

JOURNAL OF THE HOUSE

Fifty-first Legislative Assembly

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Bismarck, March 14, 1989

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

The prayer was offered by Lisa Solberg and Lisa Hellman, Junior Girl Scouts from Bismarck Troop 3510, in recognition of Girl Scout Week.

The roll was called and all Representatives were present, except Representatives Gerl and Nelson.

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 Forty-seventh Day and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 1391, line 18, replace "1336" with "1366"

Page 1391, line 22, replace "1336" with "1366"

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

HOUSE ENROLLING REPORT

The following bills were enrolled: HB 1198, HB 1233, HB 1273, HB 1332, HB 1336, HB 1339, HB 1373, HB 1392, HB 1395, HB 1408, HB 1409, HB 1412, HB 1429, HB 1467, HB 1470, HB 1477, HB 1485, HB 1488, HB 1496, HB 1502, HB 1519, HB 1520.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

THE SPEAKER ANNOUNCED that the following bills were delivered to the Governor for his approval at the hour of 8:50 a.m., March 14, 1989: HB 1064, HB 1079, HB 1117, HB 1122, HB 1160, HB 1188, HB 1190, HB 1194, HB 1202, HB 1227, HB 1242, HB 1288, HB 1359, HB 1393, HB 1420, HB 1428, HB 1512.

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

MR. PRESIDENT: The House has failed to pass: SB 2390, SB 2446, SB 2467.

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

MR. PRESIDENT: The House has amended and subsequently passed: SB 2097, SB 2363.

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

MR. PRESIDENT: The House has passed unchanged: SB 2035, SB 2083, SB 2095, SB 2124, SB 2137, SB 2166, SB 2224, SB 2236, SB 2266, SB 2267, SB 2275, SB 2311, SB 2331, SB 2348, SB 2349, SB 2353, SB 2381, SB 2424, SB 2436, SB 2437, SB 2441, SB 2469, SB 2474, SB 2477, SB 2496, SB 2515, SB 2519.

MOTION

REP. KLOUBEC MOVED that the rules be suspended and that the committee reports on SB 2042, SB 2045, SB 2093, SB 2141, SB 2418, SB 2508, and SCR 4047

recommending amendments on the Sixth order of business on the legislative calendar of the Forty-eighth Day be adopted, which motion prevailed.

SIXTH ORDER OF BUSINESS

REP. LINDGREN MOVED that the amendments to SB 2042 as recommended by the Committee on Political Subdivisions as printed on page 1404 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

SB 2042, as amended, was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

REP. A. OLSON MOVED that the amendments to Engrossed SB 2045 as recommended by the Committee on Natural Resources as printed on pages 1404-1405 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

Engrossed SB 2045, as amended, was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

REP. WHALEN MOVED that the amendments to Engrossed SB 2093 as recommended by the Committee on Industry, Business and Labor as printed on page 1405 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

Engrossed SB 2093, as amended, was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

REP. TIMM MOVED that the amendments to SB 2141 as recommended by the Committee on Transportation as printed on page 1406 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

SB 2141, as amended, was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

REP. WHALEN MOVED that the amendments to SB 2418 as recommended by the Committee on Industry, Business and Labor as printed on pages 1406-1407 of the House Journal be adopted, and when so adopted, recommends the same DO NOT PASS.

SB 2418, as amended, was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

REP. NICHOLAS MOVED that the amendments to SB 2508 as recommended by the Committee on Agriculture as printed on pages 1407-1408 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

SB 2508, as amended, was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

REP. HAUGLAND MOVED that the amendments to Engrossed SCR 4047 as recommended by the Committee on Human Services and Veterans Affairs as printed on page 1408 of the House Journal be adopted, and when so adopted, recommends the same DO PASS and BE PLACED ON THE CONSENT CALENDAR.

Engrossed SCR 4047, as amended, was placed on the consent calendar.

MOTIONS

REP. KLOUBEC MOVED that that portion of House Rule 507 pertaining to when bills must be reported out of committee in the second House be suspended, which motion prevailed.

REP. LINDGREN MOVED that SB 2304, which is on the Fourteenth order, be rereferred to the Committee on Political Subdivisions, which motion prevailed. Pursuant to Rep. Lindgren's motion, SB 2304 was rereferred.

REP. MARTIN MOVED that SCR 4022, which is on the Fourteenth order, be rereferred to the Committee on Joint Constitutional Revision, which motion prevailed. Pursuant to Rep. Martin's motion, SCR 4022 was rereferred.

REP. KLOUBEC MOVED that SB 2007, SB 2010, SB 2011, SB 2012, SB 2015, and SB 2334, which are on the Fourteenth order, be laid over one legislative day, which motion prevailed.

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

MR. SPEAKER: The Senate has failed to pass: HB 1532, HB 1566, HB 1583.

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

MR. SPEAKER: The President has signed: HB 1015, HB 1088, HB 1172, HB 1195, HB 1280, HB 1282, HB 1335, HB 1366.

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

MR. SPEAKER: The President has signed and your signature is respectfully requested: SB 2050, SB 2051, SB 2052, SB 2053, SB 2057, SB 2106, SB 2134, SB 2136, SB 2159, SB 2198, SB 2232, SB 2284, SB 2289, SB 2297, SB 2302, SB 2317, SB 2329, SB 2339, SB 2340, SB 2341, SB 2351, SB 2366, SB 2374, SB 2380, SB 2402.

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

MR. SPEAKER: The Senate has passed unchanged: HB 1349, HB 1356, HB 1391, HB 1448, HB 1471, HB 1528, HB 1529, HB 1530, HB 1531, HB 1534, HB 1549, HB 1556, HB 1572, HB 1573, HB 1575, HB 1590, HB 1598, HB 1601, HB 1602, HB 1608, HB 1613, HB 1632, HB 1644, HB 1650.

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

MR. SPEAKER: The Senate has concurred in the House amendments to SCR 4018 and subsequently passed the same.

SECOND READING OF SENATE BILLS

SB 2213: A BILL for an Act to amend and reenact subsection 15 of section 15-29-08 and section 57-15-13 of the North Dakota Century Code, relating to the certification of school district budgets and tax levies.

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; 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; Ness; Nicholas; Nowatzki; Oban; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Peterson; Ring; Rydell; Schatz; Scherber; Schindler; Schmidt; Schneider; Shaft; Shide; Shockman; Skjerven; Smette; Solberg; Sorensen; Soukup; Starke; Stenehjem; Stofferahn; 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: Nelson; Thompson, K.

SB 2213 passed and the title was agreed to.

SB 2218: A BILL for an Act to provide for the protection of paleontological resources; to amend and reenact section 55-02-07, subsection 1 of section 55-03-00.1, and sections 55-03-02 and 55-03-07 of the North Dakota Century Code, relating to the protection of paleontological resources; 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 103 YEAS, 0 NAYS, 3 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; 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; Ness; Nicholas; Nowatzki; Oban; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Peterson; 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; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: None

ABSENT AND NOT VOTING: Gerhardt; Nelson; Whalen

SB 2218 passed and the title was agreed to.

SB 2392: A BILL for an Act to create and enact a new section to chapter 15-47 of the North Dakota Century Code, relating to employment recall rights for full-time teachers whose contracts are not renewed due to a reduction in force.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 49 YEAS, 55 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Berg, G.; Carlson; Christman; Clayburgh; DeMers, J.; DeMers, P.; Flaagan; Frey; Gates; Gerhardt; Gerl; Gilmore; Graba; Halmrast; Hanson, L.; Haugen; Haugland; Hausauer, A.; Hoffner; Hokana; Jensen; Kelly; Kolbo; Laughlin; Marks; Martinson; Mertens; Murphy; Ness; Nicholas; Nowatzki; Oban; O'Shea; Ring; Rydell; Schatz; Scherber; Schneider; Shockman; Skjerven; Stofferahn; Thompson, V.; Ulmer; Watne; Wentz; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: Aarsvold; Aas; Anderson, R.; Belter; Berg, R.; Bernstein; Brokaw; Dalrymple; Dorso; Enget; Gerntholz; Goetz; Gorman; Gunsch; Hanson, O.; Hausauer, R.; Howard; Huether; Kaldor; Kingsbury; Kloubec; Knell; Kouba; Lang; Larson, D.; Larson, R.; Lindgren; Martin; Melby; Myrdal; Olsen, D.; Olson, A.; Olson, V.; Payne; Schindler; Schmidt; Shaft; Shide; Smette; Solberg; Sorensen; Soukup; Starke; Stenehjem; Thompson, K.; Timm; Tokach; Tollefson; Tomac; Trautman; Urlacher; Vander Vorst; Wald; Whalen; Wilkie

ABSENT AND NOT VOTING: Nelson; Peterson

SB 2392 lost.

SB 2493: A BILL for an Act to create and enact two new sections to chapter 15-03 of the North Dakota Century Code; and to amend and reenact section 15-03-04 of the North Dakota Century Code, relating to investments and calculation and distribution of investment income of the board of university and school lands.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 102 YEAS, 0 NAYS, 4 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; Hausauer, A.; Hausauer, R.; Hoffner; Hokana; Howard; Huether; Jensen; Kelly; Kaldor; Kingsbury; Kloubec; Knell; Kolbo; Kouba; Lang; Larson, D.; Larson, R.; Laughlin; Lindgren; Marks; Martin; Martinson; Melby; Murphy; Myrdal; 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: Haugland; Mertens; Nelson; Peterson

SB 2493 passed and the title was agreed to.

SB 2060: A BILL for an Act to amend and reenact section 27-20-17 of the North Dakota Century Code, relating to the removal of an alleged sexual offender from the residence of a child as a condition of release of the child from shelter care under the Uniform Juvenile Court Act.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 103 YEAS, 0 NAYS, 3 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; Ness; Nicholas; Nowatzki; Oban; Olson, 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; Watne; Wentz; Whalen; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: None

ABSENT AND NOT VOTING: Nelson; Peterson; Wald

SB 2060 passed and the title was agreed to.

SB 2067: A BILL for an Act to establish a state advisory commission on intergovernmental relations; and to provide an appropriation.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 91 YEAS, 13 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; Halmrast; Hanson, L.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hoffner; Hokana; Howard; Huether; Jensen; Kaldor; Kelly; Kloubec; Kolbo; Kouba; Larson, D.; Larson, R.; Laughlin; Lindgren; Marks; Martin; Martinson; Mertens; Myrdal; Ness; Nicholas; Nowatzki; Oban; Olson, A.; Olson, V.; O'Shea; Payne; Ring; Rydell; Schatz; Scherber; Schneider; Shaft; Shockman; Skjerven; Smette; Solberg; Sorensen; Soukup; Starke; Stenehjem; Stofferahn; Thompson, V.; Timm; Tokach; Tollefson; Tomac; Trautman; Ulmer; Urlacher; Vander Vorst; Wald; Watne; Wentz; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: Gunsch; Hanson, O.; Kingsbury; Knell; Lang; Melby; Murphy; Olsen, D.; Schindler; Schmidt; Shide; Thompson, K.; Whalen

ABSENT AND NOT VOTING: Nelson; Peterson

SB 2067 passed and the title was agreed to.

SB 2108: A BILL for an Act providing an appropriation to defray expenses for claim payments to civil air patrol members.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 103 YEAS, 0 NAYS, 3 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; 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; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: None

ABSENT AND NOT VOTING: Nelson; Peterson; Whalen

SB 2108 passed and the title was agreed to.

MOTION

REP. R. ANDERSON MOVED that the House waive the reading of the title to SB 2109, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2109: A BILL for an Act to create and enact two new sections to chapter 43-12.1 of the North Dakota Century Code, relating to emergency medical treatment by nurses; to amend and reenact section 32-03.1-06 of the North Dakota Century Code, relating to exceptions to laws superseded by the Good Samaritan Act; and to repeal sections 43-12-33 and 43-12-34 of the North Dakota Century Code, relating to emergency medical treatment by nurses.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 102 YEAS, 0 NAYS, 4 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; Ness; Nicholas; Nowatzki; Oban; 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; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: None

ABSENT AND NOT VOTING: Nelson; Olsen, D.; Peterson; Whalen

SB 2109 passed and the title was agreed to.

MOTION

REP. R. ANDERSON MOVED that the House waive the reading of the title to Engrossed SB 2169, which motion prevailed.

SECOND READING OF SENATE BILLS

SB 2169: A BILL for an Act to create and enact two new subsections to section 19-02.1-10, two new subsections to section 19-02.1-14, and a new subsection to section 19-02.1-18 of the North Dakota Century Code, relating to food, drugs, devices, and cosmetics; and to amend and reenact section 19-01-17, subsection 19 of section 19-02.1-01, sections 19-02.1-09, 19-02.1-11, 19-06.1-05, 19-08-02, subsection 2 of section 19-10-01, sections 19-10-16, 19-16.1-01, 19-16.1-10, and 19-17-01 of the North Dakota Century Code, relating to food, drugs, cosmetics, and petroleum products; and to repeal section 19-07-05 and chapter 19-11 of the North Dakota Century Code, relating to egg bonding and paints.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 101 YEAS, 1 NAY, 4 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; Ness; Nicholas; Nowatzki; Oban; Olson, A.; Olson, V.; O'Shea; Payne; Ring; Rydell; Schatz; Scherber; Schindler; Schmidt; Schneider; Shaft; Shide; Shockman; Skjerven; Smette; Solberg; Sorensen; 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

NAYS: Stofferahn

ABSENT AND NOT VOTING: Nelson; Olsen, D.; Peterson; Whalen

SB 2169 passed and the title was agreed to.

SB 2180: A BILL for an Act to create and enact a new section to chapter 15-10 of the North Dakota Century Code, relating to payment of claims against institutions of higher education; and to provide a continuing appropriation.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 103 YEAS, 0 NAYS, 3 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; 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; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: None

ABSENT AND NOT VOTING: Nelson; Peterson; Whalen

SB 2180 passed and the title was agreed to.

SB 2182: A BILL for an Act to create and enact a new section to chapter 51-04 of the North Dakota Century Code, relating to the establishment of a special fund in the state treasury for cash deposits paid by applicants for a transient merchant's license; and to provide a continuing appropriation.

ROLL CALL

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

YEAS: None

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; Kneill; Kolbo; Kouba; Lang; Larson, D.; Larson, R.; Laughlin; Lindgren; Marks; Martin; Martinson; Melby; Mertens; Murphy; Myrdal; 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; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

ABSENT AND NOT VOTING: Nelson; Peterson; Whalen

SB 2182 lost.

MOTIONS

REP. R. ANDERSON MOVED that SB 2191 be laid over one legislative day, which motion prevailed.

REP. R. ANDERSON MOVED that the House waive the reading of the title to SB 2200, which motion prevailed.

SECOND READING OF SENATE BILLS

SB 2200: A BILL for an Act to create and enact a new section to chapter 23-03, a new section to chapter 23-04, and a new section to chapter 23-14 of the North Dakota Century Code, relating to the county health officer, city health officer, and withdrawal from health districts; to amend and reenact sections 23-03-01, 23-03-02, 23-03-03, 23-03-05, 23-03-07, 23-03-08, 23-03-10, 23-04-01, 23-04-02, 23-04-03, 23-04-04, 23-04-05, 23-04-06, 23-04-08, 23-05-01, 23-05-02, 23-05-03, 23-05-04, 23-05-07, 23-05-12, 23-14-01, 23-14-01.1, 23-14-03, 23-14-04, 23-14-05, 23-14-07, 23-14-08, 23-14-09, 23-14-10, 23-14-13, and 23-14-14 of the North Dakota Century Code, relating to local boards of health; and to repeal sections 23-03-04, 23-03-06, 23-03-09, 23-03-11, 23-04-07, 23-04-09, 23-05-08, and 23-05-09 of the North Dakota Century Code, relating to local boards of health.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 100 YEAS, 2 NAYS, 4 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; 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; Kneill; Kolbo; Kouba; Lang; Larson, D.; Larson, R.; Laughlin; Lindgren; Marks; Martin; Martinson; Melby; Mertens; Murphy; Myrdal; Ness; Nicholas; Nowatzki; Oban; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Ring; Rydell; Schatz; Scherber; Schmidt; Schneider; Shaft; Shide; Shockman; Skjerven; Smette; Solberg; Sorensen; Soukup; Starke; Stenehjem; Stofferahn; Thompson, V.; Timm; Tokach; Tollefson; Tomac; Trautman; Ulmer; Urlacher; Vander Vorst; Wald; Watne; Wentz; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: Schindler; Thompson, K.

ABSENT AND NOT VOTING: Gerhardt; Nelson; Peterson; Whalen

SB 2200 passed and the title was agreed to.

SB 2207: A BILL for an Act to amend and reenact section 38-14.1-39 of the North Dakota Century Code, relating to the surface mining and reclamation fund; and to provide an appropriation.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 100 YEAS, 0 NAYS, 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; 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; Lang; Larson, D.; Larson, R.; Laughlin; Lindgren; Marks; Martin; Martinson; Melby; Mertens; Murphy; Myrdal; Ness; Nicholas; Nowatzki; Oban; Olsen, D.; Olson, A.; Olson, V.; O'Shea; 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; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: None

ABSENT AND NOT VOTING: Gerhardt; Kouba; Nelson; Payne; Peterson; Whalen

SB 2207 passed and the title was agreed to.

SB 2208: A BILL for an Act to amend and reenact subsection 1 of section 15-27.1-03 of the North Dakota Century Code, relating to the compensation of county reorganization committee members.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 101 YEAS, 1 NAY, 4 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; 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; Myrdal; 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: Murphy

ABSENT AND NOT VOTING: Gerhardt; Nelson; Peterson; Ulmer

SB 2208 passed and the title was agreed to.

MOTION

REP. R. ANDERSON MOVED that the House waive the reading of the title to SB 2229, which motion prevailed.

SECOND READING OF SENATE BILLS

SB 2229: A BILL for an Act to amend and reenact sections 11-10.1-01, 11-10.1-02, 11-10.1-03, 11-10.1-04, subsection 2 of section 11-10.1-05, sections 11-10.1-07, 11-23-01, 57-02-08.1, 57-06-01, 57-14-01 and 57-61-01.1 of the North Dakota Century Code, relating to the qualifications of a county director of tax equalization, property tax credits for persons sixty-five years of age or older with limited income, the exemption of rural water pipelines from central ad valorem assessment, the duty of a county auditor to correct clerical errors, and the coal severance tax exemption for coal used for space heating purposes.

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, 0 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.; DeMers, P.; Dorso; Enget; Flaagan; Frey; Gates; Gerntholz; Gilmore; Goetz; Gorman; Graba; Gunsch; Halmrast; Hanson, L.; 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; 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; Watne; Wentz; Whalen; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: None

ABSENT AND NOT VOTING: Gerhardt; Gerl; Hanson, O.; Nelson; Peterson; Ulmer; Wald

SB 2229 passed and the title was agreed to.

SB 2283: A BILL for an Act to create and enact a new section to title 26.1 of the North Dakota Century Code, relating to freedom of choice for pharmacy services; 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 101 YEAS, 0 NAYS, 5 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; Gerntholz; Gilmore; Goetz; Gorman; Graba; Gunsch; Halmrast; Hanson, L.; 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; 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: None

ABSENT AND NOT VOTING: Gerl; Hanson, O.; Nelson; Peterson; Ulmer

SB 2283 passed and the title was agreed to.

SB 2299: A BILL for an Act to create and enact a new section to chapter 26.1-05 of the North Dakota Century Code, relating to call options and financial futures contracts.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 100 YEAS, 3 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Aas; Anderson, B.; 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; Graba; Gunsch; Halmrast; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hoffner; Hokana; Howard; Huether; Jensen; Kelly; Kingsbury; Kloubec; Knell; Kolbo; Kouba; Lang; Larson, D.; Larson, R.; Laughlin; Lindgren; Marks; Martin; Martinson; Melby; Mertens; Murphy; Myrdal; 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; 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: Aarsvold; Kaldor; Stofferahn

ABSENT AND NOT VOTING: Carlson; Nelson; Peterson

SB 2299 passed and the title was agreed to.

SB 2338: A BILL for an Act to amend and reenact sections 21-03-14 and 21-03-30 of the North Dakota Century Code, relating to the initiation of the issuance of bonds and the sale of refunding bonds by political subdivisions.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 103 YEAS, 0 NAYS, 3 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.; Laughlin; Lindgren; Marks; Martin; Martinson; Melby; Mertens; Murphy; Myrdal; 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: Larson, R.; Nelson; Peterson

SB 2338 passed and the title was agreed to.

SB 2431: A BILL for an Act to amend and reenact section 14-03-22 of the North Dakota Century Code, relating to the supplemental fee for aid to victims of domestic violence.

MOTION

REP. DORSO 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 80 YEAS, 22 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Anderson, R.; Belter; Berg, G.; Brokaw; Carlson; Clayburgh; Dalrymple; DeMers, J.; DeMers, P.; Enget; Frey; Gates; Gerhardt; Gerl; Gilmore; Goetz; Gorman; Graba; Halmrast; Hanson, L.; Haugland; Hausauer, A.; Hausauer, R.; Hoffner; Hokana; Huether; Jensen; Kaldor; Kelly; Kloubec; Kolbo; Larson, R.; Laughlin; Lindgren; Marks; Martin; Martinson; Mertens; Murphy; Myrdal; Ness; Nicholas; Nowatzki; Oban; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Ring; Rydell; Scherber; Schindler; Schmidt; Schneider; Shide; Shockman; Smette; Solberg; Sorensen; Soukup; Starke; Stenehjem; Stofferahn; Thompson, K.; Thompson, V.; Tollefson; Tomac; Trautman;

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

NAYS: Aas; Berg, R.; Bernstein; Christman; Dorso; Gerntholz; Gunsch;
Hanson, O.; Haugen; Howard; Kingsbury; Knell; Kouba; Lang; Larson, D.;
Melby; Schatz; Shaft; Skjerven; Timm; Tokach; Whalen

ABSENT AND NOT VOTING: Flaagan; Nelson; Peterson; Wald

SB 2431 passed and the title was agreed to.

MOTION

REP. KLOUBEC MOVED that the House waive the reading of the title to SB 2457,
which motion prevailed.

SECOND READING OF SENATE BILL

SB 2457: A BILL for an Act to amend and reenact section 47-26-04,
subsections 7 and 18 of section 58-03-07, sections 58-04-05, 58-09-02,
58-13-04, and 58-13-05 of the North Dakota Century Code, relating to
fence viewer fees, penalties for violations of township rules, township
association membership fees, salary of township officials, mileage
expenses of township assessors, and impounding animals; and to repeal
subsection 19 of section 58-06-01 and section 58-13-02 of the North
Dakota Century Code, relating to township budgets for 1988 and 1989 and
fees of poundmasters.

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, 20 NAYS, 5 ABSENT AND NOT VOTING.

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

NAYS: Anderson, R.; Dorso; Gunsch; Hanson, O.; Haugen; Kouba; Melby; Murphy;
Myrdal; Olsen, D.; Olson, A.; Schatz; Schindler; Schmidt; Sorensen;
Thompson, K.; Timm; Urlacher; Wald; Wilkie

ABSENT AND NOT VOTING: Flaagan; Knell; Laughlin; Nelson; Whalen

SB 2457 passed and the title was agreed to.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

THE SPEAKER ANNOUNCED that the following bills were delivered to the Governor for his approval at the hour of 2:30 p.m., March 14, 1989: HB 1015, HB 1088, HB 1172, HB 1195, HB 1280, HB 1282, HB 1335, HB 1366.

MOTION

REP. A. HAUSAUER MOVED that SB 2354, which is on the Fourteenth order, be rereferred to the Committee on Finance and Taxation, which motion prevailed. Pursuant to Rep. A. Hausauer's motion, SB 2354 was rereferred.

POINT OF PERSONAL PRIVILEGE

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

Mr. Speaker and members of the Assembly, I rise today to give recognition to yet another national champion from the state of North Dakota.

This past week, the Jan Lagasse Rink of Rolla curled to the Ladies National Curling Championship in Detroit, Michigan. It was the fourth trip in seven years for the four members of the team: Jan Lagasse, Cooky Bertsch, Janie Kakela, and Eileen Mickelson. This same group has also won state titles in 1983, 1985, 1987, and 1989.

The Rolla Rink won twice on Saturday to win the national title, defeating Colorado and Alaska. The team also had victories against a team from Bemidji, Minnesota; Chicago; a four-time national champion from Seattle; Green Bay; New Jersey; and Michigan. The team now advances to the World Curling Championship which will be held in Milwaukee on April 2-9.

We congratulate North Dakota's newest national champion and wish them the best of luck in the world competition.

REPORTS OF PROCEDURAL COMMITTEE

MR. SPEAKER: Your procedural Committee on Delayed Bills (Rep. Kloubec, Chairman) has examined a bill for an Act to amend and reenact section 54-02-09 of the North Dakota Century Code, relating to the name of the state march.

It shall be numbered HB 1671.

Your Committee on Delayed Bills cast a unanimous ballot in favor of this bill.

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

MR. SPEAKER: Your procedural Committee on Delayed Bills (Rep. Kloubec, Chairman) has examined a bill for an Act relating to proposed legislation mandating health insurance coverage.

It shall be numbered HB 1672.

Your Committee on Delayed Bills cast a unanimous ballot in favor of this bill.

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

MR. SPEAKER: Your procedural Committee on Delayed Bills (Rep. Kloubec, Chairman) has examined a bill for an Act to amend and reenact section

53-01-13 of the North Dakota Century Code, relating to boxing or sparring exhibitions; and to declare an emergency.

It shall be numbered HB 1673.

Your Committee on Delayed Bills cast a unanimous ballot in favor of this bill.

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

MR. SPEAKER: Your procedural Committee on Delayed Bills (Rep. Kloubec, Chairman) has examined a resolution directing the Legislative Council to study the feasibility and desirability of constructing a barge terminal in this state on the Missouri River to allow and encourage the shipment of Canadian grain through North Dakota.

It shall be numbered HCR 3084.

Your Committee on Delayed Bills cast a unanimous ballot in favor of this resolution.

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

MR. SPEAKER: Your procedural Committee on Delayed Bills (Rep. Kloubec, Chairman) has examined a resolution directing the Legislative Council to study the price level the State Forester should establish for seeds and planting stock from the state nursery.

It shall be numbered HCR 3085.

Your Committee on Delayed Bills cast a unanimous ballot in favor of this resolution.

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

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 stand adjourned until 1:00 p.m., Wednesday, March 15, 1989, which motion prevailed.

REPORTS OF STANDING COMMITTEES

MR. SPEAKER: Your Committee on Transportation (Rep. Timm, Chairman) to which was referred HB 1666 has had the same under consideration and recommends by a vote of 13 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

Page 4, after line 7, insert:

"(2) Farm exemption. The holder of a class D license may operate any two-axle or tandem-axle motor vehicle, a farm tractor towing another vehicle having a gross weight in excess of six thousand pounds [2721.55 kilograms], and a truck towing a trailer, semitrailer, or farm trailer when the gross weight

of the trailer, semitrailer, or farm trailer, not including the weight of the towing vehicle, does not exceed twenty-four thousand pounds [10886.22 kilograms] exempted under subsection 3 of section 39-06.2-06, except:

(a) A truck tractor as defined in subsection 84 of section 39-01-01.

(b) A bus designed to carry sixteen or more passengers, including the driver."

Page 4, line 8, replace "(2)" with "(3)"

Page 7, line 9, replace "through seventeen" with "or fifteen"

Page 14, after line 14, insert:

"3. The provisions of this chapter are waived, as to farm-to-market operations by farmers, but limited to those operators of a farm vehicle that is:

a. Controlled and operated by a farmer.

b. Used to transport either agricultural products, farm machines, farm supplies, or both, to or from a farm.

c. Not used in the operations of a common or contract carrier.

d. Used within one hundred fifty miles of the person's farm."

Renumber accordingly

HB 1666 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Appropriations (Rep. Peterson, Chairman) to which was referred Engrossed SB 2071 has had the same under consideration and recommends by a vote of 23 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

SB 2071 was placed on the Fourteenth 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 Engrossed SB 2117 has had the same under consideration and recommends by a vote of 14 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING that the same DO PASS.

Engrossed SB 2117 was placed on the Fourteenth 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 SB 2118 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 PASS.

SB 2118 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Judiciary (Rep. Wentz, Chairman) to which was referred SB 2176 has had the same under consideration and recommends by a vote of 13 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

Page 7, line 3, after "a" insert "bona fide"

Page 7, line 6, after "claimed" insert "bona fide"

Re-number accordingly

SB 2176 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 SB 2323 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.

SB 2323 was placed on the Fourteenth 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 SB 2367 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 PASS.

SB 2367 was placed on the Fourteenth 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 SB 2388 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 PASS.

SB 2388 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Appropriations (Rep. Peterson, Chairman) to which was referred Engrossed SB 2405 has had the same under consideration and recommends by a vote of 23 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

Engrossed SB 2405 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Judiciary (Rep. Wentz, Chairman) to which was referred SB 2434 has had the same under consideration and recommends by a vote of 8 YEAS, 4 NAYS, 4 ABSENT AND NOT VOTING that the same DO PASS.

SB 2434 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Appropriations (Rep. Peterson, Chairman) to which was referred SB 2479 has had the same under consideration and

recommends by a vote of 15 YEAS, 8 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

SB 2479 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Appropriations (Rep. Peterson, Chairman) to which was referred SB 2523 has had the same under consideration and recommends by a vote of 22 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 13, after the period insert "The board may grant the Bank a security interest in the facility and any lease of the facility."

Renumber accordingly

SB 2523 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 SCR 4041 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 and BE PLACED ON THE CONSENT CALENDAR:

Page 1, line 4, after "persons" insert "and disabled persons"

Page 1, line 8, after "elderly" insert "or disabled"

Page 1, line 11, after "elderly" insert "or disabled"

Page 1, line 14, after "elderly" insert "and disabled"

Page 1, line 17, after "elderly" insert "and the disabled"

Page 1, line 21, after "elderly" insert "and disabled"

Page 2, line 1, after "elderly" insert "and disabled persons"

Page 2, line 19, after "elderly" insert "and disabled"

Page 2, line 27, after "elderly" insert "and disabled"

Renumber accordingly

SCR 4041 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

FIRST READING OF HOUSE BILLS

Rep. Trautman introduced:

(Approved by the Committee on Delayed Bills)

HB 1671: A BILL for an Act to amend and reenact section 54-02-09 of the North Dakota Century Code, relating to the name of the state march. Was read the first time and referred to the Committee on State and Federal Government.

Rep. Whalen introduced:

(Approved by the Committee on Delayed Bills)

HB 1672: A BILL for an Act relating to proposed legislation mandating health insurance coverage.

Was read the first time and referred to the Committee on Industry, Business and Labor.

Rep. Sorensen introduced:

(Approved by the Committee on Delayed Bills)

HB 1673: A BILL for an Act to amend and reenact section 53-01-13 of the North Dakota Century Code, relating to boxing or sparring exhibitions; and to declare an emergency.

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

FIRST READING OF HOUSE CONCURRENT RESOLUTIONS

Reps. Watne, Schneider introduced:

(Approved by the Committee on Delayed Bills)

HCR 3084: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of constructing a barge terminal in this state on the Missouri River to allow and encourage the shipment of Canadian grain through North Dakota.

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

Rep. Mertens introduced:

(Approved by the Committee on Delayed Bills)

HCR 3085: A concurrent resolution directing the Legislative Council to study the price level the State Forester should establish for seeds and planting stock from the state nursery.

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

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

ROY GILBREATH, Chief Clerk