vorst; Whalen; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

ABSENT AND NOT VOTING: Dalrymple; Gerntholz; Graba; Gunsch; Hanson, O.; Hausauer, R.; Hoffner; Jensen; Kelly; Kingsbury; Laughlin; Mertens; Nicholas; Nowatzki; O'Shea; Payne; Peterson; Smette; Solberg; Sorensen; Stofferahn; Thompson, K.; Wald; Watne

(Committee on Appropriations members excused.)

HB 1591 lost.

HB 1595: A BILL for an Act to amend and reenact section 39-20-04, subsection 1 of section 39-20-05, and section 39-20-14 of the North Dakota Century Code, relating to pleading guilty to avoid a section 39-20-04 revocation, performing a chemical test after refusing a screening test to avoid a section 39-20-04 revocation, and the temporary operator's permit serving notice to driver.

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, 0 NAYS, 24 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Aas; Anderson, B.; Anderson, R.; Belter; Berg, G.; Berg, R.; Bernstein; Brokaw; Carlson; Christman; Clayburgh; DeMers, J.; DeMers, P.; Dorso; Enget; Flaagan; Frey; Gates; Gerhardt; Gerl; Gilmore; Goetz; Gorman; Halmrast; Hanson, L.; Haugen; Haugland; Hausauer, A.; Hokana; Howard; Huether; Kaldor; Kloubec; Knell; Kolbo; Kouba; Lang; Larson, D.; Larson, R.; Lindgren; Marks; Martin; Martinson; Melby; Murphy; Myrdal; Nelson; Ness; Oban; Olsen, D.; Olson, A.; Olson, V.; Ring; Rydell; Schatz; Scherber; Schindler; Schmidt; Schneider; Shaft; Shide; Shockman; Skjerven; Soukup; Starke; Stenehjem; Thompson, V.; Timm; Tokach; Toilefson; Tomac; Trautman; Ulmer; Urlacher; Vander Vorst; Wentz; Whalen; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: None

ABSENT AND NOT VOTING: Dalrymple; Gerntholz; Graba; Gunsch; Hanson, O.; Hausauer, R.; Hoffner; Jensen; Kelly; Kingsbury; Laughlin; Mertens; Nicholas; Nowatzki; O'Shea; Payne; Peterson; Smette; Solberg; Sorensen; Stofferahn; Thompson, K.; Wald; Watne

(Committee on Appropriations members excused.)

HB 1595 passed and the title was agreed to.

HB 1602: A BILL for an Act to amend and reenact subsection 5 of section 11-10-10 of the North Dakota Century Code, relating to salaries of county commissioners; 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 79 YEAS, 3 NAYS, 24 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Aas; Anderson, B.; Anderson, R.; Belter; Berg, G.; Berg, R.; Bernstein; Brokaw; Carlson; Christman; Clayburgh; DeMers, J.; DeMers, P.; Dorso; Enget; Flaagan; Frey; Gates; Gerhardt; Gerl; Gilmore; Goetz; Gorman; Halmrast; Hanson, L.; Haugen; Haugland; Hausauer, A.; Hokana; Howard; Huether; Kaldor; Kloubec; Knell; Kolbo; Kouba; Lang; Larson, D.; Larson, R.; Lindgren; Marks; Martin; Martinson; Melby; Myrdal; Nelson; Ness; Oban; Olsen, D.; Olson, A.; Olson, V.; Ring; Rydell; Schatz; Scherber; Schindler; Schneider; Shaft; Shide; Shockman; Skjerven; Soukup; Starke; Stenehjelm; Thompson, V.; Timm; Tokach; Tollefson; Tomac; Trautman; Ulmer; Urlacher; Vander Vorst; Wentz; Whalen; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: Murphy; Schmidt; Wilkie

ABSENT AND NOT VOTING: Dalrymple; Gerntholz; Graba; Gunsch; Hanson, O.; Hausauer, R.; Hoffner; Jensen; Kelly; Kingsbury; Laughlin; Mertens; Nicholas; Nowatzki; O'Shea; Payne; Peterson; Smette; Solberg; Sorensen; Stofferahn; Thompson, K.; Wald; Watne

(Committee on Appropriations members excused.)

HB 1602 passed and the title was agreed to.

HB 1321: A BILL for an Act to amend and reenact sections 54-52-02 and 54-52-02.1 of the North Dakota Century Code, relating to participation in the public employees retirement system by a city health department providing health services in a county and city health district.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 81 YEAS, 0 NAYS, 25 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Aas; Anderson, B.; Anderson, R.; Belter; Berg, G.; Berg, R.; Bernstein; Brokaw; Carlson; Christman; Clayburgh; DeMers, J.; DeMers, P.; Enget; Flaagan; Frey; Gates; Gerhardt; Gerl; Gilmore; Goetz; Gorman; Halmrast; Hanson, L.; Haugen; Haugland; Hausauer, A.; Hokana; Howard; Huether; Kaldor; Kloubec; Knell; Kolbo; Kouba; Lang; Larson, D.; Larson, R.; Lindgren; Marks; Martin; Martinson; Melby; Murphy; Myrdal; Nelson; Ness; Oban; Olsen, D.; Olson, A.; Olson, V.; Ring; Rydell; Schatz; Scherber; Schindler; Schmidt; Schneider; Shaft; Shide; Shockman; Skjerven; Soukup; Starke; Stenehjelm; Thompson, V.; Timm; Tokach; Tollefson; Tomac; Trautman; Ulmer; Urlacher; Vander Vorst; Wentz; Whalen; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: None

ABSENT AND NOT VOTING: Dalrymple; Dorso; Gerntholz; Graba; Gunsch; Hanson, O.; Hausauer, R.; Hoffner; Jensen; Kelly; Kingsbury; Laughlin; Mertens; Nicholas; Nowatzki; O'Shea; Payne; Peterson; Smette; Solberg; Sorensen; Stofferahn; Thompson, K.; Wald; Watne

(Committee on Appropriations members excused.)

HB 1321 passed and the title was agreed to.

HB 1331: A BILL for an Act to create and enact chapter 39-16.2 of the North Dakota Century Code, relating to financial responsibility requirements for liquified petroleum gas transporters; and to provide a penalty.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 82 YEAS, 0 NAYS, 24 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Aas; Anderson, B.; Anderson, R.; Belter; Berg, G.; Berg, R.; Bernstein; Brokaw; Carlson; Christman; Clayburgh; DeMers, J.; DeMers, P.; Dorso; Enget; Flaagan; Frey; Gates; Gerhardt; Gerl; Gilmore; Goetz; Gorman; Halmrast; Hanson, L.; Haugen; Haugland; Hausauer, A.; Hokana; Howard; Huether; Kaldor; Kloubec; Knell; Kolbo; Kouba; Lang; Larson, D.; Larson, R.; Lindgren; Marks; Martin; Martinson; Melby; Murphy; Myrdal; Nelson; Ness; Oban; Olsen, D.; Olson, A.; Olson, V.; Ring; Rydell; Schatz; Scherber; Schindler; Schmidt; Schneider; Shaft; Shide; Shockman; Skjerven; Soukup; Starke; Stenehjem; Thompson, V.; Timm; Tokach; Tollefson; Tomac; Trautman; Ulmer; Urlacher; Vander Vorst; Wentz; Whalen; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: None

ABSENT AND NOT VOTING: Dalrymple; Gerntholz; Graba; Gunsch; Hanson, O.; Hausauer, R.; Hoffner; Jensen; Kelly; Kingsbury; Laughlin; Mertens; Nicholas; Nowatzki; O'Shea; Payne; Peterson; Smette; Solberg; Sorensen; Stofferahn; Thompson, K.; Wald; Watne

(Committee on Appropriations members excused.)

HB 1331 passed and the title was agreed to.

MOTION

REP. KLOUBEC MOVED that HB 1353, HB 1358, HB 1373, HB 1385, HB 1440, HB 1442, HB 1468, HB 1492, HB 1496, HB 1510, HB 1556, and HB 1561 be placed at the head of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILLS

HB 1353: A BILL for an Act to amend and reenact subsection 3 of section 51-07-18 and section 51-07-22 of the North Dakota Century Code, relating to the location of dispute settlement hearings when a consumer seeks to return a defective motor vehicle and disclosure upon resale of returned vehicles.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 81 YEAS, 0 NAYS, 25 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Aas; Anderson, B.; Anderson, R.; Belter; Berg, G.; Berg, R.; Bernstein; Brokaw; Carlson; Christman; Clayburgh; DeMers, J.; DeMers, P.; Dorso; Enget; Flaagan; Frey; Gates; Gerhardt; Gerl; Gilmore; Goetz; Gorman; Halmrast; Hanson, L.; Haugen; Haugland; Hausauer, A.; Hokana; Howard; Huether; Kaldor; Kloubec; Knell; Kolbo; Kouba; Lang; Larson, D.; Larson, R.; Lindgren; Marks; Martin; Martinson; Melby; Murphy; Myrdal; Nelson; Ness; Oban; Olsen, D.; Olson, A.; Olson, V.; Ring; Rydell; Schatz; Scherber; Schindler; Schmidt; Shaft; Shide; Shockman; Skjerven; Soukup; Starke; Stenehjem; Thompson, V.; Timm; Tokach; Tollefson; Tomac; Trautman; Ulmer; Urlacher; Vander Vorst; Wentz; Whalen; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: None

ABSENT AND NOT VOTING: Dalrymple; Gerntholz; Graba; Gunsch; Hanson, O.; Hausauer, R.; Hoffner; Jensen; Kelly; Kingsbury; Laughlin; Mertens; Nicholas; Nowatzki; O'Shea; Payne; Peterson; Schneider; Smette; Solberg; Sorensen; Stofferahn; Thompson, K.; Wald; Watne

(Committee on Appropriations members excused.)

HB 1353 passed and the title was agreed to.

HB 1358: A BILL for an Act to create and enact a new section to chapter 6-08 of the North Dakota Century Code, relating to advertising of certificates of deposit.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 37 YEAS, 44 NAYS, 25 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, R.; Bernstein; Brokaw; Carlson; Christman; DeMers, J.; DeMers, P.; Enget; Flaagan; Gates; Gilmore; Gorman; Haugen; Hokana; Howard; Huether; Kaldor; Knell; Kolbo; Kouba; Lindgren; Martin; Melby; Murphy; Olson, V.; Ring; Scherber; Schindler; Schmidt; Shockman; Thompson, V.; Timm; Tomac; Urlacher; Vander Vorst; Williams, A.

NAYS: Aas; Anderson, B.; Belter; Berg, G.; Berg, R.; Clayburgh; Dorso; Frey; Gerhardt; Gerl; Goetz; Halmrast; Hanson, L.; Haugland; Hausauer, A.; Kloubec; Lang; Larson, D.; Larson, R.; Marks; Martinson; Myrdal; Nelson; Ness; Oban; Olsen, D.; Olson, A.; Rydell; Schatz; Shaft; Shide; Skjerven; Soukup; Starke; Stenehjem; Tokach; Tollefson; Trautman; Ulmer; Wentz; Whalen; Wilkie; Williams, W.; Speaker Kretschmar

ABSENT AND NOT VOTING: Dalrymple; Gerntholz; Graba; Gunsch; Hanson, O.; Hausauer, R.; Hoffner; Jensen; Kelly; Kingsbury; Laughlin; Mertens; Nicholas; Nowatzki; O'Shea; Payne; Peterson; Schneider; Smette; Solberg; Sorensen; Stofferahn; Thompson, K.; Wald; Watne

(Committee on Appropriations members excused.)

HB 1358 lost.

MOTION

REP. R. ANDERSON MOVED that HB 1373 be laid over one legislative day, which motion prevailed.

SECOND READING OF HOUSE BILLS

HB 1385: A BILL for an Act to create and enact a new section to chapter 40-49 of the North Dakota Century Code, relating to park district initiative and referendum powers.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 6 YEAS, 73 NAYS, 27 ABSENT AND NOT VOTING.

YEAS: DeMers, J.; Gilmore; Hanson, L.; Hausauer, A.; Martinson; Rydell

NAYS: Aarsvold; Anderson, R.; Belter; Berg, G.; Berg, R.; Bernstein; Brokaw; Carlson; Christman; Clayburgh; DeMers, P.; Dorso; Enget; Flaagan; Frey; Gates; Gerhardt; Gerl; Goetz; Gorman; Halmrast; Haugen; Haugland; Hokana; Howard; Huether; Kaldor; Kloubec; Knell; Kolbo; Kouba; Lang; Larson, D.; Larson, R.; Lindgren; Martin; Melby; Murphy; Myrdal; Nelson; Ness; Nicholas; Oban; Olsen, D.; Olson, A.; Olson, V.; Ring; Schatz; Scherber; Schindler; Schmidt; Shaft; Shide; Shockman; Skjerven; Soukup; Starke; Stenehjem; Thompson, V.; Timm; Tokach; Tollefson; Tomac; Trautman; Ulmer; Urlacher; Vander Vorst; Wentz; Whalen; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

ABSENT AND NOT VOTING: Aas; Anderson, B.; Dalrymple; Gerntholz; Graba; Gunsch; Hanson, O.; Hausauer, R.; Hoffner; Jensen; Kelly; Kingsbury; Laughlin; Marks; Mertens; Nowatzki; O'Shea; Payne; Peterson; Schneider; Smette; Solberg; Sorensen; Stofferahn; Thompson, K.; Wald; Watne

(Committee on Appropriations members excused.)

HB 1385 lost.

HB 1440: A BILL for an Act to amend and reenact section 10-06-01 of the North Dakota Century Code, relating to conversion of a farm corporation to a business corporation.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 77 YEAS, 4 NAYS, 25 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, R.; Belter; Berg, G.; Berg, R.; Bernstein; Carlson; Christman; Clayburgh; DeMers, J.; DeMers, P.; Dorso; Enget; Flaagan; Frey; Gates; Gerhardt; Gerl; Gilmore; Goetz; Gorman; Halmrast; Hanson, L.; Haugen; Haugland; Hausauer, A.; Hokana; Howard; Kaldor; Kloubec; Knell; Kolbo; Kouba; Lang; Larson, D.; Larson, R.; Lindgren; Marks; Martin; Martinson; Melby; Murphy; Myrdal; Nelson; Ness; Nicholas; Oban; Olsen, D.; Olson, A.; Olson, V.; Ring; Rydell; Schatz; Scherber; Schindler; Schmidt; Shaft; Shide; Skjerven; Soukup; Starke; Stenehjem; Thompson, V.; Timm; Tokach; Tollefson; Tomac; Trautman;

Ulmer; Urlacher; Vander Vorst; Wentz; Whalen; Wilkie; Williams, A.;
Williams, W.; Speaker Kretschmar

NAYS: Anderson, B.; Brokaw; Huether; Shockman

ABSENT AND NOT VOTING: Aas; Dalrymple; Gerntholz; Graba; Gunsch; Hanson, O.;
Hausauer, R.; Hoffner; Jensen; Kelly; Kingsbury; Laughlin; Mertens;
Nowatzki; O'Shea; Payne; Peterson; Schneider; Smette; Solberg;
Sorensen; Stofferahn; Thompson, K.; Wald; Watne

(Committee on Appropriations members excused.)

HB 1440 passed and the title was agreed to.

HB 1442: A BILL for an Act to create and enact a new subdivision to
subsection 1 of section 57-38-01.3 of the North Dakota Century Code,
relating to adjustments to taxable income for corporations.

ROLL CALL

The question being on the final passage of the bill, which has been read, the
roll was called and there were 81 YEAS, 0 NAYS, 25 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Anderson, R.; Belter; Berg, G.; Berg, R.;
Bernstein; Brokaw; Carlson; Christman; Clayburgh; DeMers, J.;
DeMers, P.; Dorso; Enget; Flaagan; Frey; Gates; Gerhardt; Gerl;
Gilmore; Goetz; Gorman; Halmarst; Hanson, L.; Haugen; Haugland;
Hausauer, A.; Hokana; Howard; Huether; Kaldor; Kloubeck; Knell; Kolbo;
Kouba; Lang; Larson, D.; Larson, R.; Lindgren; Marks; Martin;
Martinson; Melby; Murphy; Myrdal; Nelson; Ness; Nicholas; Oban;
Olsen, D.; Olson, A.; Olson, V.; Ring; Rydell; Schatz; Scherber;
Schindler; Schmidt; Shaft; Shide; Shockman; Skjerven; Soukup; Starke;
Stenehjem; Thompson, V.; Timm; Tokach; Tollefson; Tomac; Trautman;
Ulmer; Urlacher; Vander Vorst; Wentz; Whalen; Wilkie; Williams, A.;
Williams, W.; Speaker Kretschmar

NAYS: None

ABSENT AND NOT VOTING: Aas; Dalrymple; Gerntholz; Graba; Gunsch; Hanson, O.;
Hausauer, R.; Hoffner; Jensen; Kelly; Kingsbury; Laughlin; Mertens;
Nowatzki; O'Shea; Payne; Peterson; Schneider; Smette; Solberg;
Sorensen; Stofferahn; Thompson, K.; Wald; Watne

(Committee on Appropriations members excused.)

HB 1442 passed and the title was agreed to.

HB 1468: A BILL for an Act to amend and reenact sections 14-03-09,
16.1-15-08, 16.1-15-09, 16.1-15-11, 16.1-15-13, and 16.1-16-07 of the
North Dakota Century Code, relating to the authority of magistrates to
perform marriages and the duty of magistrates to preserve election
ballots.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 81 YEAS, 0 NAYS, 25 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Aas; Anderson, B.; Anderson, R.; Belter; Berg, G.; Berg, R.; Bernstein; Brokaw; Carlson; Christman; Clayburgh; DeMers, J.; DeMers, P.; Dorso; Enget; Flaagan; Frey; Gates; Gerhardt; Gerl; Gilmore; Goetz; Gorman; Halmrast; Hanson, L.; Haugen; Haugland; Hausauer, A.; Hokana; Howard; Huether; Kaldor; Kloubec; Knell; Kolbo; Kouba; Lang; Larson, D.; Larson, R.; Lindgren; Marks; Martin; Martinson; Melby; Murphy; Myrdal; Nelson; Ness; Nicholas; Oban; Olsen, D.; Olson, A.; Olson, V.; Ring; Rydell; Schatz; Scherber; Schindler; Schmidt; Shaft; Shide; Shockman; Skjerven; Soukup; Stenehjem; Thompson, V.; Timm; Tokach; Tollefson; Tomac; Trautman; Ulmer; Urlacher; Vander Vorst; Wentz; Whalen; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: None

ABSENT AND NOT VOTING: Dalrymple; Gerntholz; Graba; Gunsch; Hanson, O.; Hausauer, R.; Hoffner; Jensen; Kelly; Kingsbury; Laughlin; Mertens; Nowatzki; O'Shea; Payne; Peterson; Schneider; Smette; Solberg; Sorensen; Starke; Stofferahn; Thompson, K.; Wald; Watne

(Committee on Appropriations members excused.)

HB 1468 passed and the title was agreed to.

HB 1492: A BILL for an Act to amend and reenact subsection 1 of section 26.1-36-04 and sections 26.1-36-05 and 26.1-36-06 of the North Dakota Century Code, relating to benefits for services provided by registered nurses under accident and health insurance policies and contracts; and to repeal section 26.1-17-12.1 of the North Dakota Century Code, relating to benefits for services performed by registered nurses under health service contracts issued by nonprofit health service corporations.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 12 YEAS, 70 NAYS, 24 ABSENT AND NOT VOTING.

YEAS: Haugen; Howard; Knell; Larson, D.; Melby; Murphy; Myrdal; Olson, A.; Shockman; Tomac; Vander Vorst; Speaker Kretschmar

NAYS: Aarsvold; Aas; Anderson, B.; Anderson, R.; Belter; Berg, G.; Berg, R.; Bernstein; Brokaw; Carlson; Christman; Clayburgh; DeMers, J.; DeMers, P.; Dorso; Enget; Flaagan; Frey; Gates; Gerhardt; Gerl; Gilmore; Goetz; Gorman; Halmrast; Hanson, L.; Haugland; Hausauer, A.; Hokana; Huether; Kaldor; Kloubec; Kolbo; Kouba; Lang; Larson, R.; Lindgren; Marks; Martin; Martinson; Nelson; Ness; Nicholas; Oban; Olsen, D.; Olson, V.; Ring; Rydell; Schatz; Scherber; Schindler; Schmidt; Shaft; Shide; Skjerven; Soukup; Starke; Stenehjem; Thompson, V.; Timm; Tokach; Tollefson; Trautman; Ulmer; Urlacher; Wentz; Whalen; Wilkie; Williams, A.; Williams, W.

ABSENT AND NOT VOTING: Dalrymple; Gerntholz; Graba; Gunsch; Hanson, O.; Hausauer, R.; Hoffner; Jensen; Kelly; Kingsbury; Laughlin; Mertens; Nowatzki; O'Shea; Payne; Peterson; Schneider; Smette; Solberg; Sorensen; Stofferahn; Thompson, K.; Wald; Watne

(Committee on Appropriations members excused.)

HB 1492 lost.

HB 1496: A BILL for an Act to amend and reenact section 12-44.1-02 of the North Dakota Century Code, relating to the abilities of cities and counties to contract with private entities to provide adult jail services.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 84 YEAS, 8 NAYS, 14 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Aas; Anderson, B.; Anderson, R.; Belter; Berg, G.; Berg, R.; Bernstein; Brokaw; Carlson; Christman; Clayburgh; DeMers, P.; Dorso; Enget; Flaagan; Frey; Gates; Gerhardt; Gerl; Goetz; Gorman; Graba; Halmrast; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hoffner; Hokana; Howard; Huether; Jensen; Kaldor; Kloubec; Knell; Kolbo; Kouba; Lang; Larson, D.; Larson, R.; Laughlin; Lindgren; Marks; Martin; Martinson; Melby; Murphy; Nelson; Nicholas; Oban; Olsen, D.; Olson, V.; Payne; Rydell; Schatz; Schindler; Schmidt; Shaft; Shide; Shockman; Skjerven; Solberg; Soukup; Starke; Stenehjem; Stofferahn; Thompson, V.; Timm; Tokach; Tollefson; Tomac; Trautman; Ulmer; Urlacher; Vander Vorst; Watne; Wentz; Whalen; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: DeMers, J.; Gilmore; Myrdal; Ness; Olson, A.; O'Shea; Ring; Scherber

ABSENT AND NOT VOTING: Dalrymple; Gerntholz; Gunsch; Hausauer, R.; Kelly; Kingsbury; Mertens; Nowatzki; Peterson; Schneider; Smette; Sorensen; Thompson, K.; Wald

(Committee on Appropriations members excused.)

HB 1496 passed and the title was agreed to.

HB 1510: A BILL for an Act to create and enact a new section to chapter 58-04 to allow expansion of the board of township supervisors from three to five members; and to amend and reenact sections 58-04-02 and 58-05-02 of the North Dakota Century Code, relating to special township meetings and officers of a township.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 87 YEAS, 8 NAYS, 11 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Aas; Anderson, B.; Anderson, R.; Belter; Berg, G.; Berg, R.; Bernstein; Brokaw; Carlson; Christman; Clayburgh; Dalrymple; DeMers, J.; DeMers, P.; Enget; Flaagan; Frey; Gates; Gerl; Gilmore;

Goetz; Gorman; Graba; Halmrast; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hoffner; Hokana; Howard; Huether; Jensen; Kaldor; Kelly; Kloubec; Kolbo; Kouba; Lang; Larson, D.; Larson, R.; Laughlin; Lindgren; Marks; Martin; Martinson; Melby; Mertens; Murphy; Nelson; Nicholas; Oban; Olsen, D.; Olson, V.; O'Shea; Payne; Ring; Rydell; Schatz; Scherber; Schindler; Schmidt; Shaft; Shide; Shockman; Skjerven; Solberg; Sorensen; Soukup; Starke; Stenehjem; Stofferahn; Thompson, V.; Tokach; Tollefson; Tomac; Trautman; Ulmer; Urlacher; Vander Vorst; Watne; Wentz; Wilkie; Williams, A.; Williams, W.

NAYS: Dorso; Knell; Myrdal; Ness; Olson, A.; Timm; Whalen; Speaker Kretschmar

ABSENT AND NOT VOTING: Gerhardt; Gerntholz; Gunsch; Hausauer, R.; Kingsbury; Nowatzki; Peterson; Schneider; Smette; Thompson, K.; Wald

(Committee on Appropriations members excused.)

HB 1510 passed and the title was agreed to.

HB 1556: A BILL for an Act to create and enact subsection 5 of section 15-01-02 of the North Dakota Century Code, relating to the authority of the board of university and school lands to issue refunds; and to declare an emergency.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 97 YEAS, 0 NAYS, 9 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Aas; Anderson, B.; Anderson, R.; Belter; Berg, G.; Berg, R.; Bernstein; Brokaw; Carlson; Christman; Clayburgh; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Enget; Flaagan; Frey; Gates; Gilmore; Goetz; Gorman; Graba; Gunsch; Halmrast; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hoffner; Hokana; Howard; Huether; Jensen; Kaldor; Kelly; Kloubec; Knell; Kolbo; Kouba; Lang; Larson, D.; Larson, R.; Laughlin; Lindgren; Marks; Martin; Martinson; Melby; Mertens; Murphy; Myrdal; Nelson; Ness; Nicholas; Nowatzki; Oban; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Ring; Rydell; Schatz; Scherber; Schindler; Schmidt; Shaft; Shide; Shockman; Skjerven; Smette; Solberg; Sorensen; Soukup; Starke; Stenehjem; Stofferahn; Thompson, V.; Timm; Tokach; Tollefson; Tomac; Trautman; Ulmer; Urlacher; Vander Vorst; Watne; Wentz; Whalen; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: None

ABSENT AND NOT VOTING: Gerhardt; Gerl; Gerntholz; Hausauer, R.; Kingsbury; Peterson; Schneider; Thompson, K.; Wald

(Committee on Appropriations members excused.)

HB 1556 passed, the title was agreed to, and the emergency clause carried.

HB 1561: A BILL for an Act to amend and reenact section 23-11-05 of the North Dakota Century Code, relating to per diem compensation of commissioners of a housing authority.

ROLL CALL

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

YEAS: Aarsvold; Aas; Anderson, B.; Anderson, R.; Belter; Berg, G.; Berg, R.; Bernstein; Brokaw; Carlson; Christman; Clayburgh; Dalrymple; DeMers, J.; Dorso; Enget; Flaagan; Frey; Gates; Gerhardt; Gilmore; Goetz; Gorman; Graba; Gunsch; Halmrast; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hoffner; Hokana; Howard; Huether; Jensen; Kaldor; Kelly; Kloubec; Knell; Kolbo; Kouba; Lang; Larson, D.; Larson, R.; Laughlin; Lindgren; Marks; Martin; Martinson; Melby; Mertens; Murphy; Myrdal; Nelson; Nicholas; Nowatzki; Oban; Olsen, D.; Olson, A.; Olson, V.; Payne; Ring; Rydell; Schatz; Scherber; Schindler; Schmidt; Shaft; Shide; Shockman; Skjerven; Smette; Solberg; Sorensen; Soukup; Starke; Stenehjem; Stofferahn; Thompson, K.; Thompson, V.; Timm; Tokach; Tollefson; Tomac; Trautman; Ulmer; Urlacher; Vander Vorst; Watne; Wentz; Whalen; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: DeMers, P.; Ness; O'Shea; Wilkie

ABSENT AND NOT VOTING: Gerl; Gerntholz; Hausauer, R.; Kingsbury; Peterson; Schneider; Wald

(Committee on Appropriations members excused.)

HB 1561 passed and the title was agreed to.

MOTIONS

REP. KLOUBEC MOVED that HB 1596, HB 1598, HB 1622, HB 1657, HCR 3037, HCR 3044, HCR 3049, HCR 3053, HB 1408, and HB 1552 be placed at the top of the calendar, which motion prevailed.

REP. KLOUBEC MOVED that HB 1657 be placed directly after HB 1622 on the calendar, which motion prevailed.

REP. NESS MOVED that HB 1657 be laid over one legislative day, which motion prevailed.

REQUEST

REP. KLOUBEC REQUESTED that the record show that the members of the Committee on Judiciary (Reps. Wentz, Shaft, Aas, Howard, Kouba, Larson, Murphy, Urlacher, Kaldor, Kolbo, Nelson, Ring, Shockman, Ulmer, and A. Williams) be excused to attend a committee meeting, which request was granted.

MOTION

REP. TIMM MOVED that HB 1657, which is on the Eleventh order, be rereferred to the Committee on Transportation, which motion prevailed. Pursuant to Rep. Timm's motion, HB 1657 was rereferred.

SECOND READING OF HOUSE BILLS

HB 1622: A BILL for an Act to amend and reenact sections 43-26-06 and 43-26-09 of the North Dakota Century Code, relating to payment of application and renewal fees by physical therapists.

ROLL CALL

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

YEAS: Aarsvold; Aas; Anderson, B.; Anderson, R.; Belter; Berg, G.; Berg, R.; Bernstein; Brokaw; Carlson; Christman; Clayburgh; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Enget; Flaagan; Frey; Gates; Gerhardt; Gerl; Gerntholz; Gilmore; Goetz; Gorman; Graba; Halmrast; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hoffner; Hokana; Howard; Huether; Jensen; Kaldor; Kelly; Kloubec; Knell; Kolbo; Kouba; Lang; Larson, D.; Larson, R.; Laughlin; Marks; Martin; Martinson; Melby; Mertens; Murphy; Myrdal; Nelson; Ness; Nicholas; Nowatzki; Oban; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Ring; Rydell; Schatz; Scherber; Schindler; Schmidt; Shaft; Shide; Shockman; Skjerven; Smette; Solberg; Sorensen; Soukup; Starke; Stenehjem; Stofferahn; Thompson, K.; Thompson, V.; Timm; Tokach; Tollefson; Tomac; Trautman; Ulmer; Urlacher; Vander Vorst; Watne; Wentz; Whalen; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: Gunsch

ABSENT AND NOT VOTING: Hausauer, R.; Kingsbury; Lindgren; Peterson; Schneider; Wald

(Committee on Appropriations members excused.)

HB 1622 passed and the title was agreed to.

HB 1596: A BILL for an Act to amend and reenact section 15-44-02 of the North Dakota Century Code, relating to reporting of criminal fines proceeds by the county treasurer to the state treasurer.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 93 YEAS, 0 NAYS, 13 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Anderson, R.; Belter; Berg, G.; Berg, R.; Bernstein; Brokaw; Carlson; Christman; Clayburgh; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Enget; Flaagan; Frey; Gates; Gerhardt; Gerl; Gerntholz; Gilmore; Goetz; Gorman; Graba; Gunsch; Halmrast; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hoffner; Hokana; Howard; Huether; Jensen; Kelly; Kloubec; Knell; Kolbo; Kouba; Lang; Larson, D.; Larson, R.; Laughlin; Marks; Martin; Martinson; Melby; Mertens; Murphy; Myrdal; Nelson; Ness; Nicholas; Nowatzki; Oban; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Ring; Rydell; Schatz; Scherber; Schindler; Schmidt; Shide; Shockman; Skjerven; Smette; Solberg; Sorensen; Soukup; Starke; Stofferahn; Thompson, K.; Thompson, V.; Timm; Tokach; Tollefson; Tomac; Trautman; Vander Vorst; Watne; Whalen; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: None

ABSENT AND NOT VOTING: Aas; Hausauer, R.; Kaldor; Kingsbury; Lindgren; Peterson; Schneider; Shaft; Stenehjelm; Ulmer; Urlacher; Wald; Wentz

(Committee on Judiciary members excused.)

HB 1596 passed and the title was agreed to.

HB 1598: A BILL for an Act to create and enact two new sections to chapter 4-09 of the North Dakota Century Code, relating to a state seed mediation board.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 86 YEAS, 0 NAYS, 20 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Anderson, R.; Belter; Berg, G.; Berg, R.; Bernstein; Brokaw; Carlson; Christman; Clayburgh; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Enget; Flaagan; Frey; Gates; Gerhardt; Gerl; Gerntholz; Gilmore; Goetz; Gorman; Graba; Gunsch; Halmrast; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hoffner; Hokana; Huether; Jensen; Kelly; Kloubec; Knell; Lang; Larson, R.; Laughlin; Marks; Martin; Martinson; Melby; Myrdal; Ness; Nicholas; Nowatzki; Oban; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Rydell; Schatz; Scherber; Schindler; Schmidt; Shide; Shockman; Skjerven; Smette; Solberg; Sorensen; Soukup; Starke; Stofferahn; Thompson, K.; Thompson, V.; Timm; Tokach; Tollefson; Tomac; Trautman; Vander Vorst; Wald; Watne; Whalen; Wilkie; Williams, W.; Speaker Kretschmar

NAYS: None

ABSENT AND NOT VOTING: Aas; Howard; Kaldor; Kingsbury; Kolbo; Kouba; Larson, D.; Lindgren; Mertens; Murphy; Nelson; Peterson; Ring; Schneider; Shaft; Stenehjelm; Ulmer; Urlacher; Wentz; Williams, A.

(Committee on Judiciary members excused.)

HB 1598 passed and the title was agreed to.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3037: A concurrent resolution directing the Legislative Council to study the role of agricultural education in the public schools in this state.

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

HCR 3037 was declared adopted on a voice vote.

MOTION

REP. KLOUBEC MOVED that HCR 3049 be placed at the head of the calendar, which motion prevailed.

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

HCR 3049: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of consolidating the various agricultural loan programs administered by the Bank of North Dakota.

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

HCR 3049 was declared adopted on a voice vote.

HCR 3044: A concurrent resolution urging federal agencies owning real property in North Dakota to participate in the North Dakota Centennial 100,000,000 Tree Project.

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

HCR 3044 was declared adopted on a voice vote.

HCR 3053: A concurrent resolution directing the Legislative Council to study the problems associated with the grading and purchasing of barley for malting purposes.

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

HCR 3053 was declared adopted on a voice vote.

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

MR. PRESIDENT: The House has passed and your favorable consideration is requested on: HB 1058, HB 1292, HB 1539, HB 1558, HB 1583.

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

MR. PRESIDENT: The House has passed unchanged: SCR 4051.

SECOND READING OF HOUSE BILLS

HB 1408: A BILL for an Act to amend and reenact subdivision a of subsection 1 of section 26.1-25-03 of the North Dakota Century Code, relating to the making of rates for insurance companies.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 88 YEAS, 0 NAYS, 18 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Anderson, R.; Belter; Berg, G.; Berg, R.; Bernstein; Brokaw; Carlson; Christman; Clayburgh; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Enget; Flaagan; Frey; Gates; Gerhardt; Gerl; Gertholz; Gilmore; Goetz; Gorman; Graba; Gunsch; Halmrast; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hoffner; Hokana; Huether; Jensen; Kelly; Kingsbury; Kloubec; Knell; Lang; Larson, R.; Laughlin; Marks; Martin; Martinson; Melby; Mertens; Myrdal; Ness; Nicholas; Nowatzki; Oban; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Peterson; Rydell; Schatz; Scherber; Schindler; Schmidt; Shide; Skjerven; Smette; Solberg; Sorensen; Soukup; Starke; Stofferahn; Thompson, K.; Thompson, V.; Timm; Tokach;

Tollefson; Tomac; Trautman; Vander Vorst; Wald; Watne; Whalen; Wilkie; Williams, W.; Speaker Kretschmar

NAYS: None

ABSENT AND NOT VOTING: Aas; Howard; Kaldor; Kolbo; Kouba; Larson, D.; Lindgren; Murphy; Nelson; Ring; Schneider; Shaft; Shockman; Stenehjem; Ulmer; Urlacher; Wentz; Williams, A.

(Committee on Judiciary members excused.)

HB 1408 passed and the title was agreed to.

HB 1552: A BILL for an Act to amend and reenact section 49-04-01 of the North Dakota Century Code, relating to utilities providing adequate service.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 4 YEAS, 80 NAYS, 22 ABSENT AND NOT VOTING.

YEAS: Berg, G.; Bernstein; Mertens; Trautman

NAYS: Aarsvold; Anderson, B.; Anderson, R.; Belter; Berg, R.; Brokaw; Carlson; Christman; Clayburgh; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Enget; Flaagan; Frey; Gates; Gerhardt; Gerl; Gerntholz; Gilmore; Goetz; Gorman; Graba; Gunsch; Halmrast; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hausauer, R.; Hoffner; Hokana; Huether; Jensen; Kelly; Kingsbury; Kloubec; Knell; Lang; Larson, R.; Laughlin; Marks; Martin; Martinson; Melby; Myrdal; Ness; Nowatzki; Oban; Olsen, D.; Olson, V.; O'Shea; Payne; Rydell; Schatz; Scherber; Schindler; Schmidt; Shide; Skjerven; Smette; Solberg; Sorensen; Soukup; Starke; Stofferahn; Thompson, K.; Thompson, V.; Timm; Tokach; Tollefson; Tomac; Vander Vorst; Wald; Watne; Whalen; Wilkie; Williams, W.; Speaker Kretschmar

ABSENT AND NOT VOTING: Aas; Haugen; Howard; Kaldor; Kolbo; Kouba; Larson, D.; Lindgren; Murphy; Nelson; Nicholas; Olson, A.; Peterson; Ring; Schneider; Shaft; Shockman; Stenehjem; Ulmer; Urlacher; Wentz; Williams, A.

(Committee on Judiciary members excused.)

HB 1552 lost.

MOTION

REP. KLOUBEC MOVED that HB 1577 and HB 1585 be placed at the top of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILLS

HB 1577: A BILL for an Act to amend and reenact section 10-23-01 of the North Dakota Century Code, relating to annual reports of domestic and foreign corporations.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 87 YEAS, 0 NAYS, 19 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Anderson, R.; Belter; Berg, G.; Berg, R.; Bernstein; Brokaw; Carlson; Christman; Clayburgh; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Enget; Flaagan; Frey; Gates; Gerhardt; Gerl; Gerntholz; Gilmore; Goetz; Gorman; Graba; Gunsch; Halmrast; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hoffner; Hokana; Huether; Jensen; Kelly; Kingsbury; Kloubec; Knell; Lang; Larson, R.; Laughlin; Marks; Martin; Martinson; Melby; Mertens; Myrdal; Ness; Nowatzki; Oban; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Peterson; Rydell; Schatz; Scherber; Schindler; Schmidt; Shide; Skjervén; Smette; Solberg; Sorensen; Soukup; Starke; Stofferahn; Thompson, K.; Thompson, V.; Timm; Tokach; Tollefson; Tomac; Trautman; Vander Vorst; Wald; Watne; Whalen; Wilkie; Williams, W.; Speaker Kretschmar

NAYS: None

ABSENT AND NOT VOTING: Aas; Howard; Kaldor; Kolbo; Kouba; Larson, D.; Lindgren; Murphy; Nelson; Nicholas; Ring; Schneider; Shaft; Shockman; Stenehjém; Ulmer; Urlacher; Wentz; Williams, A.

(Committee on Judiciary members excused.)

HB 1577 passed and the title was agreed to.

HB 1585: A BILL for an Act to provide for regulation of wholesale drug distributors; and to provide a penalty.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 87 YEAS, 0 NAYS, 19 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Anderson, R.; Belter; Berg, G.; Berg, R.; Bernstein; Brokaw; Carlson; Christman; Clayburgh; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Enget; Flaagan; Frey; Gates; Gerhardt; Gerl; Gerntholz; Gilmore; Goetz; Gorman; Graba; Gunsch; Halmrast; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hoffner; Hokana; Huether; Jensen; Kelly; Kingsbury; Kloubec; Knell; Lang; Larson, R.; Laughlin; Marks; Martin; Martinson; Melby; Mertens; Myrdal; Ness; Nowatzki; Oban; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Peterson; Rydell; Schatz; Scherber; Schindler; Schmidt; Shide; Skjervén; Smette; Solberg; Sorensen; Soukup; Starke; Stofferahn; Thompson, K.; Thompson, V.; Timm; Tokach; Tollefson; Tomac; Trautman; Vander Vorst; Wald; Watne; Whalen; Wilkie; Williams, W.; Speaker Kretschmar

NAYS: None

ABSENT AND NOT VOTING: Aas; Howard; Kaldor; Kolbo; Kouba; Larson, D.; Lindgren; Murphy; Nelson; Nicholas; Ring; Schneider; Shaft; Shockman; Stenehjém; Ulmer; Urlacher; Wentz; Williams, A.

(Committee on Judiciary members excused.)

HB 1585 passed and the title was agreed to.

SECOND READING OF HOUSE AND SENATE CONCURRENT RESOLUTIONS
ON CONSENT CALENDAR

HCR 3050: A concurrent resolution directing the Legislative Council to study the fees charged by agencies, boards, commissions, departments, and other instrumentalities of the state and its political subdivisions.

HCR 3052: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of periodically and systematically reviewing all statutorily created boards, commissions, committees, and councils to determine the necessity of those bodies.

HCR 3031: A concurrent resolution urging the Secretary of Transportation to refrain from adopting regulations to reduce essential air service levels or impede current service levels until the Congress of the United States has had the opportunity to review the department's actions and appropriate supplemental funding for the Essential Air Service program.

HCR 3034: A concurrent resolution urging the National Economic Commission and Congress to reject any proposals to increase federal excise taxes on motor fuels.

HCR 3036: A concurrent resolution urging Congress to restore full funding of the Little Missouri Bay public recreation area to ensure its continued operation.

HCR 3042: A concurrent resolution urging the Governor to designate May 1989 as Motorcycle Safety and Awareness Month.

SCR 4006: A concurrent resolution directing the Legislative Council to study issues and the feasibility of various options relating to the provision of adequate and affordable health insurance coverage for retired members of the Teachers' Fund for Retirement and the judges' retirement program, and for other retired state employees and officials not participating in the Public Employees Retirement System or the Highway Patrolmen's Retirement System.

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

The resolutions were adopted on a voice vote.

MOTIONS

REP. KLOUBEC MOVED that the absent members be excused, which motion prevailed.

REP. KLOUBEC MOVED that the House be on the Fifth order of business, and at the conclusion of the Fifth order, the House be on the Ninth order of business, and at the conclusion of the Ninth order, the House be on the Thirteenth order of business, and at the conclusion of the Thirteenth order, the House stand adjourned until 10:00 a.m., Thursday, February 16, 1989, which motion prevailed.

REPORTS OF STANDING COMMITTEES

MR. SPEAKER: Your Committee on Human Services and Veterans Affairs (Rep. Haugland, Chairman) to which was referred HB 1038 has had the same under consideration and recommends by a vote of 15 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact sections 25-02-03 and 25-03.1-04 of the North Dakota Century Code, relating to the purpose of the state hospital and admissions to public treatment facilities.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

"SECTION 1. AMENDMENT. Section 25-02-03 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

25-02-03. Object of state hospital. The state hospital is an institution for mental diseases serving specialized populations of the mentally ill, including persons suffering from drug addiction or alcoholism. The state hospital is one component of the North Dakota mental health delivery system and serves as a resource to community-based treatment programs. The state hospital shall, pursuant to rules adopted by the department of human services, receive and care for all mentally ill persons, including persons suffering from drug addiction or alcoholism, residing within this state who may be committed to its care, in accordance with the provisions of this title, and shall furnish to such those mentally ill persons all needed food, shelter, treatment, and support which that may tend to restore their mental health or to alleviate their illness or suffering.

SECTION 2. AMENDMENT. Section 25-03.1-04 of the 1987 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

25-03.1-04. Voluntary admission. An Pursuant to rules adopted by the department, an application for admission to the state hospital or a public treatment facility for observation, diagnosis, care, or treatment as a voluntary patient may be made by any person who is mentally ill, an alcoholic, or a drug addict, or who has symptoms of such illnesses. An application for admission as a voluntary patient may be made on behalf of a minor who is mentally ill, an alcoholic, or a drug addict, or who has symptoms of such illnesses, by his the minor's parent or legal guardian. The application may must be submitted to a public treatment facility or to the state hospital, both of which shall have the authority to admit and treat the applicant, regional human services center, or, in an emergency, to the state hospital. Upon receipt of an application, the regional human service center must arrange for an evaluation of the applicant and must, if appropriate, treat the applicant, or refer the applicant to the appropriate treatment facility. Upon admittance to a public treatment facility, the superintendent or the director shall immediately designate a physician, psychiatrist, clinical psychologist, or mental health professional to examine the patient.

Renumber accordingly

HB 1038 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Industry, Business and Labor (Rep. Whalen, Chairman) to which was referred HB 1089 has had the same under consideration and recommends by a vote of 10 YEAS, 7 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

Page 1, line 10, replace "At" with "Effective January 1, 1990, at" and replace "two-thirds" with "a majority"

Page 1, line 11, after "corporation" insert "writing hospital or medical service contracts"

Page 1, line 12, remove "and not more than one-third of the directors may be health care"

Page 1, line 13, remove "providers as is provided in this section"

Page 1, line 15, after "has" insert "a"

Page 1, line 18, remove "or a member of the immediate family"

Page 1, line 19, remove "A subscriber director of a hospital or medical service corporation"

Page 1, remove lines 20 through 22

Page 2, remove lines 1 through 3

Page 2, line 4, after "corporation" insert "subject to this chapter"

Page 2, line 5, remove "subject to this chapter"

Page 2, remove lines 6 through 27

Page 2, line 28, replace "representation" with "representation"

Page 3, line 3, after "A" insert "health service", remove "provider", and remove "or a"

Page 3, line 4, replace "subscriber director" with "for" and replace "forty dollars per diem plus" with "the"

Page 3, line 5, replace "attendance at a meeting" with "service as a member"

Renumber accordingly

HB 1089 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Industry, Business and Labor (Rep. Whalen, Chairman) to which was referred HB 1155 has had the same under consideration and recommends by a vote of 13 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

Page 1, line 12, after the second "vehicle" insert ", excluding motor vehicles weighing more than twenty thousand pounds,", after "having" insert "two or", and remove "than three"

Page 2, line 16, after "is" insert "either"

Page 2, line 17, after the second "insured" insert ", or is independently verified by a disinterested witness"

Page 2, remove lines 23 and 24

Page 3, after line 2, insert:

"e. Operated by any person who is specifically excluded from coverage in the policy."

Page 3, line 8, replace "Except as otherwise provided in this section, no" with "No"

Page 3, line 19, remove "A named"

Page 3, remove lines 20 and 21

Page 4, line 18, remove "Unless a named insured has rejected uninsured motorist coverage,"

Page 4, line 19, replace the first "the" with "The" and remove ", at the request of a named insured,"

Page 6, line 1, replace "in" with "is"

Page 8, line 10, remove "and"

Page 8, line 14, replace the comma with "or"

Page 8, line 15, remove ", or judgment obtained"

Page 8, line 20, replace the period with "; and"

Page 8, after line 20, insert:

"8. If the insured has failed to report the accident to the proper law enforcement authorities as soon as practicable."

Page 8, line 25, remove ", rejection of coverage, or exercise of the option not to"

Page 8, remove line 26

Page 8, line 27, remove "this Act"

Page 8, line 29, remove "such"

Page 9, line 1, remove "coverage or" and remove ", rejection, or"

Page 9, line 2, remove "exercise of the option not to purchase,"

Renumber accordingly

HB 1155 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Human Services and Veterans Affairs (Rep. Haugland, Chairman) to which was referred HB 1167 has had the same under consideration and recommends by a vote of 15 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

Page 1, line 5, remove "subsection 5 of"

Page 1, line 19, after "nephew" insert "The family home care provider need not be present in the home on a twenty-four-hour basis if the welfare and safety of the client is maintained"

Page 2, line 4, replace "subsection 5 of section" with "Section"

Page 2, after line 6, insert:

"50-06.2-03. Powers and duties of the state agency. The state agency shall have the following powers or duties under this chapter:

1. To act as the official agency of the state in the administration of the human services programs for individuals and families in conformity with state and federal requirements.
2. To prepare, at least biennially, a comprehensive human services plan which must:
 - a. Include human services determined essential in effectuating the purposes of this chapter.
 - b. Detail the human services identified by the state agency for provision by human service centers and the services which the county agencies have agreed to make available in approved county plans as a condition for the receipt of any funds allocated or distributed by the state agency.
3. To make available, through county agencies or human service centers, any or all of the services set out in the comprehensive human services plan on behalf of those individuals and families determined to be eligible for those services under criteria established by the state agency.
4. To supervise and direct the comprehensive human services administered by county agencies and human service centers through standard-setting, technical assistance, approval of county and regional plans, preparation of the comprehensive human services plan, evaluation of comprehensive human service programs, and distribution of public money for services."

Page 2, line 13, after the comma insert "income, and resources,"

Page 2, after line 26, insert:

"6. To take actions, give directions, and adopt rules as necessary to carry out the provisions of this chapter.

For purposes of this chapter, resources do not include the person's primary home and the first fifty thousand dollars in assets."

Page 3, line 10, remove ", income, and resources"

Page 3, line 12, overstrike "and income"

ReNUMBER accordingly

HB 1167 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Human Services and Veterans Affairs (Rep. Haugland, Chairman) to which was referred HB 1205 has had the same under consideration and recommends by a vote of 16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

Page 1, line 4, after "governor" insert "; and to provide a statement of legislative intent"

Page 2, line 18, after the period insert "The council shall, with the approval of the governor, appoint a full-time director who shall assist the council. The director must be classified under the state personnel merit system."

Page 3, line 2, after the comma insert "a committee on the status of women,"

Page 3, line 15, overstrike "his" and insert immediately thereafter "the chairman's"

Page 3, line 28, overstrike "he" and insert immediately thereafter "the chairman"

Page 4, line 21, after the period insert "Each committee of the governor's council on human resources in its capacity of supervising and directing the protection and advocacy project is a single state agency, separate from and independent of the governor or any other state entity."

Page 5, line 19, overstrike "executive"

Page 5, line 21, overstrike "executive"

Page 6, line 23, overstrike "executive committee of the"

Page 6, after line 25, insert:

"SECTION 6. STATEMENT OF LEGISLATIVE INTENT. The legislative assembly recognizes that the capacity of the department of human services for accommodating the administrative needs and requirements of the developmental disabilities council exceeds that capacity within the governor's office. Therefore, it is the intent of the legislative assembly that the department of human services continue to provide administrative support for the developmental disabilities council. The

administrative support by the department must continue to include fiscal management and financial reporting, contract preparation, management, and supplemental clerical and office assistance. It is also the intent of the legislative assembly that the developmental disabilities council remain an autonomous entity completely independent from the governor's council on human resources and that in no way is the developmental disabilities council accountable to the governor's council on human resources or its committees."

Renumber accordingly

HB 1205 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Human Services and Veterans Affairs (Rep. Haugland, Chairman) to which was referred HB 1298 has had the same under consideration and recommends by a vote of 15 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

Page 2, line 28, after the period insert "The practitioner is not liable for the substitution made by a pharmacist."

Renumber accordingly

HB 1298 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Industry, Business and Labor (Rep. Whalen, Chairman) to which was referred HB 1285 has had the same under consideration and recommends by a vote of 15 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO NOT PASS.

HB 1285 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Judiciary (Rep. Wentz, Chairman) to which was referred HB 1340 has had the same under consideration and recommends by a vote of 16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same DO NOT PASS.

HB 1340 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Industry, Business and Labor (Rep. Whalen, Chairman) to which was referred HB 1372 has had the same under consideration and recommends by a vote of 13 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

Page 1, line 10, replace "do any of the following" with "advertise as a plumbing contractor, master plumber, or journeyman plumber"

Page 1, line 12, replace the colon with ". Any advertisement must contain the appropriate license number."

Page 1, remove lines 13 through 21

Page 2, remove lines 1 through 6

Renumber accordingly

HB 1372 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Industry, Business and Labor (Rep. Whalen, Chairman) to which was referred HB 1375 has had the same under consideration and recommends by a vote of 13 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

Page 1, line 10, replace "do any of the following" with "advertise as an electrical contractor, master electrician, or class B electrician"

Page 1, line 12, replace the colon with ". Any advertisement must contain the appropriate license number."

Page 1, remove lines 13 through 22

Page 2, remove lines 1 through 7

Renumber accordingly

HB 1375 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Industry, Business and Labor (Rep. Whalen, Chairman) to which was referred HB 1380 has had the same under consideration and recommends by a vote of 11 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING that the same DO NOT PASS.

HB 1380 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Industry, Business and Labor (Rep. Whalen, Chairman) to which was referred HB 1418 has had the same under consideration and recommends by a vote of 14 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING that the same DO NOT PASS.

HB 1418 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Education (Rep. Gates, Chairman) to which was referred HB 1421 has had the same under consideration and recommends by a vote of 8 YEAS, 7 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS and be referred to the Committee on Appropriations:

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

Page 1, line 3, remove "instruction in nonapproved private schools,"

Page 1, line 4, remove "or nonapproved private schools"

Page 1, line 5, after "sections" insert "15-19-01," and after "15-34.1-03" insert a comma

Page 1, line 6, after "to" insert "correspondence study by students receiving home-based instruction," and after "laws" insert a comma

Page 1, after line 11, insert:

"SECTION 1. AMENDMENT. Section 15-19-01 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

15-19-01. High school correspondence courses - Establishment - Enrollment of pupils - Courses of instruction. The state shall provide correspondence courses through the division of independent study under the following provisions:

1. A complete high school curriculum by correspondence which has been specifically determined by the state board of public school education as proper and suitable for instruction under correspondence methods, such determination and approval to be made not less than once in each school year, ~~shall~~ must be maintained upon the campus of one of the state institutions of higher education by the state board of public school education.
2. Unless specifically excused in writing upon the course application forms by the superintendent or an administrator of the school approving the enrollment application, or as provided in subsection 5 of this section all pupils under the age of sixteen taking advantage of the provisions of this chapter shall must be required to attend their local district schools and to study their correspondence lessons under the supervision of a local supervisor. If not required to attend their local schools, their work may be done at ~~such~~ a place ~~as may be~~ designated by the state director in accordance with the rules of the state board of public school education. If in attendance at a local school pupils ~~shall~~ must be supplied with desk space in their respective school without charge, and they shall attend school regularly, and ~~shall~~ be under the same disciplinary supervision of the teachers as the other school pupils.
3. The high school correspondence work ~~shall~~ must be completed in accordance with the rules ~~and regulations~~ established by the state board of public school education.
4. Correspondence pupils shall pay for books and materials used by them, postage required to mail reports to the division, and ~~such~~ other fees as may be prescribed by the board of public school education.
5. Pupils exempt from the compulsory school attendance laws pursuant to subsection 5 of section 15-34.1-03 may enroll in correspondence courses offered through the division of independent study. These students may study their correspondence lessons in their learning environment under the supervision of a parent."

Page 2, remove lines 26 and 27

Page 4, line 2, remove "or has received a general"

Page 4, line 3, remove "equivalency degree"

Page 4, line 8, replace "three" with "four"

Page 4, line 9, replace "seventy" with "eighty"

Page 4, line 26, replace "student" with "child"

Page 4, line 27, replace "student" with "child"

Page 5, remove lines 7 through 24

Page 5, line 27, remove "or education at nonapproved"

Page 5, line 28, remove "private schools"

Page 6, line 2, after "following" insert "minimum"

Page 6, line 3, replace "approved by the superintendent of" with "used by the school district in which the child resides"

Page 6, line 4, remove "public instruction"

Page 6, line 5, remove "or enrolled in a nonapproved private school"

Page 6, line 7, remove "or in which the school is located"

Page 6, line 9, replace "monitored" with "administered" and replace "or a person holding a" with "employed by the public school district in which the parent resides."

Page 6, remove line 10

Page 6, line 17, after "percentile" insert "nationally"

Page 6, line 20, remove "maintain"

Page 6, remove line 21

Page 6, line 28, remove "or 6"

Page 7, line 1, remove "either"

Page 7, line 2, remove "or instruction in a nonapproved private school"

Page 7, line 5, remove "or education in a nonapproved private"

Page 7, line 6, remove "school"

Page 8, line 3, remove "or education at a nonapproved private school"

Renumber accordingly

HB 1421 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Industry, Business and Labor (Rep. Whalen, Chairman) to which was referred HB 1427 has had the same under consideration and recommends by a vote of 10 YEAS, 6 NAYS, 1 ABSENT AND NOT VOTING that the same DO NOT PASS.

HB 1427 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Industry, Business and Labor (Rep. Whalen, Chairman) to which was referred HB 1448 has had the same under consideration and recommends by a vote of 17 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

Page 2, line 3, replace "March first" with "the due date" and after "Saturday" insert "or legal holiday"

Renumber accordingly

HB 1448 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Industry, Business and Labor (Rep. Whalen, Chairman) to which was referred HB 1461 has had the same under consideration and recommends by a vote of 13 YEAS, 1 NAY, 3 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

Page 1, line 8, replace "prohibited" with "optional" and replace "No" with "Any private passenger"

Page 1, line 10, remove "may be" and replace "if the" with "must provide at the option of the insured complete"

Page 1, remove line 11

Page 1, line 13, after "windows" insert "without regard to any deductible or similar reduction in coverage"

Renumber accordingly

HB 1461 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Industry, Business and Labor (Rep. Whalen, Chairman) to which was referred HB 1474 has had the same under consideration and recommends by a vote of 15 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING that the same DO NOT PASS.

HB 1474 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Human Services and Veterans Affairs (Rep. Haugland, Chairman) to which was referred HB 1497 has had the same under consideration and recommends by a vote of 11 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO NOT PASS:

Page 1, line 8, remove the overstrike over "~~1990~~"

Page 1, line 9, remove "1992"

Page 2, line 17, after the period insert "However, the provisions of this subsection do not constitute a prohibited practice until January 1, 1992."

Renumber accordingly

HB 1497 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Industry, Business and Labor (Rep. Whalen, Chairman) to which was referred HB 1500 has had the same under consideration and recommends by a vote of 10 YEAS, 7 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO NOT PASS:

Page 1, line 1, after "banking" insert "; and 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 taxation of banks in interstate banking"

Page 1, line 3, after "In" insert "sections 1 through 15 of"

Page 2, line 29, after "of" insert "sections 1 through 15 of"

Page 6, line 14, after "under" insert "sections 1 through 15 of"

Page 6, line 27, after "under" insert "sections 1 through 15 of"

Page 7, line 3, after "of" insert "sections 1 through 15 of"

Page 7, line 17, after "under" insert "sections 1 through 15 of"

Page 7, line 20, after "to" insert "sections 1 through 15 of"

Page 8, line 18, after "under" insert "sections 1 through 15 of"

Page 8, line 20, after "under" insert "sections 1 through 15 of"

Page 9, line 16, replace "This" with "Sections 1 through 15 of this" and replace "does" with "do"

Page 9, line 19, after "under" insert "sections 1 through 15 of"

Page 9, line 25, after the first "of" insert "sections 1 through 15 of"

Page 9, line 26, replace "this entire" with "sections 1 through 15 of this" and replace "is" with "are"

Page 9, after line 27, insert:

"SECTION 16. A new section to chapter 57-35 of the North Dakota Century Code is hereby created and enacted to read as follows:

Imposition of tax after reciprocal interstate banking. If the provisions of this chapter do not fairly represent the extent of the bank's business activity in this state and the bank is subject to the Reciprocal Interstate Banking Act, the tax commissioner may require, in respect to all or any part of the bank's business activity, if reasonable, the employment of another method to effectuate an equitable allocation and apportionment of the bank's income.

SECTION 17. A new section to chapter 57-35.2 of the North Dakota Century Code is hereby created and enacted to read as follows:

Payment of tax after reciprocal interstate banking. If the provisions of this chapter do not fairly represent the extent of the bank's business activity in this state and the bank is subject to the Reciprocal Interstate Banking Act, the tax commissioner, may require, in respect to all or any part of the bank's business activity, if reasonable, the employment of another method to effectuate an equitable allocation and apportionment of the bank's income."

Renumber accordingly

HB 1500 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Education (Rep. Gates, Chairman) to which was referred HB 1536 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO NOT PASS.

HB 1536 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Industry, Business and Labor (Rep. Whalen, Chairman) to which was referred HB 1540 has had the same under consideration and recommends by a vote of 16 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

Page 1, line 3, remove "; and to provide a penalty"

Page 1, line 8, remove "- Civil penalty"

Page 1, line 9, after "temporary" insert "farm and personal lines of"

Page 2, line 1, remove "The"

Page 2, remove lines 2 through 4

Page 2, line 5, remove "fails to comply with this section."

Page 2, line 6, after "bind" insert "farm and personal lines of insurance"

Renumber accordingly

HB 1540 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on State and Federal Government (Rep. Martinson, Chairman) to which was referred HB 1560 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

Page 1, line 1, after "to" insert "create and enact a new section to chapter 53-06.1 of the North Dakota Century Code, relating to electronic video devices; and to"

Page 2, after line 5, insert:

"SECTION 3. A new section to chapter 53-06.1 of the North Dakota Century Code is hereby created and enacted to read as follows:

Electronic video devices - Limit on rent. If electronic video devices are allowed for conducting games of chance, for all purposes associated with the privilege of conducting games of chance at a site other than where bingo is the primary game of chance, the monthly rent may not exceed one hundred fifty dollars multiplied by the number of electronic video devices operated."

Renumber accordingly

HB 1560 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Political Subdivisions (Rep. Lindgren, Chairman) to which was referred HB 1562 has had the same under consideration and recommends by a vote of 7 YEAS, 5 NAYS, 3 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

Page 1, line 2, remove "convention or"

Page 1, line 7, overstrike "convention" and remove "or"

Page 1, line 9, overstrike "convention" and remove "or"

Page 1, line 10, after the second comma insert "restaurant,"

Page 1, line 15, overstrike "convention" and remove "or"

Page 1, line 17, overstrike "convention" and remove "or"

Page 1, line 18, after the second comma insert "restaurant,"

Page 2, line 6, after the first comma insert "restaurant,"

Page 2, line 7, overstrike "convention" and remove "or"

Page 2, line 16, after the second comma insert "restaurant,"

Page 2, line 20, overstrike "convention" and remove "or"

Renumber accordingly

HB 1562 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Judiciary (Rep. Wentz, Chairman) to which was referred HB 1566 has had the same under consideration and recommends by a vote of 8 YEAS, 7 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

HB 1566 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on State and Federal Government (Rep. Martinson, Chairman) to which was referred HB 1586 has had the same under consideration and recommends by a vote of 12 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

Page 1, line 4, remove "15-39.1-24,"

Page 1, line 7, remove "the purchase of legislative service credit under"

Page 3, remove lines 26 through 28

Page 4, remove lines 1 through 29

Page 5, remove lines 1 through 21

Renumber accordingly

HB 1586 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Education (Rep. Gates, Chairman) to which was referred HB 1639 has had the same under consideration and recommends by a vote of 13 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING that the same DO NOT PASS.

HB 1639 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Industry, Business and Labor (Rep. Whalen, Chairman) to which was referred HB 1652 has had the same under consideration and recommends by a vote of 17 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

Page 1, line 11, remove "at least"

Page 1, line 12, remove "sixty-five years of age"

Page 1, line 13, replace "thirty" with "twenty"

Page 1, line 15, remove "unearned"

Page 1, line 16, remove "at least sixty-five years of age"

Page 1, line 19, replace "thirty" with "twenty"

Renumber accordingly

HB 1652 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Judiciary (Rep. Wentz, Chairman) to which was referred HCR 3032 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

HCR 3032 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Judiciary (Rep. Wentz, Chairman) to which was referred HCR 3035 has had the same under consideration and recommends by a vote of 15 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING that the same DO PASS.

HCR 3035 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Industry, Business and Labor (Rep. Whalen, Chairman) to which was referred HCR 3048 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same DO PASS.

HCR 3048 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on State and Federal Government (Rep. Martinson, Chairman) to which was referred SCR 4007 has had the same under consideration and recommends by a vote of 13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS and BE PLACED ON THE CONSENT CALENDAR.

SCR 4007 was placed on the Tenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on State and Federal Government (Rep. Martinson, Chairman) to which was referred SB 2211 has had the same under consideration and recommends by a vote of 13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

Page 3, line 6, after "advance" insert "except that the board may collect a share of a conservation reserve program payment paid by the federal government"

Page 3, line 8, after "years" insert "and any land accepted into the conservation reserve program may have a lease term that coincides with the term of the conservation reserve program contract if so provided in the lease"

Renumber accordingly

SB 2211 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on State and Federal Government (Rep. Martinson, Chairman) to which was referred SB 2225 has had the same under consideration and recommends by a vote of 13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

SB 2225 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on State and Federal Government (Rep. Martinson, Chairman) to which was referred SB 2250 has had the same under consideration and recommends by a vote of 13 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING that the same DO PASS.

SB 2250 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on State and Federal Government (Rep. Martinson, Chairman) to which was referred SB 2258 has had the same under consideration and recommends by a vote of 12 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING that the same DO PASS.

SB 2258 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on State and Federal Government (Rep. Martinson, Chairman) to which was referred SB 2285 has had the same under consideration and recommends by a vote of 10 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

SB 2285 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on State and Federal Government (Rep. Martinson, Chairman) to which was referred SCR 4012 has had the same under consideration and recommends by a vote of 13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

Page 1, line 19, remove "North Dakota"

Renumber accordingly

SCR 4012 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

FIRST READING OF HOUSE CONCURRENT RESOLUTIONS

Reps. Hoffner, Schindler and Sen. Kelsh introduced:

HCR 3061: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of restructuring the education system in this state.

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

Reps. Mertens, Kelly introduced:

HCR 3062: A concurrent resolution directing the Legislative Council to study the payment of occupational or professional licensing fees by state agencies and institutions.

Was read the first time and referred to the Committee on State and Federal Government.

FIRST READING OF SENATE BILLS

SB 2289: A BILL for an Act to amend and reenact section 14-07.2-06 of the North Dakota Century Code, relating to the confidentiality of sexual assault program records; to provide a penalty; and to declare an emergency.

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

SB 2302: A BILL for an Act to provide that the provisions of the federal Health Care Quality Improvement Act of 1986 are effective in this state; and to declare an emergency.

Was read the first time and referred to the Committee on Human Services and Veterans Affairs.

SB 2400: A BILL for an Act to amend and reenact section 5-02-05 of the North Dakota Century Code, relating to the dispensing of alcoholic beverages on certain days; and to provide a penalty.

Was read the first time and referred to the Committee on Political Subdivisions.

SB 2402: A BILL for an Act to amend and reenact sections 5-01-09 and 5-02-06 of the North Dakota Century Code, relating to employment of persons under twenty-one years of age to dispense alcoholic beverages in restaurants.

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

SB 2441: A BILL for an Act to amend and reenact section 19-03.1-23 of the North Dakota Century Code, relating to culpability for certain drug offenses.

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

SB 2449: A BILL for an Act to create and enact a new chapter to title 43 of the North Dakota Century Code, relating to creation of a board of counselor examiners and regulation of the practice of counselors; and to provide a penalty.

Was read the first time and referred to the Committee on Human Services and Veterans Affairs.

SB 2497: A BILL for an Act to amend and reenact section 16.1-10-04 of the North Dakota Century Code, relating to false or misleading information in political advertisements.

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

FIRST READING OF SENATE CONCURRENT RESOLUTIONS

SCR 4003: A concurrent resolution directing the Legislative Council to study the statutory duties of county superintendents of schools with respect to reorganization, annexation, and dissolution of school districts; tuition hearings and appeals; appeals relating to the placement of students in other districts; and other matters to determine who should be responsible for those duties.

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

SCR 4028: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of regulating salvage pool operations and the activities of insurance companies disposing of vehicles through such operations.

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

SCR 4030: A concurrent resolution directing the Legislative Council to study child care issues and needs, including the feasibility and cost of providing child care support to low income working families.

Was read the first time and referred to the Committee on Human Services and Veterans Affairs.

SCR 4036: A concurrent resolution directing the Legislative Council to study the feasibility of establishing an unused pesticide and pesticide container disposal program.

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

SCR 4038: A concurrent resolution designating the Trophy Takers Salmon Club's Blackjaw Fever Salmon Derby as the official North Dakota salmon derby.

Was read the first time and referred to the Committee on Natural Resources.

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

ROY GILBREATH, Chief Clerk