

JOURNAL OF THE HOUSE

Fifty-fifth Legislative Assembly

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Bismarck, January 30, 1997

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

The prayer was offered by Deacon David Vaughn, Spirit of Life Catholic Church, Mandan.

The roll was called and all members were present.

A quorum was declared by the Speaker.

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

MR. SPEAKER: The Senate has passed unchanged: HB 1128.

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 2041, SB 2043, SB 2048, SB 2058, SB 2077, SB 2137, SB 2170, SB 2201, SCR 4004, SCR 4009.

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 1007, HB 1018, HB 1095, HB 1143, HB 1175, HB 1177, HB 1211, HCR 3002, HCR 3014.

SIXTH ORDER OF BUSINESS

REP. DORSO MOVED that the amendments on the Sixth order of business to HB 1089, HB 1323, and HB 1324 be adopted, which motion prevailed.

HB 1089, HB 1323, and HB 1324, as amended, were placed on the Eleventh order of business on the calendar.

HOUSE ENGROSSING REPORT

The following bills were engrossed: HB 1089, HB 1284, HB 1323, and HB 1324.

MOTION

REP. KLEIN MOVED that the House reconsider its action whereby Engrossed HB 1173 passed, which motion prevailed on a verification vote.

SECOND READING OF HOUSE BILL

HB 1173: A BILL for an Act to create and enact a new section to chapter 39-13 of the North Dakota Century Code, relating to a sign logo franchise program.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 26 YEAS, 71 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Brusegaard; Byerly; Clark; Delzer; Devlin; Drovdal; Gerntholz; Glassheim; Gorder; Huether; Jacobs; Kliniske; Kunkel; Lloyd; Mahoney; Niemeier; Nottestad; Rennerfeldt; Sabby; Stenehjelm; Sveen; Thompson; Torgerson; Wardner; Wilkie

NAYS: Axtman; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brown; Callahan; Carlisle; Carlson; Christenson; Christopherson; Coats; Dalrymple; DeKrey; Delmore; Dorso; Fairfield; Freier; Froeth; Galvin; Grande; Grosz; Grumbo; Gullerson; Gunter; Hanson; Hausauer; Hawken; Henegar; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kilzer; Klein; Koppelman; Kretschmar; Kroepelin; Maragos; Martin; Martinson; Mickelson; Monson; Murphy; Nicholas; Nichols; Oban; Olson; Poolman; Price; Renner; Rose; Sandvig; Schmidt; Skarphol; Soukup; Svedjan; Thoreson; Thorpe; Tollefson; Wald; Warner; Weisz; Wentz; Speaker Timm

ABSENT AND NOT VOTING: Nelson

Engrossed HB 1173 was declared lost.

MOTION

REP. SKARPHOL MOVED that HB 1474 be returned to the House floor from the **Transportation Committee** for the purpose of withdrawal, which motion prevailed.

REQUEST

REP. WARNER REQUESTED the unanimous consent of the House to withdraw HB 1474. There being no objection, it was so ordered by the Speaker.

SECOND READING OF HOUSE BILL

HB 1284: A BILL for an Act to amend and reenact section 50-06-06.9 of the North Dakota Century Code, relating to insurance payments on behalf of a person with human immunodeficiency virus infection.

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 87 YEAS, 9 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Axtman; Berg; Boehm; Boucher; Brandenburg; Brusegaard; Callahan; Carlisle; Christenson; Christopherson; Clark; Coats; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Dorso; Drovdal; Fairfield; Freier; Froeth; Galvin; Gerntholz; Glassheim; Gorder; Grande; Grumbo; Gulletson; 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; Nicholas; Nichols; Niemeier; Nottestad; Oban; Olson; Poolman; Price; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wardner; Warner; Weisz; Wentz; Wilkie; Speaker Timm

NAYS: Belter; Bernstein; Brown; Byerly; Carlson; Grosz; Lloyd; Skarphol; Wald

ABSENT AND NOT VOTING: Gunter; Nelson

Engrossed HB 1284 passed and the title was agreed to.

MOTION

REP. DORSO MOVED that HB 1081 and HB 1219 be placed at the top of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1081: A BILL for an Act to create and enact a new section to chapter 54-03 of the North Dakota Century Code, relating to the election and term of office of representatives.

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 78 YEAS, 20 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Axtman; Belter; Berg; Bernstein; Boehm; Brandenburg; Brown; Carlisle; Carlson; Christenson; Christopherson; Dalrymple; DeKrey; Delmore; Devlin; Dorso; Drovdal; Fairfield; Freier; Galvin; Gerntholz; Gorder; Grande; Grumbo; Gulletson; Gunter; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kilzer; Klein; Kliniske; Koppelman; Kroeplin; Kunkel; Mahoney; Maragos; Martin; Martinson; Monson; Murphy; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Oban; Olson; Price; Renner; Rose; Sabby; Sandvig; Schmidt; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Wald; Wardner; Warner; Weisz; Wentz; Speaker Timm

NAYS: Boucher; Brusegaard; Byerly; Callahan; Clark; Coats; Delzer; Froeth; Glassheim; Grosz; Hanson; Kretschmar; Lloyd; Mickelson; Poolman; Rennerfeldt; Skarphol; Tollefson; Torgerson; Wilkie

HB 1081 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1219: A BILL for an Act to create and enact a new section to chapter 54-03 of the North Dakota Century Code, relating to the election and term of office of representatives.

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 20 YEAS, 72 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

YEAS: Boucher; Brusegaard; Byerly; Callahan; Clark; Dalrymple; Froseth; Glassheim; Grosz; Hanson; Kretschmar; Lloyd; Mickelson; Monson; Olson; Poolman; Rennerfeldt; Skarphol; Stenehjerm; Torgerson

NAYS: Aarsvold; Axtman; Belter; Berg; Bernstein; Boehm; Brandenburg; Brown; Carlisle; Carlson; Christenson; Christopherson; Coats; DeKrey; Delmore; Delzer; Devlin; Dorso; Drovdal; Fairfield; Freier; Galvin; Gerntholz; Gordier; Grande; Grumbo; Gulleon; Gunter; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kilzer; Klein; Kliniske; Koppelman; Kroeplin; Mahoney; Maragos; Martin; Martinson; Murphy; Nelson; Nichols; Nottestad; Oban; Price; Renner; Rose; Sabby; Sandvig; Schmidt; Soukup; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Wardner; Warner; Weisz; Wentz; Wilkie; Speaker Timm

ABSENT AND NOT VOTING: Johnson, D.; Kunkel; Nicholas; Niemeier; Tollefson; Wald

HB 1219 was declared lost.

SECOND READING OF HOUSE BILL

HB 1228: A BILL for an Act to amend and reenact section 16.1-11-27 of the North Dakota Century Code, relating to name rotation on ballots.

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

YEAS: DeKrey; Devlin; Froseth; Jacobs; Keiser; Kilzer; Nelson; Warner; Weisz

NAYS: Aarsvold; Axtman; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brown; Brusegaard; Byerly; Callahan; Carlisle; Carlson; Christenson; Christopherson; Clark; Coats; Dalrymple; Delmore; Delzer; Dorso; Drovdal; Fairfield; Freier; Galvin; Gerntholz; Glassheim; Gordier; Grande; Grosz; Grumbo; Gulleon; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jensen; Johnsen, C.; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Klein; Kliniske; Koppelman; Kretschmar; Kroeplin; Lloyd; Mahoney; Maragos; Martin; Martinson; Mickelson; Monson; Murphy; Nichols; Niemeier; Nottestad; Oban; Olson; Poolman; Price; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Skarphol; Soukup; Stenehjerm; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wardner; Wentz; Wilkie; Speaker Timm

ABSENT AND NOT VOTING: Johnson, D.; Kunkel; Nicholas; Schmidt; Wald

HB 1228 was declared lost.

SECOND READING OF HOUSE BILL

HB 1229: A BILL for an Act to amend and reenact subsection 3 of section 32-12.1-03 of the North Dakota Century Code, relating to the discretionary functions or duties of a political subdivision.

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 19 YEAS, 77 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Boehm; Brown; Clark; DeKrey; Delzer; Freier; Galvin; Grosz; Kretschmar; Martin; Mickelson; Murphy; Poolman; Renner; Rennerfeldt; Sveen; Thompson; Weisz; Wentz

NAYS: Aarsvold; Axtman; Belter; Berg; Bernstein; Boucher; Brandenburg; Brusegaard; Byerly; Callahan; Carlisle; Carlson; Christenson; Christopherson; Coats; Dalrymple; Delmore; Devlin; Dorso; Drovdal; Fairfield; Froseth; Gerntholz; Glassheim; Gorder; Grande; Grumbo; Guleson; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kilzer; Klein; Kliniske; Koppelman; Kroeplin; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Monson; Nelson; Nichols; Niemeier; Nottestad; Oban; Olson; Price; Rose; Sabby; Sandvig; Schmidt; Skarphol; Soukup; Stenehjerm; Svedjan; Thoreson; Thorpe; Tollefson; Torgerson; Wardner; Warner; Wilkie; Speaker Timm

ABSENT AND NOT VOTING: Nicholas; Wald

HB 1229 was declared lost.

SECOND READING OF HOUSE BILL

HB 1230: A BILL for an Act to amend and reenact section 40-08-04 of the North Dakota Century Code, relating to election of city council members.

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

YEAS: Aarsvold; Axtman; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brown; Brusegaard; Byerly; Callahan; Carlisle; Carlson; Christenson; Christopherson; Clark; Coats; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Dorso; Drovdal; Fairfield; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Grande; Grosz; Grumbo; Guleson; 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; Lloyd; Mahoney; Maragos; Martin; 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; Wardner; Warner; Weisz; Wentz; Wilkie; Speaker Timm

ABSENT AND NOT VOTING: Nicholas; Wald

HB 1230 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1234: A BILL for an Act to amend and reenact sections 15-47-06, 16.1-16-01, 40-21-13, and 40-21-17 of the North Dakota Century Code, relating to school district, city, and statewide election recounts.

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

YEAS: Aarsvold; Axtman; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brown; Brusegaard; Byerly; Callahan; Carlisle; Carlson; Christenson; Christopherson; Clark; Coats; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Dorso; Drovdal; Fairfield; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Grande; Grosz; Grumbo; Guleson; 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; Lloyd; Mahoney; Maragos; Martin; 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; Wardner; Warner; Weisz; Wentz; Wilkie; Speaker Timm

ABSENT AND NOT VOTING: Nicholas; Wald

HB 1234 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1248: A BILL for an Act to amend and reenact sections 50-22-02 and 50-22-04 of the North Dakota Century Code, relating to licensing of charitable organizations and filing of annual reports by charitable organizations.

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 95 YEAS, 1 NAY, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Axtman; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brown; Brusegaard; Byerly; Callahan; Carlisle; Carlson; Christenson; Christopherson; Clark; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Dorso; Drovdal; Fairfield; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Grande; Grosz; Grumbo; Guleson; 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; Lloyd; Mahoney; Maragos; Martin; 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; Wardner; Warner; Weisz; Wentz; Wilkie; Speaker Timm

NAYS: Coats

ABSENT AND NOT VOTING: Nicholas; Wald

HB 1248 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1251: A BILL for an Act to create and enact a new section to chapter 15-29 of the North Dakota Century Code, relating to the authority of school boards; and to amend and reenact section 15-38.1-09 of the North Dakota Century Code, relating to the scope of negotiations by teacher organizations.

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 58 YEAS, 38 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Axtman; Belter; Berg; Bernstein; Boehm; Brown; Brusegaard; Byerly; Carlisle; Carlson; Christopherson; Clark; Dalrymple; DeKrey; Delzer; Devlin; Dorso; Drovdal; Freier; Froseth; Galvin; Gorder; Grande; Grosz; Gunter; Hausauer; Hawken; Henegar; Huether; Jacobs; Johnsen, C.; Keiser; Kempenich; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kunkel; Lloyd; Martin; Mickelson; Murphy; Nelson; Nicholas; Olson; Poolman; Renner; Rennerfeldt; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Tollefson; Weisz; Wilkie; Speaker Timm

NAYS: Aarsvold; Boucher; Brandenburg; Callahan; Christenson; Delmore; Fairfield; Gerntholz; Glassheim; Grumbo; Guleson; Hanson; Jensen; Johnson, D.; Kelsch, R.; Kelsh, S.; Kerzman; Kroeplin; Mahoney; Maragos; Martinson; Monson; Nichols; Niemeier; Nottestad; Oban; Price; Rose; Sabby; Sandvig; Schmidt; Thompson; Thoreson; Thorpe; Torgerson; Wardner; Warner; Wentz

ABSENT AND NOT VOTING: Coats; Wald

HB 1251 passed and the title was agreed to.

REQUEST

REP. COATS REQUESTED that the record show that he intended to vote "Nay" on HB 1251, which request was granted.

MOTION

REP. FREIER MOVED that the House be on the Fifth and Thirteenth orders of business and at the conclusion of those orders, the House stand adjourned until 8:30 a.m., Friday, January 31, 1997, which motion prevailed.

REPORT OF STANDING COMMITTEE

HB 1030: Judiciary Committee (Rep. Kretschmar, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1030 was placed on the Sixth order on the calendar.

Page 2, line 6, remove "at least" and remove "A rule held for consideration under this"

Page 2, remove lines 7 and 8

Page 2, line 9, remove "rule is initially considered by the committee."

Page 5, line 1, remove "at least" and remove "A rule held for consideration under this"

Page 5, remove lines 2 and 3

Page 5, line 4, remove "rule is initially considered by the committee."

ReNUMBER accordingly

REPORT OF STANDING COMMITTEE

HB 1048: Judiciary Committee (Rep. Kretschmar, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1048 was placed on the Sixth order on the calendar.

Page 4, line 13, after the period insert "A law enforcement agency that has previously registered an offender may omit the fingerprint portion of the registration if that agency has a set of fingerprints on file for that individual and is personally familiar with and can visually identify the offender."

ReNUMBER accordingly

REPORT OF STANDING COMMITTEE

HB 1063: Judiciary Committee (Rep. Kretschmar, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1063 was placed on the Sixth order on the calendar.

Page 1, line 17, replace "An objection to the change of trial is deemed waived unless" with "If any party objects to the change of trial before the commencement of the trial, the trial must be held where originally venued."

Page 1, line 18, remove "the objecting party has asserted an objection in writing before the trial."

Page 3, line 14, replace "An objection to the change of" with "If any party objects to the change of trial before the commencement of the trial, the trial must be held where originally venued."

Page 3, remove line 15

Page 3, line 16, remove "writing before the trial."

ReNUMBER accordingly

REPORT OF STANDING COMMITTEE

HB 1157: Judiciary Committee (Rep. Kretschmar, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1157 was placed on the Sixth order on the calendar.

Page 1, after "16.1-11.1" insert "and a new subdivision to subsection 1 of section 28-32-01"

Page 3, line 24, replace "or according to" with ". If the applicant is unable to sign the applicant's name, the applicant shall mark (X) on the written authorization in the presence of a disinterested person. The disinterested person shall print the name of the applicant below the X and shall sign the name of the disinterested person following the printed name of the applicant with the notation 'witness to the mark'."

Page 3, line 25, remove "requirements set forth for signature mark."

Page 4, after line 6, insert:

"SECTION 7. A new subdivision to subsection 1 of section 28-32-01 of the 1995 Supplement to the North Dakota Century Code is created and enacted as follows:

The secretary of state with respect to rules adopted for the conduct of special statewide elections under section 2 of this Act."

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** and **BE REREFERRED** to the **Appropriations Committee** (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

HB 1178: Political Subdivisions Committee (Rep. Poolman, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1178 was placed on the Sixth order on the calendar.

Page 1, line 9, overstrike "or any" and insert immediately thereafter "a"

Page 1, line 11, after "unit" insert "or emergency department worker"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1194: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1194 was placed on the Sixth order on the calendar.

Page 1, line 2, remove "; and to provide a penalty"

Page 1, line 14, remove "To satisfy"

Page 1, remove lines 15 through 24

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1197: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1197 was placed on the Sixth order on the calendar.

Page 1, line 12, replace "such" with "special" and replace "agencies that" with "community rehabilitation programs for the handicapped which"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1244: Judiciary Committee (Rep. Kretschmar, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (12 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). HB 1244 was placed on the Sixth order on the calendar.

Page 1, line 8, replace "obligor" with "obligee"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1274: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1274 was placed on the Sixth order on the calendar.

Page 1, line 7, replace "amount" with "lesser of five percent of the monthly payment or ten dollars. No late payment charge or other charge is allowed if five percent of the monthly payment is less than one dollar"

Page 1, line 8, remove "agreed to by the parties in the revolving charge account agreement"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1390: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1390 was placed on the Sixth order on the calendar.

Page 1, line 10, after "transaction" insert ", except no appraisal or formal valuation is required for a real estate loan of one hundred thousand dollars or less"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1428: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1428 was placed on the Sixth order on the calendar.

Page 1, line 16, remove ", American medical association drug evaluation,"

Page 2, line 5, remove "a.", replace "shall" with "may", after "of" insert "up to", and after "eight" insert "qualified"

Page 2, line 8, after "appropriate" insert "and shall make recommendations regarding payment of off-label use"

Page 2, remove lines 9 through 16

Page 2, line 20, replace "contradicted" with "otherwise indicated"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1031: Judiciary Committee (Rep. Kretschmar, Chairman) recommends **DO PASS** (7 YEAS, 5 NAYS, 2 ABSENT AND NOT VOTING). HB 1031 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1154: Education Committee (Rep. R. Kelsch, Chairman) recommends **DO PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1154 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1165: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends **DO NOT PASS** (12 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING). HB 1165 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1213: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends **DO PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1213 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1283: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends **DO NOT PASS** (11 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). HB 1283 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1292: Education Committee (Rep. R. Kelsch, Chairman) recommends **DO PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1292 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1297: Judiciary Committee (Rep. Kretschmar, Chairman) recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1297 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1315: Education Committee (Rep. R. Kelsch, Chairman) recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1315 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1331: Human Services Committee (Rep. Price, Chairman) recommends **DO NOT PASS** (10 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). HB 1331 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1344: Judiciary Committee (Rep. Kretschmar, Chairman) recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1344 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1345: Judiciary Committee (Rep. Kretschmar, Chairman) recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1345 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1350: Judiciary Committee (Rep. Kretschmar, Chairman) recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1350 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1425: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends **DO NOT PASS** (11 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING). HB 1425 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1443: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends **DO NOT PASS** (12 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1443 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1447: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **DO NOT PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1447 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1449: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **DO NOT PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1449 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1460: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **DO NOT PASS** (12 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). HB 1460 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1466: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1466 was placed on the Eleventh order on the calendar.

FIRST READING OF SENATE BILLS

SB 2041: A BILL for an Act to amend and reenact subsection 2 of section 26.1-36-08 of the North Dakota Century Code, relating to group health policy and health service contract substance abuse coverage.

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

SB 2043: A BILL for an Act to create and enact a new section to chapter 26.1-36 of the North Dakota Century Code, relating to health insurance coverage for mothers and newborns.

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

SB 2048: A BILL for an Act to amend and reenact section 54-40-01 of the North Dakota Century Code, relating to the exercise of joint authority by North Dakota and South Dakota.

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

SB 2058: A BILL for an Act relating to lifeguard qualifications and equipment.

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

SB 2077: A BILL for an Act to create and enact a new subsection to section 54-17-07.3, relating to housing grants by the housing finance agency; and to amend and reenact subsection 1 of section 54-17-07.3 of the North Dakota Century Code, relating to financial assistance authorized under the housing finance agency's home mortgage finance program.

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

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.

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

SB 2170: A BILL for an Act to amend and reenact section 23-06-03 of the North Dakota Century Code, relating to the duty of counties to bury deceased residents or inmates of public institutions.

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

SB 2201: A BILL for an Act to amend and reenact sections 44-06-03 and 44-06-03.1 of the North Dakota Century Code, relating to bonds of notaries public.

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

FIRST READING OF SENATE CONCURRENT RESOLUTIONS

SCR 4004: A concurrent resolution directing the Legislative Council to study methods through which North Dakota and South Dakota can collaborate to deliver government services more efficiently.

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

SCR 4009: A concurrent resolution urging Congress to require the Federal Crop Insurance Corporation to develop and maintain an insurance program for canola.

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

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

ROY GILBREATH, Chief Clerk