

JOURNAL OF THE HOUSE

Fifty-fifth Legislative Assembly

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Bismarck, March 7, 1997

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

The prayer was offered by Mr. Vern Longie, Spiritual Assembly of Bahai's, Bismarck

The roll was called and all members were present except Representatives Boucher, Brown, Dorso, Glassheim, Lloyd, Nicholas, and Price.

A quorum was declared by the Speaker.

SIXTH ORDER OF BUSINESS

REP. FREIER MOVED that the amendments on the Sixth order of business to Engrossed SB 2032, Engrossed SB 2033, Engrossed SB 2072, SB 2089, Engrossed SB 2116, SB 2117, Engrossed SB 2118, SB 2120, Engrossed SB 2157, Engrossed SB 2272, SB 2331, SB 2343, and SCR 4016 be adopted, which motion prevailed.

Engrossed SB 2032, as amended, was rereferred to the **Appropriations Committee**.

Engrossed SB 2033, Engrossed SB 2072, SB 2089, Engrossed SB 2116, SB 2117, Engrossed SB 2118, SB 2120, Engrossed SB 2157, Engrossed SB 2272, SB 2331, SB 2343, and SCR 4016, as amended, were placed on the Fourteenth order of business on the calendar.

SIGNING OF BILLS AND RESOLUTIONS

The Speaker signed the following enrolled resolution: HCR 3002.

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

MADAM PRESIDENT: The Speaker has signed and your signature is respectfully requested on: HCR 3002.

SIGNING OF BILLS AND RESOLUTIONS

The Speaker signed the following enrolled bills: HB 1057, HB 1073, HB 1110, HB 1235, HB 1280, HB 1288, HB 1309, HB 1341, HB 1390, HB 1420, HB 1421, HB 1451.

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

MADAM PRESIDENT: The Speaker has signed and your signature is respectfully requested on: HB 1057, HB 1073, HB 1110, HB 1235, HB 1280, HB 1288, HB 1309, HB 1341, HB 1390, HB 1420, HB 1421, HB 1451.

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

MR. SPEAKER: The Senate has amended, subsequently passed, and the emergency clause carried: HB 1033.

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1033

Page 1, line 2, after "contracts" insert "; and to declare an emergency"

Page 2, after line 2, insert:

"SECTION 3. EMERGENCY. This Act is declared to be an emergency measure."

Renumber accordingly

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

MR. SPEAKER: The Senate has amended and subsequently passed: HB 1240.

SENATE AMENDMENTS TO HOUSE BILL NO. 1240

Page 1, line 16, after the period insert "If a board of park commissioners decides to leave an existing city pension plan, the board shall fund an actuarial study of the financial impacts to the pension fund upon request by the city governing body. Any losses or costs to the fund by the park district leaving the pension plan are the responsibility of the park district. A park district leaving the city's pension plan shall continue to fund the obligation of park district employees remaining with the city's plan or the park district shall fund all obligations of current and future retirees in the park district's plan."

Renumber accordingly

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

MR. SPEAKER: The Senate has passed and your favorable consideration is requested on: SCR 4012.

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

MR. SPEAKER: The President has signed and your signature is respectfully requested on: SB 2038, SB 2039, SB 2103, SB 2107, SB 2111, SB 2123, SB 2126, SB 2201, SB 2212, SB 2245, SB 2277, SB 2316, SB 2337.

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

MR. SPEAKER: The President has signed: HB 1057, HB 1073, HB 1110, HB 1235, HB 1280, HB 1288, HB 1309, HB 1341, HB 1390, HB 1420, HB 1421, HB 1451.

HOUSE ENROLLING REPORT

The following bills were enrolled: HB 1049, HB 1276, HB 1336 and HB 1392.

SECOND READING OF SENATE BILL

SB 2106: A BILL for an Act to create and enact a new subsection to section 5-02-02 of the North Dakota Century Code, relating to payment of background check costs.

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 89 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; Drovdal; Fairfield; Freier; Froseth; Galvin; Gerntholz; Gorder; Grande; Grosz; Grumbo; Gulleon; 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; Martinson; Mickelson; Monson; Murphy; Nelson; Nichols; Niemeier; Nottestad; Oban; Olson; Poolman; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Wentz; Wilkie; Speaker Timm

ABSENT AND NOT VOTING: Boucher; Brown; Dorso; Glassheim; Lloyd; Nicholas; Price; Weisz

SB 2106, as amended, passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2185: A BILL for an Act to create and enact a new section to chapter 51-07 of the North Dakota Century Code, relating to pawnbrokers and secondhand stores; and to provide a penalty.

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 15 YEAS, 75 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Callahan; Froseth; Grumbo; Hanson; Kerzman; Koppelman; Kunkel; Nottestad; Sandvig; Schmidt; Svedjan; Thoreson; Warner; Wentz

NAYS: Axtman; Belter; Berg; Bernstein; Boehm; Brandenburg; Brusegaard; Byerly; Carlisle; Carlson; Christenson; Christopherson; Clark; Coats; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Drovdal; Fairfield; Freier; Galvin; Gerntholz; Gorder; Grande; Grosz; Gulleon; Gunter; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kilzer; Klein; Kliniske; Kretschmar; Kroeplin; Mahoney; Maragos; Martinson; Mickelson; Monson; Murphy; Nelson; Nichols; Niemeier; Oban; Olson; Poolman; Renner; Rennerfeldt; Rose; Sabby; Skarphol; Soukup; Stenehjem; Sveen; Thompson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Weisz; Wilkie; Speaker Timm

ABSENT AND NOT VOTING: Boucher; Brown; Dorso; Glassheim; Lloyd; Nicholas; Price

Engrossed SB 2185, as amended, was declared lost.

SECOND READING OF SENATE BILL

SB 2215: A BILL for an Act to amend and reenact section 34-14-02 of the North Dakota Century Code, relating to the direct deposit of wages by employers.

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 33 YEAS, 57 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

YEAS: Axtman; Belter; Berg; Brusegaard; Callahan; Carlisle; Christopherson; Coats; Dalrymple; Froseth; Grosz; Gunter; Henegar; Huether; Jacobs; Jensen; Johnson, D.; Kelsch, R.; Klein; Kretschmar; Kunkel; Maragos; Martinson; Mickelson; Olson; Rennerfeldt; Sandvig; Schmidt; Skarphol; Svedjan; Wald; Wardner; Wentz

NAYS: Aarsvold; Bernstein; Boehm; Brandenburg; Byerly; Carlson; Christenson; Clark; DeKrey; Delmore; Delzer; Devlin; Drovda; Fairfield; Freier; Galvin; Gerntholz; Gorder; Grande; Grumbo; Gulleson; Hanson; Hausauer; Hawken; Johnsen, C.; Keiser; Kelsh, S.; Kempenich; Kerzman; Kilzer; Kliniske; Koppelman; Kroeplin; Mahoney; Monson; Murphy; Nelson; Nichols; Niemeier; Nottestad; Oban; Poolman; Renner; Rose; Sabby; Soukup; Stenehjelm; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Warner; Weisz; Wilkie; Speaker Timm

ABSENT AND NOT VOTING: Boucher; Brown; Dorso; Glassheim; Lloyd; Nicholas; Price

SB 2215, as amended, was declared lost.

SECOND READING OF SENATE BILL

SB 2171: A BILL for an Act to amend and reenact sections 41-03-03, 41-03-04, 41-03-53, 41-03-54, 41-04-19, and 41-04-20 of the North Dakota Century Code, relating to the liability for paying an unauthorized demand draft.

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, 7 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; Drovda; Fairfield; Freier; Froseth; Galvin; Gerntholz; 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; Martinson; Mickelson; Monson; Murphy; Nelson; Nichols; Niemeier; Nottestad; Oban; Olson; Poolman; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Skarphol; Soukup; Stenehjelm; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Wilkie; Speaker Timm

ABSENT AND NOT VOTING: Boucher; Brown; Dorso; Glassheim; Lloyd; Nicholas; Price

SB 2171 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2312: A BILL for an Act to amend and reenact sections 15-62.2-00.1 and 15-62.2-03.3 of the North Dakota Century Code, relating to scholarships for postsecondary students.

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, 7 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; Drovdal; Fairfield; Freier; Froseth; Galvin; Gerntholz; 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; Kroepelin; Kunkel; Mahoney; Maragos; Martinson; Mickelson; Monson; Murphy; Nelson; Nichols; Niemeier; Nottestad; Oban; Olson; Poolman; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Skarphol; Soukup; Stenehjerm; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Wilkie; Speaker Timm

ABSENT AND NOT VOTING: Boucher; Brown; Dorso; Glassheim; Lloyd; Nicholas; Price

SB 2312 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2317: A BILL for an Act to amend and reenact sections 34-07-02 and 34-07-15 of the North Dakota Century Code, relating to school-to-work program exemptions.

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, 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; Drovdal; Fairfield; Freier; Froseth; Galvin; Gerntholz; 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; Kroepelin; Kunkel; Mahoney; Martinson; Mickelson; Monson; Murphy; Nelson; Nichols; Niemeier; Nottestad; Oban; Olson; Poolman; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Skarphol; Soukup; Stenehjerm; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Wilkie; Speaker Timm

ABSENT AND NOT VOTING: Boucher; Brown; Dorso; Glassheim; Lloyd; Maragos; Nicholas; Price

SB 2317 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2383: A BILL for an Act to create and enact a new subsection to section 65-07-03 of the North Dakota Century Code, relating to the determination of weekly wage for workers' compensation premium purposes.

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, 0 NAYS, 0 EXCUSED, 10 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; Drovdal; Fairfield; Froseth; Galvin; Gerntholz; 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; Kroepelin; Kunkel; Mahoney; Martinson; Mickelson; Monson; Murphy; Nelson; Nichols; Niemeier; Nottestad; Oban; Olson; Poolman; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Skarphol; Soukup; Stenehjerm; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wardner; Warner; Weisz; Wentz; Wilkie; Speaker Timm

ABSENT AND NOT VOTING: Boucher; Brown; Dorso; Freier; Glassheim; Lloyd; Maragos; Nicholas; Price; Wald

SB 2383 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2105: A BILL for an Act to amend and reenact section 61-02-64.1 of the North Dakota Century Code, relating to the purpose of the contract fund.

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, 7 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; Drovdal; Fairfield; Freier; Froseth; Galvin; Gerntholz; 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; Martinson; Mickelson; Monson; Murphy; Nelson; Nichols; Niemeier; Nottestad; Oban; Olson; Poolman; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Wilkie; Speaker Timm

ABSENT AND NOT VOTING: Boucher; Brown; Dorso; Glassheim; Lloyd; Nicholas; Price

SB 2105 passed and the title was agreed to.

MOTION

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

SECOND READING OF SENATE BILL

SB 2109: A BILL for an Act to amend and reenact subsection 5 of section 39-06-02, sections 39-06-07.1, 39-06-08, subsection 1 of section 39-06-14, sections 39-06-18, 39-06-20, subsection 2 of section 39-06.1-01, section 39-06.1-13, and subsection 6 of section 39-06.2-02 of the North Dakota Century Code, relating to motor vehicle operator's licensing exemptions, proof of name and date of birth, applications of minors, license color, change of address or name, definition of equivalent ordinance, reduction of point total, and definition of commercial motor vehicle.

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, 0 NAYS, 0 EXCUSED, 8 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Axtman; Belter; Berg; Bernstein; Boehm; Brandenburg; Brusegaard; Callahan; Carlisle; Carlson; Christenson; Christopherson; Clark; Coats; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Drovdal; Fairfield; Freier; Froseth; Galvin; Gerntholz; 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; Martinson; Mickelson; Monson; Murphy; Nelson; Nichols; Niemeier; Nottestad; Oban; Olson; Poolman; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Wilkie; Speaker Timm

ABSENT AND NOT VOTING: Boucher; Brown; Byerly; Dorso; Glassheim; Lloyd; Nicholas; Price

Engrossed SB 2109 passed and the title was agreed to.

SECOND READING OF SENATE BILL

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.

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 84 YEAS, 5 NAYS, 0 EXCUSED, 8 ABSENT AND NOT VOTING.

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

NAYS: Brusegaard; Carlson; Delmore; Kliniske; Poolman

ABSENT AND NOT VOTING: Boucher; Brown; Byerly; Dorso; Glassheim; Lloyd; Nicholas; Price

SB 2134 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2137: A BILL for an Act to create and enact a new subsection to section 20.1-03-11 of the North Dakota Century Code, relating to deer hunting by landowners.

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, 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; Drovdal; Fairfield; Freier; Froseth; Galvin; Gerntholz; Gorder; Grande; Grosz; Grumbo; Gulleon; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kelsch, S.; Kempenich; Kerzman; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroeplin; Kunkel; Mahoney; Maragos; Martinson; Mickelson; Monson; Murphy; Nelson; Nichols; Niemeier; Nottestad; Oban; Olson; Poolman; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Skarphol; Soukup; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Wilkie; Speaker Timm

ABSENT AND NOT VOTING: Boucher; Brown; Dorso; Glassheim; Lloyd; Nicholas; Price; Stenehjem

Engrossed SB 2137 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2151: A BILL for an Act to amend and reenact sections 16.1-07-01, 16.1-07-05, 16.1-07-06, and 16.1-07-08 of the North Dakota Century Code, relating to an elector's eligibility to vote by absentee ballot; and to repeal section 16.1-07-02 of the North Dakota Century Code, relating to voting by absentee ballot.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 87 YEAS, 4 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

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

NAYS: Brusegaard; Carlisle; Henegar; Thorpe

ABSENT AND NOT VOTING: Brown; Dorso; Glassheim; Lloyd; Nicholas; Weisz

Engrossed SB 2151 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2158: A BILL for an Act to amend and reenact sections 16.1-11-18 and 16.1-12-08 of the North Dakota Century Code, relating to filling election candidate vacancies.

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 92 YEAS, 0 NAYS, 0 EXCUSED, 5 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; Drovdal; Fairfield; Freier; Froseth; Galvin; Gerntholz; Gorder; Grande; Grosz; Grumbo; Gulleeson; 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; Martinson; Mickelson; Monson; Murphy; Nelson; Nichols; Niemeier; Nottestad; Oban; Olson; Poolman; Price; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Wilkie; Speaker Timm

ABSENT AND NOT VOTING: Brown; Dorso; Glassheim; Lloyd; Nicholas

SB 2158 passed and the title was agreed to.

MOTION

REP. FREIER MOVED that Engrossed SB 2187 be placed at the top of the calendar, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2187: A BILL for an Act to create and enact a new section to chapter 54-06 of the North Dakota Century Code, relating to the use of state telephones by state appointed and elected officials and state employees; 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 91 YEAS, 0 NAYS, 0 EXCUSED, 6 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; Drovdal; Fairfield; Froseth; Galvin; Gerntholz; Gorder; Grande; Grosz; Grumbo; Gulleeson; 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; Martinson; Mickelson; Monson; Murphy; Nelson; Nichols; Niemeier; Nottestad; Oban; Olson; Poolman; Price; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Skarphol; Soukup; Stenehjem; Svedjan;

Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Wilkie; Speaker Timm

ABSENT AND NOT VOTING: Brown; Dorso; Freier; Glassheim; Lloyd; Nicholas

Engrossed SB 2187 passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF SENATE BILL

SB 2165: A BILL for an Act to create and enact a new section to chapter 25-06 of the North Dakota Century Code, relating to the purchase and resale of vision specific adaptive aids, devices, and appliances by the school for the blind and the creation of a revolving fund; to provide a continuing appropriation; 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, 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; Drovdal; Fairfield; Froseth; Galvin; Gerntholz; 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; Martinson; Mickelson; Monson; Murphy; Nelson; Nichols; Niemeier; Nottestad; Oban; Olson; Poolman; Price; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Skarphol; Soukup; Stenehjerm; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Wentz; Wilkie; Speaker Timm

ABSENT AND NOT VOTING: Brown; Dorso; Freier; Glassheim; Lloyd; Nicholas; Weisz

SB 2165 passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF SENATE BILL

SB 2176: A BILL for an Act to amend and reenact section 15-40.1-09 of the North Dakota Century Code, relating to the verification of per student payments.

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 27 YEAS, 64 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

YEAS: Axtman; Berg; Bernstein; Callahan; Carlson; Clark; Coats; Delmore; Grande; Hanson; Hausauer; Hawken; Henegar; Jensen; Kelsh, S.; Kretschmar; Mahoney; Maragos; Nottestad; Oban; Rose; Sandvig; Soukup; Sveen; Thoreson; Thorpe; Wilkie

NAYS: Aarsvold; Belter; Boehm; Boucher; Brandenburg; Brusegaard; Byerly; Carlisle; Christenson; Christopherson; Dalrymple; DeKrey; Delzer; Devlin; Drovdal; Fairfield; Froseth; Galvin; Gerntholz; Gorder; Grosz; Grumbo; Gulleson; Gunter; Huether; Jacobs; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kempenich; Kerzman; Kilzer; Klein; Kliniske; Koppelman; Kroeplin; Kunkel; Martinson; Mickelson; Monson; Murphy; Nelson; Nichols; Niemeier; Olson; Poolman; Price; Renner; Rennerfeldt; Sabby; Schmidt; Skarphol; Stenehjerm; Svedjan; Thompson; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Speaker Timm

ABSENT AND NOT VOTING: Brown; Dorso; Freier; Glassheim; Lloyd; Nicholas

SB 2176 was declared lost.

SECOND READING OF SENATE BILL

SB 2220: A BILL for an Act to amend and reenact sections 12.1-32-07 and 12.1-32-08 of the North Dakota Century Code, relating to supervision of probationers, restitution, and reimbursement of indigent defense costs from offenders.

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 91 YEAS, 0 NAYS, 0 EXCUSED, 6 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; Drovdal; Fairfield; Freier; Froseth; Galvin; Gerntholz; Gorder; Grande; Grosz; Grumbo; Gulleeson; 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; Martinson; Mickelson; Monson; Murphy; Nelson; Nichols; Niemeier; Nottestad; Oban; Olson; Poolman; Price; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Wilkie; Speaker Timm

ABSENT AND NOT VOTING: Brown; Dorso; Glassheim; Keiser; Lloyd; Nicholas

Engrossed SB 2220 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2269: A BILL for an Act to create and enact a new section to chapter 39-04 of the North Dakota Century Code, relating to license plates for law enforcement vehicles; and to amend and reenact subdivision b of subsection 2 of section 39-04-18 of the North Dakota Century Code, relating to motor vehicles exempt from registration.

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, 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; Drovdal; Fairfield; Freier; Froseth; Galvin; Gerntholz; Gorder; Grande; Grosz; Grumbo; Gulleeson; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Kelsch, R.; Kelsh, S.; Kerzman; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroeplin; Kunkel; Mahoney; Maragos; Martinson; Mickelson; Monson; Murphy; Nelson; Nichols; Niemeier; Nottestad; Oban; Olson; Poolman; Price; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Wilkie; Speaker Timm

ABSENT AND NOT VOTING: Brown; Dorso; Glassheim; Keiser; Kempenich; Lloyd; Nicholas

Engrossed SB 2269 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2287: A BILL for an Act to amend and reenact subsection 6 of section 6-01-07.1 of the North Dakota Century Code, relating to access to records held by the department of banking and financial institutions; and to repeal section 6-01-20 of the North Dakota Century Code, relating to access by the Bank of North Dakota to bank, savings and loan, and credit union records.

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, 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; Drovdal; Fairfield; Freier; Froseth; Galvin; Gerntholz; Grande; Grosz; Grumbo; Gulleson; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Kelsch, R.; Kelsh, S.; Kerzman; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroeplin; Kunkel; Mahoney; Maragos; Martinson; Mickelson; Monson; Murphy; Nelson; Nichols; Niemeier; Nottestad; Oban; Olson; Poolman; Price; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Skarphol; Soukup; Stenehjerm; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Wilkie; Speaker Timm

ABSENT AND NOT VOTING: Brown; Dorso; Glassheim; Gorder; Keiser; Kempenich; Lloyd; Nicholas

Engrossed SB 2287 passed and the title was agreed to.

SECOND READING OF SENATE CONCURRENT RESOLUTIONS ON CONSENT CALENDAR

SCR 4003: A concurrent resolution urging the State Board of Higher Education to continue to pursue collaborative efforts with the South Dakota Board of Regents.

SCR 4036: A concurrent resolution directing the Legislative Council to study the level of and remedies for discrimination in this state.

ROLL CALL

The question being on the final adoption of the resolutions, which have been read, the roll was called and there were 74 YEAS, 13 NAYS, 0 EXCUSED, 10 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Axtman; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Byerly; Callahan; Carlisle; Christenson; Christopherson; Coats; Dalrymple; Delmore; Drovdal; Fairfield; Freier; Froseth; Galvin; Gerntholz; Grumbo; Gulleson; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Kelsch, R.; Kelsh, S.; Kerzman; Kilzer; Klein; Koppelman; Kroeplin; Kunkel; Mahoney; Maragos; Martinson; Mickelson; Monson; Nichols; Niemeier; Nottestad; Oban; Olson; Price; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Soukup; Stenehjerm; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Wentz; Wilkie; Speaker Timm

NAYS: Brusegaard; Carlson; Clark; DeKrey; Delzer; Devlin; Grande; Grosz; Kliniske; Murphy; Nelson; Poolman; Weisz

ABSENT AND NOT VOTING: Brown; Dorso; Glassheim; Gorder; Keiser; Kempenich; Kretschmar; Lloyd; Nicholas; Skarphol

SCR 4003 and Reengrossed SCR 4036 were declared adopted on a recorded roll call vote.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. BERG MOVED that the House do concur in the Senate amendments to Engrossed HB 1152 as printed on HJ page 767, which motion prevailed.

Engrossed HB 1152, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1152: A BILL for an Act to amend and reenact sections 43-07-02, 43-07-04, 43-07-09, 43-07-09.1, 43-07-10, 43-07-13, 43-07-14, 43-07-15, and 43-07-17 of the North Dakota Century Code, relating to licensing of contractors.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 89 YEAS, 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; DeKrey; Delmore; Delzer; Devlin; Drovdal; Fairfield; Freier; Froseth; Galvin;

Gerntholz; Gorder; Grande; Grosz; Grumbo; Gulleson; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Kelsch, R.; Kelsh, S.; Kerzman; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroeplin; Kunkel; Mahoney; Maragos; Martinson; Mickelson; Monson; Murphy; Nelson; Nichols; Niemeier; Nottestad; Oban; Olson; Poolman; Price; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Skarphol; Soukup; Stenehjelm; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Wilkie; Speaker Timm

ABSENT AND NOT VOTING: Brown; Dalrymple; Dorso; Glassheim; Keiser; Kempenich; Lloyd; Nicholas

Engrossed HB 1152, as amended, passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. POOLMAN MOVED that the House do concur in the Senate amendments to Engrossed HB 1178 as printed on HJ page 767, which motion prevailed.

Engrossed HB 1178, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1178: A BILL for an Act to create and enact a new subsection to section 12.1-22-03 of the North Dakota Century Code, relating to criminal trespass; to amend and reenact subsection 2 of section 12.1-17-01 of the North Dakota Century Code, relating to assault of firefighters or emergency medical services personnel; and to provide a penalty.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 89 YEAS, 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; DeKrey; Delmore; Delzer; Devlin; Drovda; Fairfield; Freier; Froseth; Galvin; Gerntholz; Gorder; Grande; Grosz; Grumbo; Gulleson; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Kelsch, R.; Kelsh, S.; Kerzman; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroeplin; Kunkel; Mahoney; Maragos; Martinson; Mickelson; Monson; Murphy; Nelson; Nichols; Niemeier; Nottestad; Oban; Olson; Poolman; Price; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Skarphol; Soukup; Stenehjelm; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Wilkie; Speaker Timm

ABSENT AND NOT VOTING: Brown; Dalrymple; Dorso; Glassheim; Keiser; Kempenich; Lloyd; Nicholas

Engrossed HB 1178, as amended, passed and the title was agreed to.

MOTION

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

MOTION

REP. FREIER MOVED that the House be on the Fifth, Thirteenth, and Sixteenth orders of business and at the conclusion of those orders, the House stand adjourned until 1:00 p.m., Monday, March 10, 1997, which motion prevailed.

REPORT OF STANDING COMMITTEE

SB 2010: Appropriations Committee (Rep. Dalrymple, Chairman) recommends **DO PASS** (19 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING). SB 2010 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2036, as engrossed: Transportation Committee (Rep. Skarphol, Chairman) recommends **DO PASS** (12 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). Engrossed SB 2036 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2037, as engrossed: Transportation Committee (Rep. Skarphol, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2037 was placed on the Sixth order on the calendar.

Page 1, line 1, after "32-03" insert "and a new section to chapter 49-10.1"

Page 1, line 3, after "operator" insert "and the determination of train speeds"

Page 4, after line 10, insert:

"SECTION 6. A new section to chapter 49-10.1 of the North Dakota Century Code is created and enacted as follows:

Determination of train speeds. If the governing body of a city proposes to establish a speed limit on trains passing through its corporate limits and an agreement cannot be reached with the railway company operating the railroad, the governing body of the city may file, with the commission, a petition that sets forth the facts and which requests the commission to make a determination regarding reasonable train speeds within the city. The commission, after giving reasonable notice, shall conduct a hearing and issue an order that establishes reasonable train speeds through the city."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2066: Appropriations Committee (Rep. Dalrymple, Chairman) recommends **DO PASS** (20 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2066 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2074, as engrossed: Appropriations Committee (Rep. Dalrymple, Chairman) recommends **DO PASS** (19 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING). Engrossed SB 2074 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2080, as engrossed: Natural Resources Committee (Rep. Olson, Chairman) recommends **DO PASS** (14 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2080 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2084: Appropriations Committee (Rep. Dalrymple, Chairman) recommends **DO PASS** (20 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2084 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2086: Political Subdivisions Committee (Rep. Poolman, Chairman) recommends **DO PASS** (12 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). SB 2086 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2087: Political Subdivisions Committee (Rep. Poolman, Chairman) recommends **DO PASS** (11 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). SB 2087 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2104: Natural Resources Committee (Rep. Olson, Chairman) recommends **DO PASS** (10 YEAS, 1 NAY, 5 ABSENT AND NOT VOTING). SB 2104 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2121, as engrossed: Political Subdivisions Committee (Rep. Poolman, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2121 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2124: Agriculture Committee (Rep. Nicholas, Chairman) recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2124 was rereferred to the **Appropriations Committee**.

REPORT OF STANDING COMMITTEE

SB 2131: Agriculture Committee (Rep. Nicholas, Chairman) recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2131 was rereferred to the **Appropriations Committee**.

REPORT OF STANDING COMMITTEE

SB 2144, as reengrossed: Political Subdivisions Committee (Rep. Poolman, Chairman) recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Reengrossed SB 2144 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2145: Agriculture Committee (Rep. Nicholas, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (10 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). SB 2145 was placed on the Sixth order on the calendar.

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

Page 1, line 2, replace the second comma with "and"

Page 1, line 3, remove ", and bond requirements for"

Page 1, line 4, remove "persons engaged in aerial spraying", after the first semicolon insert "and", and remove "; and to provide an effective date"

Page 2, remove lines 7 through 16

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2152, as engrossed: Political Subdivisions Committee (Rep. Poolman, Chairman) recommends **DO NOT PASS** (10 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2152 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2172, as engrossed: Agriculture Committee (Rep. Nicholas, Chairman) recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2172 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2182: Agriculture Committee (Rep. Nicholas, Chairman) recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (11 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2182 was rereferred to the **Appropriations Committee**.

REPORT OF STANDING COMMITTEE

SB 2199, as engrossed: Political Subdivisions Committee (Rep. Poolman, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2199 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2239, as engrossed: Natural Resources Committee (Rep. Olson, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (9 YEAS, 6 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2239 was placed on the Sixth order on the calendar.

Page 1, line 12, replace "At least two of the" with "The"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2271, as reengrossed: Natural Resources Committee (Rep. Olson, Chairman) recommends **DO NOT PASS** (14 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). Reengrossed SB 2271 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2328, as engrossed: Political Subdivisions Committee (Rep. Poolman, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2328 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2355, as engrossed: Agriculture Committee (Rep. Nicholas, Chairman) recommends **DO PASS** (10 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). Engrossed SB 2355 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2370: Political Subdivisions Committee (Rep. Poolman, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2370 was placed on the Sixth order on the calendar.

Page 1, line 2, after "commissioners" insert "; and to provide an effective date"

Page 1, after line 15, insert:

"SECTION 2. EFFECTIVE DATE. This Act is effective for any full term of office of a county commissioner beginning after July 31, 1997."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2393, as engrossed: Agriculture Committee (Rep. Nicholas, Chairman) recommends **DO PASS** (10 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). Engrossed SB 2393 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4007: Natural Resources Committee (Rep. Olson, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SCR 4007 was placed on the Sixth order on the calendar.

Page 1, line 1, after "urging" insert "the North Dakota Game and Fish Department to make a request of"

Page 1, line 7, after the comma insert "waterfowl historically have caused" and remove "was"

Page 1, line 8, remove "caused by waterfowl in 1995 and 1996"

Page 1, line 9, remove "and"

Page 1, remove lines 10 and 11

Page 1, line 14, after "urges" insert "the North Dakota Game and Fish Department to make a request of"

Renumber accordingly

FIRST READING OF SENATE CONCURRENT RESOLUTION

SCR 4012: A concurrent resolution for the amendment of sections 1 and 5 of article V of the Constitution of North Dakota, relating to the election of executive branch officers. Was read the first time and referred to the **Judiciary Committee**.

SIGNING OF BILLS AND RESOLUTIONS

The Speaker signed the following enrolled bills: HB 1049, HB 1276, HB 1336, HB 1392.

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

MADAM PRESIDENT: The Speaker has signed and your signature is respectfully requested on: HB 1049, HB 1276, HB 1336, HB 1392.

SIGNING OF BILLS AND RESOLUTIONS

The Speaker signed the following enrolled bills: SB 2038, SB 2039, SB 2103, SB 2107, SB 2111, SB 2123, SB 2126, SB 2201, SB 2212, SB 2245, SB 2277, SB 2316, SB 2337.

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

MADAM PRESIDENT: The Speaker has signed: SB 2038, SB 2039, SB 2103, SB 2107, SB 2111, SB 2123, SB 2126, SB 2201, SB 2212, SB 2245, SB 2277, SB 2316, SB 2337.

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

MR. SPEAKER: The Senate has passed unchanged: HB 1048, HB 1131, HB 1134, HB 1180, HB 1193, HB 1197.

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

MADAM PRESIDENT: The House has passed unchanged: SB 2067, SB 2095, SB 2098, SB 2127, SB 2129, SB 2135, SB 2142, SB 2146, SB 2148, SB 2167, SB 2168, SB 2169, SB 2179, SB 2191, SB 2280, SB 2286, SB 2307, SCR 4021.

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

MADAM PRESIDENT: The House has failed to pass: SCR 4029.

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

MR. SPEAKER: The Senate has amended and subsequently passed: HB 1143, HB 1301, HB 1393.

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1143

Page 2, line 19, after "receive" insert "sixty-two dollars and fifty cents as" and replace "as provided in section 54-35-10 for members" with "per day"

Page 2, line 20, remove "of the legislative council"

Renumber accordingly

SENATE AMENDMENTS TO HOUSE BILL NO. 1301

Page 3, line 10, remove the overstrike over "~~thirty~~" and remove "forty-five"

Renumber accordingly

SENATE AMENDMENTS TO REENGROSSED HOUSE BILL NO. 1393

Page 1, line 2, remove "; and to amend and"

Page 1, remove lines 3 and 4

Page 1, line 5, remove "levy limitations in school districts"

Page 1, remove lines 7 through 24

Page 2, remove lines 1 through 31

Page 3, remove lines 1 through 29

Page 4, remove lines 1 through 30

Page 5, remove lines 1 through 31

Page 6, remove lines 1 through 31

Page 7, remove lines 1 through 15

Page 7, remove the underscore under lines 18 through 31

Page 8, remove the underscore under lines 1 through 5

Page 8, remove lines 6 through 31

Page 9, remove lines 1 through 30

Page 10, remove lines 1 through 31

Page 11, remove lines 1 through 31

Page 12, remove lines 1 through 31

Page 13, remove lines 1 through 20

Renumber accordingly

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

ROY GILBREATH, Chief Clerk