

JOURNAL OF THE HOUSE

Fifty-fifth Legislative Assembly

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Bismarck, January 17, 1997

The House convened at 8:30 a.m., with Speaker Timm presiding.

The prayer was offered by Pastor Kermit Culver, First United Methodist Church, Bismarck.

The roll was called and all members were present except Representatives Boucher, Fairfield, Keiser, Lloyd, Nicholas, Poolman, Wald, and Wentz.

A quorum was declared by the Speaker.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM C. PARKER, SECRETARY)

MR. SPEAKER: The Senate has passed and your favorable consideration is requested on: SB 2103, SB 2117, SB 2123, SB 2134.

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS ON CONSENT CALENDAR

HCR 3003: A concurrent resolution directing the Legislative Council to monitor the implementation of the projects developed by the Department of Human Services related to the conversion of existing nursing facility or basic care capacity for use by the Alzheimer's and related dementia population and the testing of an expanded case management system for elderly persons and disabled persons.

HCR 3004: A concurrent resolution directing the Legislative Council to study the means of expanding home and community-based service availability, options for training additional qualified service providers, adequacy of geropsychiatric services, and the feasibility of combining service reimbursement payment sources to allow payments to flow to a broadened array of elderly and disabled services options.

HCR 3005: A concurrent resolution directing the Legislative Council to study Native American long-term care needs and access to appropriate services and the functional relationship between state service units and the Native American reservation service systems.

HCR 3006: A concurrent resolution directing the Legislative Council to study long-term care financing issues to determine the changes necessary to develop alternative services and the feasibility of a managed care system for long-term care services.

HCR 3007: A concurrent resolution regarding the approval of state agency use of block grant funds and authorizing the Budget Section of the Legislative Council to hold the required legislative hearings on state plans for the receipt and expenditure of new or revised block grants as passed by Congress.

ROLL CALL

The question being on the final adoption of the resolutions, which have been read, the roll was called and there were 90 YEAS, 0 NAYS, 0 EXCUSED, 8 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Axtman; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brusegaard; Byerly; Callahan; Carlisle; Carlson; Christenson; Christopherson; Clark; Coats; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Grande; Grosz; Grumbo; Guleson; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroeplin; Kunkel; Mahoney; Maragos; Martin; Martinson; Mickelson; Monson; Murphy; Nelson; Nichols; Niemeier; Nottestad; Oban; Olson; Price; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Skarphol; Soukup; Stenehjerm; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wardner; Warner; Weisz; Wilkie; Speaker Timm

ABSENT AND NOT VOTING: Brown; Fairfield; Keiser; Lloyd; Nicholas; Poolman; Wald; Wentz

HCR 3003, HCR 3004, HCR 3005, HCR 3006, and HCR 3007 were declared adopted on a recorded roll call vote.

SECOND READING OF SENATE BILL

HB 1120: A BILL for an Act to amend and reenact section 52-06-30 of the North Dakota Century Code, relating to voluntary withholding of federal income tax and state income tax from unemployment compensation benefits; to provide an effective date; and to declare an emergency.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 90 YEAS, 0 NAYS, 0 EXCUSED, 8 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Axtman; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brusegaard; Byerly; Callahan; Carlisle; Carlson; Christenson; Christopherson; Clark; Coats; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Grande; Grosz; Grumbo; Guleson; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroeplin; Kunkel; Mahoney; Maragos; Martin; Martinson; Mickelson; Monson; Murphy; Nelson; Nichols; Niemeier; Nottestad; Oban; Olson; Price; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Skarphol; Soukup; Stenehjerm; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wardner; Warner; Weisz; Wilkie; Speaker Timm

ABSENT AND NOT VOTING: Brown; Fairfield; Keiser; Lloyd; Nicholas; Poolman; Wald; Wentz

HB 1120 passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF HOUSE BILL

HB 1098: A BILL for an Act to amend and reenact section 6-06-07 of the North Dakota Century Code, relating to fields of membership for credit unions.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 74 YEAS, 15 NAYS, 0 EXCUSED, 9 ABSENT AND NOT VOTING.

YEAS: Axtman; Belter; Berg; Bernstein; Boehm; Boucher; Brusegaard; Byerly; Carlisle; Carlson; Christenson; Christopherson; Clark; Coats; Dalrymple; DeKrey; Delzer; Devlin; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Grande; Grosz; Grumbo; Gunter; Hausauer; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Kelsch, R.; Kelsh, S.; Kempenich; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroeplin; Kunkel; Maragos; Martin; Martinson; Mickelson; Monson; Murphy; Nelson; Nichols; Niemeier; Olson; Price; Renner; Rennerfeldt; Sabby; Skarphol; Soukup; Stenehjerm; Svedjan; Sveen; Thompson; Thoreson; Tollefson; Torgerson; Wardner; Weisz; Wilkie; Speaker Timm

NAYS: Aarsvold; Brandenburg; Callahan; Delmore; Guleson; Hanson; Kerzman; Mahoney; Nottestad; Oban; Rose; Sandvig; Schmidt; Thorpe; Warner

ABSENT AND NOT VOTING: Brown; Fairfield; Hawken; Keiser; Lloyd; Nicholas; Poolman; Wald; Wentz

HB 1098 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1099: A BILL for an Act to amend and reenact sections 43-09-02, 43-09-13.1, 43-09-14, 43-09-15.1, and 43-09-18 of the North Dakota Century Code, relating to the state electrical board and electricians.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 8 YEAS, 82 NAYS, 0 EXCUSED, 8 ABSENT AND NOT VOTING.

YEAS: Brusegaard; Drovdal; Gerntholz; Martinson; Monson; Sabby; Thoreson; Weisz

NAYS: Aarsvold; Axtman; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Byerly; Callahan; Carlisle; Carlson; Christenson; Christopherson; Clark; Coats; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Dorso; Freier; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Grumbo; Guleson; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroeplin; Kunkel; Mahoney; Maragos; Martin; Mickelson; Murphy; Nelson; Nichols; Niemeier; Nottestad; Oban; Olson; Price; Renner; Rennerfeldt; Rose; Sandvig; Schmidt; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thorpe; Tollefson; Torgerson; Wardner; Warner; Wilkie; Speaker Timm

ABSENT AND NOT VOTING: Brown; Fairfield; Keiser; Lloyd; Nicholas; Poolman; Wald; Wentz

HB 1099 was declared lost.

SECOND READING OF HOUSE BILL

HB 1100: A BILL for an Act to amend and reenact section 34-05-03 of the North Dakota Century Code, relating to confidentiality of information furnished to the labor commissioner.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 90 YEAS, 0 NAYS, 0 EXCUSED, 8 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Axtman; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brusegaard; Byerly; Callahan; Carlisle; Carlson; Christenson; Christopherson; Clark; Coats; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Grande; Grosz; Grumbo; Guleson; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroeplin; Kunkel; Mahoney; Maragos; Martin; Martinson; Mickelson; Monson; Murphy; Nelson; Nichols; Niemeier; Nottestad; Oban; Olson; Price; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wardner; Warner; Weisz; Wilkie; Speaker Timm

ABSENT AND NOT VOTING: Brown; Fairfield; Keiser; Lloyd; Nicholas; Poolman; Wald; Wentz

HB 1100 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1130: A BILL for an Act to amend and reenact section 15-21.1-03 of the North Dakota Century Code, relating to chemical abuse prevention program grants to school districts.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 87 YEAS, 3 NAYS, 0 EXCUSED, 8 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Axtman; Belter; Berg; Bernstein; Boucher; Brandenburg; Brusegaard; Byerly; Callahan; Carlisle; Carlson; Christenson; Christopherson; Clark; Coats; Dalrymple; DeKrey; Delmore; Devlin; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Grande; Grosz; Grumbo; Guleson; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroeplin; Kunkel; Mahoney; Maragos; Martin; Martinson; Mickelson; Monson; Murphy;

Nelson; Nichols; Niemeier; Nottestad; Oban; Olson; Price; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Soukup; Stenehjelm; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wardner; Warner; Weisz; Wilkie; Speaker Timm

NAYS: Boehm; Delzer; Skarphol

ABSENT AND NOT VOTING: Brown; Fairfield; Keiser; Lloyd; Nicholas; Poolman; Wald; Wentz

HB 1130 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1148: A BILL for an Act to amend and reenact sections 43-19.1-18 and 43-19.1-22 of the North Dakota Century Code, relating to the registration of professional engineers and land surveyors.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 89 YEAS, 1 NAY, 0 EXCUSED, 8 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Axtman; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brusegaard; Byerly; Callahan; Carlisle; Carlson; Christenson; Christopherson; Clark; Coats; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Grande; Grosz; Grumbo; Guleson; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroeplin; Kunkel; Mahoney; Maragos; Martin; Martinson; Mickelson; Monson; Nelson; Nichols; Niemeier; Nottestad; Oban; Olson; Price; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Skarphol; Soukup; Stenehjelm; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wardner; Warner; Weisz; Wilkie; Speaker Timm

NAYS: Murphy

ABSENT AND NOT VOTING: Brown; Fairfield; Keiser; Lloyd; Nicholas; Poolman; Wald; Wentz

HB 1148 passed and the title was agreed to.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3009: A concurrent resolution directing the Legislative Council to study the process by which curriculum, including core and supplemental materials and content, is developed and approved for use in the elementary and secondary schools of this state.

ROLL CALL

The question being on the final adoption of the resolution, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 4 YEAS, 86 NAYS, 0 EXCUSED, 8 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Belter; Coats; DeKrey

NAYS: Axtman; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brusegaard; Byerly; Callahan; Carlisle; Carlson; Christenson; Christopherson; Clark; Dalrymple; Delmore; Delzer; Devlin; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Grande; Grosz; Grumbo; Guleson; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroeplin; Kunkel; Mahoney; Maragos; Martin; Martinson; Mickelson; Monson; Murphy; Nelson; Nichols; Niemeier; Nottestad; Oban; Olson; Price; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Skarphol; Soukup; Stenehjelm; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wardner; Warner; Weisz; Wilkie; Speaker Timm

ABSENT AND NOT VOTING: Brown; Fairfield; Keiser; Lloyd; Nicholas; Poolman; Wald; Wentz

HCR 3009 was declared lost.

SIXTH ORDER OF BUSINESS

HB 1060: REP. BERG (Industry, Business and Labor Committee) MOVED that the amendments on HJ page 113 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

MOTION

REP. DORSO MOVED that HB 1060, as amended, be deemed properly engrossed and placed on the Eleventh order, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1060: A BILL for an Act to amend and reenact subsection 2 of section 6-01-03, sections 6-01-04, 6-01-04.3, subsection 7 of section 6-03-02, sections 6-03-07, 6-03-21, subsection 1 of section 6-03-47.2, sections 6-03-69, 6-03-71, subsections 5 and 6 of section 6-06-02, subsection 12 of section 6-06-06, subsection 1 of section 6-06-08, sections 6-06-19, 6-06-21.1, and 6-06-26 of the North Dakota Century Code, relating to the membership of the state credit union board and the powers and duties of the state banking board and state credit union board; and to repeal section 6-06-18 of the North Dakota Century Code, relating to state credit union board approval of interest rates.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 79 YEAS, 11 NAYS, 0 EXCUSED, 8 ABSENT AND NOT VOTING.

YEAS: Axtman; Belter; Berg; Bernstein; Boehm; Brandenburg; Brusegaard; Byerly; Callahan; Carlisle; Carlson; Christenson; Christopherson; Clark; Coats; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Dorso; Drovda; Freier; Froseth; Galvin; Gerntholz; Glassheim; Grande; Grosz; Grumbo; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Kelsch, R.; Kelsh, S.; Kempenich; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroeplin; Kunkel; Mahoney; Maragos; Martin; Martinson; Mickelson; Monson; Murphy; Nelson; Nottestad; Olson; Price; Rennerfeldt; Sabby; Sandvig; Schmidt; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wardner; Weisz; Wilkie; Speaker Timm

NAYS: Aarsvold; Boucher; Gorder; Gulleson; Kerzman; Nichols; Niemeier; Oban; Renner; Rose; Warner

ABSENT AND NOT VOTING: Brown; Fairfield; Keiser; Lloyd; Nicholas; Poolman; Wald; Wentz

Engrossed HB 1060 passed and the title was agreed to.

SIXTH ORDER OF BUSINESS

HB 1113: REP. BERG (Industry, Business and Labor Committee) MOVED that the amendments on HJ pages 113-114 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

MOTION

REP. DORSO MOVED that HB 1113, as amended, be deemed properly engrossed and placed on the Eleventh order, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1113: A BILL for an Act to amend and reenact section 47-25-03 of the North Dakota Century Code, relating to the consent to use a similar trade name.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 90 YEAS, 0 NAYS, 0 EXCUSED, 8 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Axtman; Belter; Berg; Bernstein; Boehm; Brandenburg; Brusegaard; Byerly; Callahan; Carlisle; Carlson; Christenson; Christopherson; Clark; Coats; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Dorso; Drovda; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleson; Gunter; Hanson; Hausauer;

Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroeplin; Kunkel; Mahoney; Maragos; Martin; Martinson; Mickelson; Monson; Murphy; Nelson; Nichols; Niemeier; Nottestad; Oban; Olson; Price; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Skarphol; Soukup; Stenehjerm; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wardner; Warner; Weisz; Wilkie; Speaker Timm

ABSENT AND NOT VOTING: Boucher; Brown; Fairfield; Lloyd; Nicholas; Poolman; Wald; Wentz

Engrossed HB 1113 passed and the title was agreed to.

SIXTH ORDER OF BUSINESS

HB 1131: REP. R. KELSCH (Education Committee) MOVED that the amendments on HJ page 114 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

MOTION

REP. DORSO MOVED that HB 1131, as amended, be deemed properly engrossed and placed on the Eleventh order, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1131: A BILL for an Act to amend and reenact section 15-27.1-11, subsection 1 of section 15-40.2-01, sections 15-40.2-09, and 15-40.2-10 of the North Dakota Century Code, relating to attendance of students in out-of-state schools.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 91 YEAS, 0 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Axtman; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brusegaard; Byerly; Callahan; Carlisle; Carlson; Christenson; Christopherson; Clark; Coats; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleson; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroeplin; Kunkel; Mahoney; Maragos; Martin; Martinson; Mickelson; Monson; Murphy; Nelson; Nichols; Niemeier; Nottestad; Oban; Olson; Price; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Skarphol; Soukup; Stenehjerm; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wardner; Warner; Weisz; Wilkie; Speaker Timm

ABSENT AND NOT VOTING: Brown; Fairfield; Lloyd; Nicholas; Poolman; Wald; Wentz

Engrossed HB 1131 passed and the title was agreed to.

MOTION

REP. DORSO MOVED that the rules be suspended and that all bills passed in the House today with the exception of HB 1131 be messaged to the Senate immediately, which motion prevailed.

HOUSE ENGROSSING REPORT

The following bills were engrossed: HB 1060, HB 1113, and HB 1131.

MESSAGE TO THE SENATE FROM THE HOUSE (ROY GILBREATH, CHIEF CLERK)

MADAM PRESIDENT: The House has passed and your favorable consideration is requested on: HB 1060, HB 1064, HB 1098, HB 1100, HB 1113, HB 1120, HB 1130, HB 1148, HCR 3003, HCR 3004, HCR 3005, HCR 3006, HCR 3007.

MOTION

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

MOTION

REP. FREIER MOVED that the House be on the Fifth, Ninth, and Thirteenth orders of business and at the conclusion of those orders, the House stand adjourned until 9:00 a.m., Monday, January 20, 1997, which motion prevailed.

REPORT OF STANDING COMMITTEE

HB 1056: Natural Resources Committee (Rep. Olson, Chairman) recommends **DO PASS** (16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1056 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1057: Natural Resources Committee (Rep. Olson, Chairman) recommends **DO PASS** (11 YEAS, 3 NAYS, 2 ABSENT AND NOT VOTING). HB 1057 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1059: Agriculture Committee (Rep. D. Johnson, Chairman) recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1059 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1082: Natural Resources Committee (Rep. Olson, Chairman) recommends **DO PASS** (11 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). HB 1082 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1088: Agriculture Committee (Rep. D. Johnson, Chairman) recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1088 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1108: Transportation Committee (Rep. Skarphol, Chairman) recommends **DO PASS** (11 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). HB 1108 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1121: Agriculture Committee (Rep. D. Johnson, Chairman) recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1121 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1126: Government and Veterans Affairs Committee (Rep. Wardner, Chairman) recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1126 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1133: Natural Resources Committee (Rep. Olson, Chairman) recommends **DO PASS** (15 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1133 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1136: Agriculture Committee (Rep. D. Johnson, Chairman) recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1136 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1137: Government and Veterans Affairs Committee (Rep. Wardner, Chairman) recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1137 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1139: Government and Veterans Affairs Committee (Rep. Wardner, Chairman) recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1139 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1140: Government and Veterans Affairs Committee (Rep. Wardner, Chairman) recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1140 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1141: Government and Veterans Affairs Committee (Rep. Wardner, Chairman) recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1141 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1149: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1149 was placed on the Sixth order on the calendar.

Page 1, line 3, replace "and" with "or"

Page 1, line 7, replace "and" with "or"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1152: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1152 was placed on the Sixth order on the calendar.

Page 2, line 3, after "shall" insert "use procedures of chapter 28-32 to"

Page 2, line 8, remove the underscored semicolon

Page 2, remove lines 9 through 15

Page 2, overstrike lines 16 and 17

Page 2, line 18, overstrike "court of the county of residence, if a resident of this state" and insert immediately thereafter ";

3. Maintain an active status of a corporation or registration as a foreign corporation;
4. Maintain an active status of a limited liability company or registration as a foreign limited liability company;
5. File or renew a trade name registration as required by chapter 47-25;
6. File or renew a limited liability partnership or foreign limited liability partnership as required by chapter 45-22; or
7. File or renew a limited partnership or foreign limited partnership"

Page 3, line 7, overstrike "**Revocation**" and insert immediately thereafter "**Invalidity**"

Page 3, line 10, after "each" insert "project,"

Page 3, line 11, after "contract" insert an underscored comma

Page 3, line 12, overstrike "contracted" and insert immediately thereafter "of each project, contract,"

Page 3, line 13, overstrike "subcontracted" and insert immediately thereafter "subcontract" and overstrike "by the contract"

Page 3, line 29, after "standing" insert "and the contractor must be deemed to be unlicensed within the meaning of sections 43-07-02 and 43-07-18"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1156: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1156 was placed on the Sixth order on the calendar.

Page 4, line 17, after "is" insert "willfully" and remove the second "the"

Page 4, line 18, remove "contract of loan is void and"

Page 4, line 19, remove "principal," and remove the second underscored comma

Page 8, line 18, after "any" insert "willful"

Page 8, line 19, remove "the contract is void and"

Page 8, line 20, remove "principal," and remove the second underscored comma

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1163: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING). HB 1163 was placed on the Sixth order on the calendar.

Page 1, line 2, replace "1" with "57-43.1-02.1 and 57-43.2-02.1 of the North Dakota Century Code"

Page 1, line 3, remove "and 2 of chapter 575 of the 1995 Session Laws"

Page 1, line 4, remove "and" and after "appropriation" insert "; to provide an effective date; and to provide an expiration date"

Page 2, line 13, replace "1 and 2 of chapter 575 of the 1995 Session Laws" with "57-43.1-02.1 and 57-43.2-02.1 of the 1995 Supplement to the North Dakota Century Code"

Page 2, after line 19, insert:

"SECTION 5. EFFECTIVE DATE - EXPIRATION DATE. Sections 1, 2, and 3 of this Act are effective for sales or delivery of motor vehicle or special fuels after June 30, 1997. Sections 1 and 2 of this Act are effective through December 31, 1999, and are thereafter ineffective."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HCR 3002: Government and Veterans Affairs Committee (Rep. Wardner, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3002 was placed on the Tenth order on the calendar.

FIRST READING OF HOUSE BILLS

Reps. Fairfield, Delmore, Kliniske, Stenehjem and Sen. Heitkamp introduced:

HB 1357: A BILL for an Act to prohibit surreptitious intrusion; and to provide a penalty.

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

Rep. Mickelson introduced:

HB 1358: A BILL for an Act to amend and reenact section 14-09-06.3 of the North Dakota Century Code, relating to the costs of custody investigations and reports.

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

Rep. Mickelson introduced:

HB 1359: A BILL for an Act to amend and reenact subsection 4 of section 19-03.1-23 of the North Dakota Century Code, relating to drug offenses.

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

Reps. Wardner, Oban, Stenehjem and Sens. Holmberg, Robinson, St. Aubyn introduced:

HB 1360: A BILL for an Act to amend and reenact subsection 2 of section 44-08-04 of the North Dakota Century Code, relating to state officer and employee expense reimbursement.

Was read the first time and referred to the **Government and Veterans Affairs Committee**.

Reps. Sandvig, Kerzman, Callahan and Sens. Andrist, O'Connell, Robinson introduced:

HB 1361: A BILL for an Act create and enact a new section to chapter 14-03 of the North Dakota Century Code, relating to premarital counseling; and to amend and reenact

section 14-03-22 of the North Dakota Century Code, relating to supplemental marriage license fees.

Was read the first time and referred to the **Human Services Committee**.

Reps. Gerntholz, Huether, Sabby and Sens. Robinson, Wanzek introduced:

HB 1362: A BILL for an Act to create and enact two new sections to chapter 4-24 of the North Dakota Century Code, relating to induction in the North Dakota agricultural hall of fame; and to amend and reenact section 4-24-08 of the North Dakota Century code, relating to the North Dakota agricultural hall of fame.

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

Reps. Christenson, S. Kelsh, Rose introduced:

HB 1363: A BILL for an Act to amend and reenact section 5-01-08 of the North Dakota Century Code, relating to persons under twenty-one years of age and alcoholic beverages.

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

Reps. Delmore, Mahoney, Maragos and Sens. Nething, St. Aubyn introduced:

HB 1364: A BILL for an Act to amend and reenact subsection 2 of section 57-55-10 of the North Dakota Century Code, relating to a mobile home tax exemption for a park model trailer; and to provide an effective date.

Was read the first time and referred to the **Finance and Taxation Committee**.

FIRST READING OF SENATE BILLS

SB 2103: A BILL for an Act to amend and reenact section 27-11-06 of the North Dakota Century Code, relating to the membership of the state bar board.

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

SB 2117: A BILL for an Act to create and enact two new sections to chapter 7-01 of the North Dakota Century Code, relating to a state or federal savings and loan association conversion to a state-chartered commercial bank; and to amend and reenact section 6-03-13.5 of the North Dakota Century Code, relating to a state or federal savings and loan association conversion to a state-chartered commercial bank.

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

SB 2123: A BILL for an Act to amend and reenact sections 27-23-01, 27-23-02, 27-23-03, 27-23-06, 27-23-08, and 27-23-09 of the North Dakota Century Code, relating to the creation, composition, duties, and operation of the judicial conduct commission; and to provide an effective date.

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

SB 2134: A BILL for an Act to amend and reenact sections 6-05-04 and 6-08-02 of the North Dakota Century Code, relating to approval of trust company surety bond securities and trust company executive officers' oaths of office.

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

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

ROY GILBREATH, Chief Clerk