

## JOURNAL OF THE HOUSE

## Fifty-fifth Legislative Assembly

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Bismarck, March 10, 1997

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

The prayer was offered by the Rev. Samuel E. Propsom, Bethel Moravian Church, Leonard.

The roll was called and all members were present except Representatives Dalrymple and Glassheim.

A quorum was declared by the Speaker.

## SPECIAL ORDER OF BUSINESS

**REP. DORSO MOVED** that the House be on a Special Order of Business, which motion prevailed.

## APPOINTMENT BY THE SPEAKER

**SPEAKER TIMM APPOINTED** Representatives Brown and Olson to the escort committee and the family of Representative Martin was escorted to the front of the House chambers.

**SPEAKER TIMM RECOGNIZED** Representative Gerntholz and Representative Wentz who presented the family of Representative Martin with a memorial from the North Dakota House of Representatives. Representatives Olson and Brown escorted the family of Representative Martin from the House chambers.

## MOTION

**REP. DORSO MOVED** that the Special Order of Business be dissolved, which motion prevailed.

## MOTION

**REP. BELTER MOVED** that SB 2349, which is on the Fourteenth order, be rereferred to the **Finance and Taxation Committee**, which motion prevailed. Pursuant to Rep. Belter's motion, SB 2349 was rereferred.

## SIXTH ORDER OF BUSINESS

**REP. DORSO MOVED** that the amendments on the Sixth order of business to Engrossed SB 2037, SB 2145, Engrossed SB 2239, SB 2370, and SCR 4007 be adopted, which motion prevailed.

SB 2145, as amended, was rereferred to the **Appropriations Committee**.

Engrossed SB 2037, Engrossed SB 2239, SB 2370, and SCR 4007, as amended, were placed on the Fourteenth order of business on the calendar.

## HOUSE ENROLLING REPORT

The following bills were enrolled: HB 1048, HB 1131, HB 1134, HB 1180, HB 1193, and HB 1197.

## POINT OF PERSONAL PRIVILEGE

**REP. COATS:** Mr. Speaker: I rise on a point of personal privilege and request that my remarks be printed in the Journal, which request was granted.

## REMARKS OF REPRESENTATIVE COATS

Thank you, Mr. Speaker. May we momentarily be on the Fourth order for a point of personal privilege? Without objection I'd like my remarks printed in the Journal.

Mr. Speaker, we have some special young men on the floor today as guests of Representatives R. Kelsch, Boehm, Renner, and myself, and many other representatives.

These young men, along with their coach, Mr. Ralph Manley, seated at my right, have the distinction of being the 1997 State Championship Boys Swimming team from Mandan High School. Not only did these young gentlemen win the state swimming meet, but in so doing, they established a new state meet team score of 462.5 points. Coach Manley along with his

assistants, Paul Thompson, Cory Sullivan, and Dennis Kimmesat, developed these Mandan winners at this year's state meet. With us today are: Robb Wagner, Joey Schneider, Ross Frohlich, Chad Schuchard, Shawn Heck, Andy Mork, Bret Donat, Danny Little, Dan Halvorson, Jacob Fetch, Corey Vincent, Tyler Schafer, Dan Moos, Jeff Renz, John Domingues, Seth Scarborough, Andrew Paris, Ryan Meidinger, Tony Skaug, Jesse Erhardt, Jeremy Fairaizl, Tim Mork, and Nathan Wilson.

These young men represent part of the population of the greatest crop we raise in North Dakota, our youth, and are worthy of this recognition.

#### SECOND READING OF SENATE BILL

**SB 2033:** A BILL for an Act to provide for a postsecondary enrollment options program; and to amend and reenact subdivision q of subsection 1 of section 28-32-01 of the North Dakota Century Code, relating to the rulemaking authority of the superintendent of public instruction.

#### 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 96 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Axtman; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brown; Brusegaard; Byerly; Callahan; Carlisle; Carlson; Christenson; Christopherson; Clark; Coats; DeKrey; Delmore; Delzer; Devlin; Dorso; Drovda; Fairfield; 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; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Murphy; Nelson; Nicholas; 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:** Dalrymple

Engrossed SB 2033, as amended, passed and the title was agreed to.

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#### SECOND READING OF SENATE BILL

**SB 2072:** A BILL for an Act to create and enact a new subsection to section 57-40.2-02 of the North Dakota Century Code, relating to the imposition of a use tax on natural gas; to amend and reenact subsection 6 of section 57-39.2-04 and section 57-40.3-05 of the North Dakota Century Code, relating to a sales tax exemption for a political subdivision of another state and the requirement for a seller's certificate under the motor vehicle excise tax; and to repeal sections 57-37.1-12, 57-37.1-13, 57-37.1-14, and 57-40.3-05.1 of the North Dakota Century Code, relating to inventory of safety deposit boxes upon the death of the lessor, the notice of transfer of a decedent's assets, penalties for violating the duties of a depository, and the requirement of a seller's certificate under the motor vehicle excise tax.

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

**YEAS:** Aarsvold; Axtman; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brown; Brusegaard; Byerly; Callahan; Carlisle; Carlson; Christenson; Christopherson; Clark; Coats; DeKrey; Delmore; Delzer; Devlin; Dorso; Drovda; Fairfield; 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; Kroeplin; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Murphy; Nelson; Nicholas; 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

**NAYS:** Kretschmar

**ABSENT AND NOT VOTING:** Dalrymple

Engrossed SB 2072, as amended, passed and the title was agreed to.

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**THE HOUSE RECOGNIZED THE PRESENCE OF:**

Former Representative Orlin Hanson.

**SECOND READING OF SENATE BILL**

**SB 2089:** A BILL for an Act to amend and reenact subsection 1 of section 57-38.3-02 of the North Dakota Century Code, relating to inclusion of job service North Dakota and the workers compensation bureau in the definition of claimant agency for income tax refund setoff purposes.

**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 96 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Axtman; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brown; Brusegaard; Byerly; Callahan; Carlisle; Carlson; Christenson; Christopherson; Clark; Coats; DeKrey; Delmore; Delzer; Devlin; Dorso; Drovda; 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; Martinson; Mickelson; Monson; Murphy; Nelson; Nicholas; 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:** Dalrymple

SB 2089, as amended, passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2116:** A BILL for an Act to create and enact a new section to chapter 65-05 of the North Dakota Century Code, relating to payment of workers compensation benefits to and scholarships for spouses and dependent children of employees who have died as the result of work-related injuries; to amend and reenact sections 65-05-16, 65-05-17, 65-05-26, and 65-05.2-02 of the North Dakota Century Code, relating to benefits for dependents of employees who have died as a result of work-related injuries; to repeal section 65-05-23 of the North Dakota Century Code, relating to apportionment of benefits in certain death cases; and to provide an effective date.

**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 96 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Axtman; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brown; Brusegaard; Byerly; Callahan; Carlisle; Carlson; Christenson; Christopherson; Clark; Coats; DeKrey; Delmore; Delzer; Devlin; Dorso; Drovda; 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; Martinson; Mickelson; Monson; Murphy; Nelson; Nicholas; 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:** Dalrymple

Engrossed SB 2116, as amended, passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**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 sections 6-03-13.5, 7-01-07, 7-02-11.1, and 7-02-14 of the North Dakota Century Code, relating to a state or federal savings and loan association conversion to a state-chartered commercial bank, federal deposit insurance, and powers granted to state-chartered associations.

**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 95 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; DeKrey; Delmore; Delzer; Devlin; Dorso; Drovda; Fairfield; Freier; Froseth; Galvin; 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; Kretschmar; Kroeplin; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Murphy; Nelson; Nicholas; 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:** Dalrymple; Grosz

SB 2117, as amended, passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2118:** A BILL for an Act to create and enact a new subsection to section 6-03-27 of the North Dakota Century Code, relating to filing a list of bank holding company stockholders; and to amend and reenact subsection 6 of section 6-01-04.1, section 6-01-07, if Senate Bill No. 2287 of the fifty-fifth legislative assembly does not become effective, section 6-01-20, and subsection 1 of section 6-03-02 and section 6-03-15.1 of the North Dakota Century Code, relating to removal of a financial corporation's or institution's employees, confidentiality of bank and credit union reports of examination, Bank of North Dakota access to examination and other information, a banking association's period of existence, and temporary relocating of a bank office.

**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 96 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Axtman; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brown; Brusegaard; Byerly; Callahan; Carlisle; Carlson; Christenson; Christopherson; Clark; Coats; DeKrey; Delmore; Delzer; Devlin; Dorso; Drovda; 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; Martinson; Mickelson; Monson; Murphy; Nelson; Nicholas; 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:** Dalrymple

Engrossed SB 2118, as amended, passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2120:** 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 superintendent of the school for the blind serving as the superintendent of the school for the deaf; to amend and reenact sections 25-06-02 and 25-06-07 of the North Dakota Century Code, relating to the object of and instruction provided at the school for the blind; and to repeal section 25-06-08 of the North Dakota Century Code, relating to clothing accounts at the school for the blind.

**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 96 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

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

SB 2120, as amended, passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2157:** A BILL for an Act to amend and reenact section 21-04-09 of the North Dakota Century Code, relating to pledges to secure public deposits.

**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 96 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

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

Engrossed SB 2157, as amended, passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2272:** A BILL for an Act to amend and reenact sections 35-17-08, 35-30-06, 35-31-06, and subsection 1 of section 41-09-43 of the North Dakota Century Code, relating to termination of statutory liens filed under the central notice system; 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 93 YEAS, 3 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Axtman; Belter; Berg; Bernstein; Boehm; Boucher; Brown; Brusegaard; Byerly; Callahan; Carlisle; Carlson; Christenson; Christopherson; Clark; Coats; DeKrey; Delmore; Delzer; Devlin; Dorso; Drovdal; Fairfield; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gordier; Grande; 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; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Murphy; Nelson; Nicholas; 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; Wentz; Wilkie; Speaker Timm

**NAYS:** Brandenburg; Grosz; Weisz

**ABSENT AND NOT VOTING:** Dalrymple

Engrossed SB 2272, as amended, passed and the title was agreed to.

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### MOTION

**REP. FREIER MOVED** that the House waive the reading of the titles to SB 2331, SB 2121, SB 2152, SB 2355, and SB 2393, which motion prevailed.

### SECOND READING OF SENATE BILL

**SB 2331:** A BILL for an Act to create and enact chapter 57-35.3, a new subdivision to subsection 1 of section 57-38-01.2, a new subdivision to subsection 3 of section 57-38-30.3, and a new subdivision to subsection 4 of section 57-38-30.3 of the North Dakota Century Code, relating to taxation of financial institutions and allocation of tax revenue and to adjustments to taxable income for individuals; to amend and reenact section 10-30.2-11, subdivision i of subsection 1 of section 57-38-01.2, and subdivision g of subsection 1 of section 57-38-01.3 of the North Dakota Century Code, relating to taxation; to repeal chapters 57-35, 57-35.1, and 57-35.2 of the North Dakota Century Code, relating to the taxation of banks, trust companies and building and loan associations; to provide penalties; to provide continuing appropriations; and to provide an effective date.

### 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 77 YEAS, 19 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Axtman; Belter; Berg; Bernstein; Boehm; Brown; Brusegaard; Byerly; Carlisle; Carlson; Christopherson; Clark; Delmore; Delzer; Devlin; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gordier; Grande; Grosz; Grumbo; Gunter; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kempenich; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroeplin; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Nelson; Nicholas; Nichols; Nottestad; Olson; Poolman; Price; Renner; Rennerfeldt; Sabby; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Tollefson; Torgerson; Wald; Wardner; Warner; Wentz; Wilkie; Speaker Timm

**NAYS:** Boucher; Brandenburg; Callahan; Christenson; Coats; DeKrey; Fairfield; Gulleon; Hanson; Kelsh, S.; Kerzman; Murphy; Niemeier; Oban; Rose; Sandvig; Schmidt; Thorpe; Weisz

**ABSENT AND NOT VOTING:** Dalrymple

SB 2331, as amended, passed and the title was agreed to.

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### SECOND READING OF SENATE BILL

**SB 2343:** A BILL for an Act to create and enact a new section to chapter 65-01 of the North Dakota Century Code, relating to the presumption that certain conditions are related to a firefighter's or a law enforcement officer's work for purposes of workers' compensation coverage; to amend and reenact subsection 18 of section 65-01-02 of the North Dakota Century Code, relating to the presumption that certain conditions are related to a firefighter's or a law enforcement officer's work for purposes of workers' compensation coverage; and to provide an effective date.

**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, 1 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Axtman; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brown; Brusegaard; Byerly; Callahan; Carlisle; Carlson; Christenson; Christopherson; Clark; Coats; DeKrey; Delmore; Delzer; Devlin; Dorso; Drovda; 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; Martinson; Mickelson; Monson; Murphy; Nelson; Nicholas; 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:** Dalrymple

Reengrossed SB 2343, as amended, passed and the title was agreed to.

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**SECOND READING OF SENATE CONCURRENT RESOLUTION**

**SCR 4016:** A concurrent resolution urging each member of the North Dakota Congressional Delegation to seek and promote federal legislation that provides for in-home adjustment services for the visually impaired older citizens of the state of North Dakota.

The question being on the final passage of the amended resolution which has been read, and has committee recommendation of DO PASS.

Engrossed SCR 4016, as amended, was declared adopted on a voice vote.

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**SECOND READING OF SENATE BILL**

**SB 2288:** A BILL for an Act to amend and reenact section 6-03-49.1 of the North Dakota Century Code, relating to associations of state and national banks becoming shareholders in bank service corporations; 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 96 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Axtman; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brown; Brusegaard; Byerly; Callahan; Carlisle; Carlson; Christenson; Christopherson; Clark; Coats; DeKrey; Delmore; Delzer; Devlin; Dorso; Drovda; 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; Martinson; Mickelson; Monson; Murphy; Nelson; Nicholas; 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:** Dalrymple

SB 2288 passed, the title was agreed to, and the emergency clause was declared carried.

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**SECOND READING OF SENATE BILL**

**SB 2373:** A BILL for an Act to create and enact a new chapter to title 30 of the North Dakota Century Code, relating to investment in community development corporations by banks.

**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 83 YEAS, 13 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Axtman; Belter; Berg; Bernstein; Boucher; Brandenburg; Brown; Brusegaard; Callahan; Carlisle; Carlson; Christenson; Christopherson; Clark; Coats; Delmore; Devlin; Dorso; Drovdal; Fairfield; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; 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; Martinson; Mickelson; Murphy; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Oban; Poolman; Price; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Soukup; Stenehjerm; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wardner; Warner; Wentz; Wilkie; Speaker Timm

**NAYS:** Boehm; Byerly; DeKrey; Delzer; Grande; Grosz; Keiser; Lloyd; Monson; Olson; Skarphol; Wald; Weisz

**ABSENT AND NOT VOTING:** Dalrymple

Engrossed SB 2373 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2010:** A BILL for an Act to provide an appropriation for defraying the expenses of the council on the arts and an appropriation of funds from the cultural endowment 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 79 YEAS, 17 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Axtman; Berg; Bernstein; Boucher; Brandenburg; Callahan; Carlisle; Christenson; Christopherson; Coats; Delmore; Devlin; Dorso; Drovdal; Fairfield; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Grumbo; Guleson; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kilzer; Kliniske; Koppelman; Kretschmar; Kroeplin; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Murphy; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Oban; Olson; Price; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Soukup; Stenehjerm; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Wentz; Wilkie; Speaker Timm

**NAYS:** Belter; Boehm; Brown; Brusegaard; Byerly; Carlson; Clark; DeKrey; Delzer; Grande; Grosz; Kerzman; Klein; Poolman; Renner; Skarphol; Weisz

**ABSENT AND NOT VOTING:** Dalrymple

SB 2010 passed and the title was agreed to.

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**MOTION**

**REP. DORSO MOVED** that Engrossed SB 2152 be placed at the top of the calendar, which motion prevailed.

**SECOND READING OF SENATE BILL**

**SB 2152:** A BILL for an Act to amend and reenact sections 11-08-05, 11-08-07, 11-08-08, 11-08-09, 11-08-10, 11-08-13, 11-08-15, 11-09-18, 11-09-19, subsection 3 of section 11-09.1-05, section 11-10-02, subsection 3 of section 11-10.2-01, and section 11-15-01.1 of the North Dakota Century Code, relating to the election of sheriffs and state's attorneys.

**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 53 YEAS, 43 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Boehm; Brandenburg; Brown; Brusegaard; Callahan; Carlisle; Christenson; Coats; DeKrey; Fairfield; Freier; Galvin; Gerntholz; Glassheim; Gorder; Grumbo; Gulletson; Hanson; Hausauer; Henegar; Huether; Johnson, D.; Keiser; Kelsch, R.; Kempenich; Kerzman; Kilzer; Kretschmar; Kroeplin; Kunkel; Mahoney; Maragos; Martinson; Mickelson; Murphy; Nicholas; Nichols; Niemeier; Renner; Rose; Sandvig; Schmidt; Stenehjem; Svedjan; Sveen; Thompson; Thorpe; Tollefson; Warner; Weisz; Wilkie; Speaker Timm

**NAYS:** Axtman; Belter; Berg; Bernstein; Boucher; Byerly; Carlson; Christopherson; Clark; Delmore; Delzer; Devlin; Dorso; Drovdal; Froseth; Grande; Grosz; Gunter; Hawken; Jacobs; Jensen; Johnsen, C.; Kelsh, S.; Klein; Kliniske; Koppelman; Lloyd; Monson; Nelson; Nottestad; Oban; Olson; Poolman; Price; Rennerfeldt; Sabby; Skarphol; Soukup; Thoreson; Torgerson; Wald; Wardner; Wentz

**ABSENT AND NOT VOTING:** Dalrymple

Engrossed SB 2152 passed and the title was agreed to.

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**COMMUNICATION FROM GOVERNOR EDWARD T. SCHAFER**

The following communication was received from the Governor at 11:40 a.m., March 10, 1997.

This is to inform you that on March 7, 1997, I signed the following: HB 1005, HB 1056, HB 1094, HB 1133, and HB 1247.

Also, on March 10, 1997, I signed the following: HB 1102, HB 1118, and HB 1144.

**MOTION**

**REP. FREIER MOVED** that the House stand in recess until 3:00 p.m., which motion prevailed.

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

**HOUSE MEMORIAL SERVICE**

**REP. DORSO MOVED** that the House be on a Special Order of Business, which motion prevailed.

The Troubadours were escorted into the House Chambers by Representative Sabby and Representative Huether.

Invocation: Dr. John F. Keller  
First Baptist Church  
Valley City, North Dakota

Musical Selection: "For All the Saints"  
Valley City Troubadours  
Allen W. Richter, Lance Drevecky, Directors

**REP. DORSO MOVED** that the House be on the Ninth order of business, which motion prevailed.

**FIRST READING OF HOUSE MEMORIAL RESOLUTION**

Memorial Resolutions Committee introduced:

**HMR 7001:** A memorial resolution for deceased members of the House of Representatives of North Dakota.

Was read the first time.

**MOTION**

**REP. DORSO MOVED** that the rules be suspended, that HMR 7001 not be printed, not be referred to committee, be read in its entirety, be printed in the Journal, and placed on the calendar for second reading and final passage, which motion prevailed.

Memorial Resolutions Committee introduced:

**HOUSE MEMORIAL RESOLUTION NO. 7001**

A memorial resolution for deceased members of the House of Representatives of North Dakota.

**WHEREAS,** God has summoned to eternal rest our former colleagues:

Anson J. Anderson, who served in the 31st through the 33rd Legislative Assemblies, from District 14, died March 10, 1996;

L. E. Berger, who served in the 44th and 45th Legislative Assemblies, from District 21, and in the 46th and 47th Legislative Assemblies, from District 13, died January 2, 1997;

L. D. "Lee" Christensen, who served in the 37th through the 39th Legislative Assemblies, from District 2, died November 9, 1996;

Vernon G. Dagman, who served in the 37th and 38th Legislative Assemblies, from District 14, died February 18, 1992;

Lawrence Dick, who served in the 34th through the 39th Legislative Assemblies, from District 14, and in the 40th through the 47th Legislative Assemblies, from District 27, died August 15, 1996;

Howard F. Doherty, who served in the 35th and 36th Legislative Assemblies, from District 48, died November 8, 1996;

Eldred N. Dornacker, who served in the 38th and 39th Legislative Assemblies, from District 8, and in the 40th through the 43rd Legislative Assemblies, from District 20, died March 3, 1995;

LeRoy Erickson, who served in the 40th and the 43rd through the 46th Legislative Assemblies, from District 26, died January 14, 1997;

Leonell "Lee" W. Fraase, who served in the 37th Legislative Assembly, from District 45, died May 12, 1996;

Robert E. Grant, who served in the 41st and 42nd Legislative Assemblies, from District 4, died February 3, 1997;

Edward "Ed" Gudajtes, who served in the 39th Legislative Assembly, from District 4, died January 22, 1997;

Andrew "Andy" Hagle, who served in the 53rd and 54th Legislative Assemblies, from District 23, died March 19, 1996;

Walter "Walt" Hjelle, who served in the 36th Legislative Assembly, from District 46, and in the 48th Legislative Assembly, from District 49, died July 4, 1996;

Peter "Pete" Hornstein, who served in the 35th through the 37th Legislative Assemblies, from District 42, died April 14, 1996;

Vernon M. Johnson, who served in the 27th through the 30th Legislative Assemblies, from District 12, died June 12, 1996;

H. Kent Jones, who served in the 40th and 41st Legislative Assemblies, from District 15, died December 17, 1995;

Marjorie Kermott, who served in the 43rd through the 46th Legislative Assemblies, from District 5, died January 17, 1997;

Kevin Kolbo, who served in the 50th through the 52nd Legislative Assemblies, from District 3, died July 3, 1996;

Harold Langseth, who served in the 32nd Legislative Assembly, from District 37, died August 15, 1996;

Ernest C. Livingston, who served in the 32nd Legislative Assembly, from District 29, died July 26, 1995;

Clarence Martin, who served in the 44th through the 52nd Legislative Assemblies, from District 38, and in the 53rd through the 55th Legislative Assemblies, from District 36, died February 9, 1997;

John McGauvran, who served in the 42nd through the 45th Legislative Assemblies, from District 10, died May 18, 1995;

Raymond J. McLain, who served in the 33rd and 34th Legislative Assemblies, from District 43, died March 10, 1996;

Catherine "Kit" Scherber, who served in the 50th through the 52nd Legislative Assemblies, from District 44, died November 12, 1995;

Fred T. Schmidt, who served in the 26th and 27th Legislative Assemblies, from District 34, died June 15, 1996;

Harry Semerad, who served in the 25th through the 27th Legislative Assemblies and in the 30th Legislative Assembly, from District 48, died April 21, 1995;

E. Odin Sjaastad, who served in the 35th through the 37th Legislative Assemblies, from District 44, died May 24, 1996;

William "Bill" C. Skjerven, who served in the 49th through the 52nd Legislative Assemblies, from District 16, died October 12, 1996;

Oscar Solberg, who served in the 31st through the 34th and in the 36th through the 39th Legislative Assemblies, from District 19, and in the 40th through the 49th Legislative Assemblies, from District 9, died November 20, 1996;

Albert L. Ulvedal, who served in the 42nd Legislative Assembly, from District 18, died July 10, 1995;

George Unruh, who served in the 39th Legislative Assembly, from District 7, and in the 40th Legislative Assembly, from District 18, died January 4, 1997;

Gilman Wastvedt, who served in the 37th through the 39th Legislative Assemblies, from District 8, died November 28, 1996; and

**WHEREAS**, we now pause to mourn the passing of our former House colleagues and to honor their memories; and

**WHEREAS**, these legislators rendered outstanding service to the people of the state by their contributions to public service;

**NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF NORTH DAKOTA:**

That we express our sorrow on their passing and our appreciation, on behalf of the people of North Dakota, of the loyal and devoted service of our former colleagues; and

**BE IT FURTHER RESOLVED**, that for the perpetuation of their memory this token of respect and sympathy by their successors in trust be printed in the Journal of the House of Representatives and that the Secretary of State present enrolled copies of this resolution to the surviving families of these deceased representatives.

**SECOND READING OF HOUSE MEMORIAL RESOLUTION**

**HMR 7001:** A memorial resolution for deceased members of the House of Representatives of North Dakota.

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

HMR 7001 was declared adopted on a voice vote.

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Musical Selection: "Soon and Very Soon"  
Valley City Troubadours

Representative Mahoney read the poem "Guardian Angel in the House," which he wrote for the Memorial Service.

Musical Selection: "God Bless America"  
Valley City Troubadours

Benediction: Dr. John F. Keller  
First Baptist Church  
Valley City, North Dakota

Musical Selection: "Alleluia"  
Valley City Troubadours

#### MOTION

**REP. DORSO MOVED** that the Special Order of Business be dissolved, which motion prevailed.

#### MOTION

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

#### MOTION

**REP. FREIER MOVED** that the House be on the Fifth and Sixteenth orders of business and at the conclusion of those orders, the House stand adjourned until 1:00 p.m., Tuesday, March 11, 1997, which motion prevailed.

#### REPORT OF STANDING COMMITTEE

**SB 2034, as engrossed: Government and Veterans Affairs Committee (Rep. Wardner, Chairman)** recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2034 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2052, as engrossed: Government and Veterans Affairs Committee (Rep. Wardner, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2052 was placed on the Sixth order on the calendar.

Page 1, line 1, after the first comma insert "4-10.2-05, 4-10.3-05,"

Page 1, line 2, replace "sections" with "section" and after the second comma insert "the new section as provided by section 5 of Senate Bill No. 2124, sections 12-59-02, 15-10-08,"

Page 1, line 4, after the first comma insert "subsection 13 of the new section to chapter 50-01.2 as created by section 2 of House Bill No. 1041,"

Page 1, line 5, after the first comma insert "the new section as provided by section 4 of Senate Bill No. 2298," after the second comma insert "54-24.4-02 as created by section 19 of House Bill No. 1035," and after the fourth comma insert "the new section as provided by section 4 of Senate Bill No. 2271,"

Page 1, line 6, remove "and" and after "61-24.5-04" insert ", the new section as provided by section 3 of Senate Bill No. 2239, and the new section to chapter 65-02 as created by section 4 of House Bill No. 1440,"

Page 1, after line 24, insert:

**"SECTION 2. AMENDMENT.** Section 4-10.2-05 of the North Dakota Century Code as amended by section 2 of House Bill No. 1199, as approved by the fifty-fifth legislative assembly, is amended and reenacted as follows:

**4-10.2-05. Meetings - Quorum - Compensation and expenses of council.** A majority of the voting members of the council constitutes a quorum for the transaction of all business in carrying out the duties of the council. All meetings of the council must be called by the chairman except special meetings which must be called by the chairman on the petition of two council members within seven days of receiving such a petition. Each member of the council is entitled to receive ~~the same per diem as compensation as provided for members of the legislative council under section 54-35-10, sixty-two dollars and fifty cents per day~~ and to reimbursement of expenses as provided by law for state officers, while attending meetings or performing duties directed by the council. No compensation may be paid under this section to any member who receives compensation or salary as a regular state employee or official.

**SECTION 3. AMENDMENT.** Section 4-10.3-05 of the North Dakota Century Code as amended by section 8 of House Bill No. 1339, as approved by the fifty-fifth legislative assembly, is amended and reenacted as follows:

**4-10.3-05. Meetings - Quorum - Compensation and expenses of council.** A majority of the voting members of the council constitutes a quorum for the transaction of all business in carrying out the duties of the council. The chairman shall call meetings of the council. The chairman shall call all special meetings on the petition of three

council members within seven days of receiving the petition. Each member of the council; is entitled to receive ~~the same per diem as~~ compensation ~~as provided for members of the legislative council under section 54-35-10; sixty-two dollars and fifty cents per day~~ and to reimbursement of expenses as provided by law for state officers, while attending meetings or performing duties directed by the council. No compensation may be paid under this section to any member who receives compensation or salary as a regular state employee or official."

Page 3, after line 26, insert:

**"SECTION 9. AMENDMENT.** The new section as provided by section 5 of Senate Bill No. 2124, as approved by the fifty-fifth legislative assembly, is amended and reenacted as follows:

**Meetings - Quorum - Compensation of council members.** A majority of the voting members of the council ~~constitute~~ constitutes a quorum for the transaction of all business in carrying out the duties of the council. All meetings of the council must be called by the chairman except special meetings which must be called by the chairman on the petition of three council members within seven days of receiving the petition. Each member of the council is entitled to receive ~~the same per diem as~~ compensation ~~as provided for members of the legislative council under section 54-35-10; sixty-two dollars and fifty cents per day~~ and to reimbursement of expenses as provided by law for state officers, while attending meetings or performing duties directed by the council, except that no compensation under this section may be paid to any member who receives compensation or salary as a regular state employee or official.

**SECTION 10. AMENDMENT.** Section 12-59-02 of the North Dakota Century Code as amended by section 1 of Senate Bill No. 2128, as approved by the fifty-fifth legislative assembly, is amended and reenacted as follows:

**12-59-02. Meetings - Compensation.** The board shall organize by selecting a chairman. Meetings of the board must be held as often as required to properly conduct the business of the board, but in any event not less than six times per year. The parole board may only take action upon the concurrence of at least two members. Members are entitled to be compensated at the ~~same rate provided for members of the legislative council under section 54-35-10 of sixty-two dollars and fifty cents per day~~ for each day actually and necessarily spent in the performance of their duties as board members plus the same mileage and expenses as are authorized for state officials and employees. The director of the division of parole and probation, or the director's designee, shall be the clerk for the parole board.

**SECTION 11. AMENDMENT.** Section 15-10-08 of the North Dakota Century Code as amended by section 1 of House Bill No. 1312, as approved by the fifty-fifth legislative assembly, is amended and reenacted as follows:

**15-10-08. Compensation of board members - Expenses - Legislative appropriations.** Each member of the state board of higher education, except the student member, is entitled to receive as compensation ~~sixty-two dollars and fifty cents per day in the same amount provided for members of the legislative council~~ for each calendar day actually spent devoted to the duties of office, and necessary expenses in the same manner and amounts as other state officials for attending meetings and performing other functions of office. The legislative assembly shall provide adequate funds to carry out the functions and duties of the board."

Page 9, after line 25, insert:

**"SECTION 22. AMENDMENT.** Subsection 13 of the new section to chapter 50-01.2 of the North Dakota Century Code as created by section 2 of House Bill No. 1041, as approved by the fifty-fifth legislative assembly, is amended and reenacted as follows:

13. Members of a peer review committee are entitled to receive compensation by the department in the ~~same amounts as members of the legislative council~~ amount of sixty-two dollars and fifty cents per day. The county requesting the review shall reimburse the department for one-half of that cost."

Page 10, after line 22, insert:

**"SECTION 25. AMENDMENT.** The new section as provided by section 4 of Senate Bill No. 2298, as approved by the fifty-fifth legislative assembly, is amended and reenacted as follows:

**Board of directors - Officers - Meetings - Compensation.** The board of directors consists of nine members. Except as provided in section 6, each director must reside within the area of the director's county comprising the Devils Lake basin water board. The board of directors shall elect from the directors a chairman, vice chairman, and secretary. The chairman shall designate the time and place for the board of directors to meet; however, the board of directors shall meet if three directors call for a meeting. The secretary shall notify, by mail, each director of meetings. The board of directors must meet at least once each quarter. A director is entitled to receive as compensation ~~in the amount not to exceed the amount provided for members of the legislative council by section 54-35-10~~ sixty-two dollars and fifty cents per day and is entitled to be reimbursed for mileage and expenses in the amount provided for state officials by sections 44-08-04 and 54-06-09."

Page 11, after line 8, insert:

**"SECTION 27. AMENDMENT.** Section 54-24.4-02 of the North Dakota Century Code as created by section 19 of House Bill No. 1035, as approved by the fifty-fifth legislative assembly, is amended and reenacted as follows:

**54-24.4-02. North Dakota library coordinating council - Compensation and expense reimbursement.** Each member of the North Dakota library coordinating council is entitled to receive ~~the same per day as compensation as provided for members of the legislative council under section 54-35-10~~ sixty-two dollars and fifty cents per day, together with expenses as provided in sections 44-08-04 and 54-06-09, while attending meetings or performing duties directed by the council. No compensation may be paid under this section to any council member who receives compensation as a regular state official or employee."

Page 12, after line 2, insert:

**"SECTION 30. AMENDMENT.** The new section as provided by section 4 of Senate Bill No. 2271, as approved by the fifty-fifth legislative assembly, is amended and reenacted as follows:

**Board of directors - Officers - Meetings - Compensation.** The board of directors of a regional water resource district consists of one member from each of the existing water resource districts within the regional district. Each director must be a member of a water resource district board. The regional water resource district board shall elect from the members a chairman, vice chairman, and secretary. The chairman shall designate the time and place for the board to meet; however, the board shall meet if three directors call for a meeting. The secretary shall notify, by mail, each member of meetings. A member is entitled to receive as compensation sixty-two dollars and fifty cents per day from the water resource district the member represents on the regional board ~~in the amount not to exceed the amount provided for members of the legislative council by section 54-35-10~~ and is entitled to be reimbursed for mileage and expenses in the amount provided for state officials by sections 44-08-04 and 54-06-09."

Page 13, after line 28, insert:

**"SECTION 36. AMENDMENT.** The new section as provided by section 3 of Senate Bill No. 2239, as approved by the fifty-fifth legislative assembly, is amended and reenacted as follows:

**Compensation and expenses.** Each member appointed by the governor is entitled to receive ~~the same as compensation~~ sixty-two dollars and fifty cents per day and must be reimbursed for expenses, while attending meetings of the committee, ~~in the same amounts as provided for in section 54-35-10 for members of the legislative council.~~

**SECTION 37. AMENDMENT.** The new section to chapter 65-02 of the North Dakota Century Code as created by section 4 of House Bill No. 1440, as approved by the fifty-fifth legislative assembly, is amended and reenacted as follows:

**Compensation of board members.** A board member is entitled to receive as compensation ~~in the same amount and manner as provided for legislative council committee members under section 54-35-10~~ sixty-two dollars and fifty cents per day. A

board member is entitled to reimbursement for mileage and expenses as provided for state officers, but the mileage allowance must equal the federal internal revenue service mileage allowance."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2053, as engrossed: Government and Veterans Affairs Committee (Rep. Wardner, Chairman)** recommends **DO PASS** (14 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). Engrossed SB 2053 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2057, as engrossed: Government and Veterans Affairs Committee (Rep. Wardner, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). Engrossed SB 2057 was placed on the Sixth order on the calendar.

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

Page 1, after line 16, insert:

**"SECTION 2. EMERGENCY.** This Act is declared to be an emergency measure."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2061, as engrossed: Political Subdivisions Committee (Rep. Poolman, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (10 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2061 was placed on the Sixth order on the calendar.

Page 1, line 11, after "to" insert "existing"

Page 1, line 15, after "with" insert "either state or" and replace "law" with "statutes"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2081: Government and Veterans Affairs Committee (Rep. Wardner, Chairman)** recommends **DO PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2081 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2100: Government and Veterans Affairs Committee (Rep. Wardner, Chairman)** recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2100 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2101: Government and Veterans Affairs Committee (Rep. Wardner, Chairman)** recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2101 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2102, as reengrossed: Government and Veterans Affairs Committee (Rep. Wardner, Chairman)** recommends **DO PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Reengrossed SB 2102 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2136, as engrossed: Industry, Business and Labor Committee (Rep. Berg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2136 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "twelve" with "eleven"

Page 1, line 3, remove "civil penalties for the unauthorized practice of funeral service,"

Page 6, line 13, remove the overstrike over "a sum of not more than one hundred dollars,"

Page 6, line 14, remove the overstrike over "as" and remove "the application fee"

Page 7, line 4, remove the overstrike over "~~The amount of the fee may not exceed one hundred dollars.~~"

Page 7, line 30, replace "the required fee" with "a fee not to exceed fifty dollars"

Page 9, remove lines 26 through 31

Page 10, remove lines 1 through 4

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2181, as engrossed: Government and Veterans Affairs Committee (Rep. Wardner, Chairman)** recommends **DO NOT PASS** (9 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2181 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2200, as engrossed: Political Subdivisions Committee (Rep. Poolman, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2200 was placed on the Sixth order on the calendar.

Page 1, line 21, after "**zoning**" insert "**or subdivision regulation**"

Page 2, line 24, replace "this chapter" with "sections 40-51.2-08, 40-51.2-09, 40-51.2-10, 40-51.2-11, 40-51.2-12, 40-51.2-13, 40-51.2-14, 40-51.2-15, 40-51.2-16, and 40-51.2-17"

Page 4, line 22, after "the" insert "involved" and remove "involved"

Page 8, line 8, after the first "~~its~~" insert "a decision, including" and after "~~thereon~~" insert "of law"

Page 8, line 9, remove the first "the", overstrike "decision", after "~~and~~" insert "an order", replace "order" with "decision", and replace "that are the basis for the" with "upon which the decision is based"

Page 8, line 10, remove "decision"

Page 8, line 11, replace "order" with "decision"

Page 9, line 1, after "~~corporation~~" insert "city" and remove the overstrike over "~~of a sum determined by~~"

Page 9, line 2, remove the overstrike over "~~the~~", after "~~commission~~" insert "administrative law judge", remove the overstrike over "~~payable~~", and remove "city"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2214, as engrossed: Government and Veterans Affairs Committee (Rep. Wardner, Chairman)** recommends **DO PASS** (9 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2214 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2236: Industry, Business and Labor Committee (Rep. Berg, Chairman)** recommends **DO PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2236 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2310: Industry, Business and Labor Committee (Rep. Berg, Chairman)** recommends **DO PASS** (12 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). SB 2310 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2351, as engrossed: Natural Resources Committee (Rep. Olson, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 0 NAYS, 5 ABSENT AND NOT VOTING). Engrossed SB 2351 was placed on the Sixth order on the calendar.

Page 1, line 14, overstrike "and productivity"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2356, as engrossed: Natural Resources Committee (Rep. Olson, Chairman)** recommends **DO PASS** (10 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2356 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2361: Political Subdivisions Committee (Rep. Poolman, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2361 was placed on the Sixth order on the calendar.

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

Page 1, after line 8, insert:

**"SECTION 2. EMERGENCY.** This Act is declared to be an emergency measure."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2365: Government and Veterans Affairs Committee (Rep. Wardner, Chairman)** recommends **DO PASS** (8 YEAS, 7 NAYS, 0 ABSENT AND NOT VOTING). SB 2365 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SCR 4043: Industry, Business and Labor Committee (Rep. Berg, Chairman)** recommends **DO PASS** (12 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). SCR 4043 was placed on the Fourteenth order on the calendar.

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

**MADAM PRESIDENT:** The House has amended and subsequently passed: SB 2106.

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

**MADAM PRESIDENT:** The House has passed unchanged: SB 2105, SB 2109, SB 2134, SB 2137, SB 2151, SB 2158, SB 2165, SB 2171, SB 2187, SB 2220, SB 2269, SB 2287, SB 2312, SB 2317, SB 2383, SCR 4003, SCR 4036.

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

**MADAM PRESIDENT:** The House has failed to pass: SB 2176.

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

**MADAM PRESIDENT:** The House has amended and failed to pass: SB 2185, SB 2215.

**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 2073, SB 2110, SB 2125, SB 2143, SCR 4008.

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

**MR. SPEAKER:** The President has signed: HB 1049, HB 1276, HB 1336, HB 1392, HCR 3002.

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

**MR. SPEAKER:** The Senate has failed to pass: HB 1383.

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

**MR. SPEAKER:** The Senate has passed unchanged: HB 1154, HB 1225, HB 1237, HB 1255, HB 1265, HB 1299, HB 1315, HB 1349, HB 1424, HB 1466, HB 1470, HCR 3030, HCR 3032, HCR 3033, HCR 3037.

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

**ROY GILBREATH, Chief Clerk**