

JOURNAL OF THE HOUSE

Fifty-sixth Legislative Assembly

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Bismarck, February 2, 1999

The House convened at 8:00 a.m., with Speaker Wald presiding.

The prayer was offered by Kathy Fick, Lay Minister of Lutheran Campus Center, Grand Forks, North Dakota.

The roll was called and all members were present except Representatives Keiser and Nicholas.

A quorum was declared by the Speaker.

CORRECTION AND REVISION OF THE JOURNAL

MR. SPEAKER: Your **Committee on Correction and Revision of the Journal (Rep. DeKrey, Chairman)** has carefully reexamined the Journal of the Nineteenth Day and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 253, line 49, replace "15" with "13" and replace the first "0" with "2"

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

SECOND READING OF SENATE CONCURRENT RESOLUTION ON CONSENT CALENDAR

SCR 4008: A concurrent resolution urging Congress and the Clinton Administration to recognize state interests and enact legislation that would prohibit the federal Department of Health and Human Services from recouping the tobacco settlement funds as third-party recoveries under Medicaid law.

ROLL CALL

The question being on the final adoption of the resolution, which has been read, the roll was called and there were 97 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Drovda; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleson; Gunter; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsch, S.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; Mahoney; Maragos; Martinson; Metcalf; Meyer; Mickelson; Monson; Mueller; Nelson; Nichols; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Rose; Sandvig; Schmidt; Severson; Solberg; Stefanowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

ABSENT AND NOT VOTING: Nicholas

SCR 4008 was declared adopted on a recorded roll call vote.

SIXTH ORDER OF BUSINESS

REP. DORSO MOVED that the amendments on the Sixth order of business to HB 1037, HB 1041, HB 1146, HB 1170, HB 1226, HB 1257, HB 1286, HB 1310, HB 1348, HB 1357, HB 1359, HB 1366, HB 1467, and SB 2065 be adopted, which motion prevailed.

HB 1037, HB 1041, HB 1146, HB 1170, HB 1226, HB 1257, HB 1286, HB 1310, HB 1348, HB 1357, HB 1359, HB 1366, and HB 1467, as amended, were placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SB 2065, as amended, was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

SECOND READING OF HOUSE BILL

HB 1039: 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 insurance coverage of ambulance services for prehospital emergency medical services.

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 97 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Drovda; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleston; Gunter; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; Mahoney; Maragos; Martinson; Metcalf; Meyer; Mickelson; Monson; Mueller; Nelson; Nichols; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Rose; Sandvig; Schmidt; Severson; Solberg; Stefanowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

ABSENT AND NOT VOTING: Nicholas

Engrossed HB 1039 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1049: A BILL for an Act to create and enact a new subsection to section 15-10-17 and a new section to chapter 54-10 of the North Dakota Century Code, relating to the powers and duties of the state board of higher education and the release of audit reports.

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 11 YEAS, 86 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Boucher; Byerly; Carlson; DeKrey; Delzer; Grande; Gulleston; Kerzman; Maragos; Timm

NAYS: Belter; Berg; Bernstein; Boehm; Brandenburg; Brekke; Brusegaard; Carlisle; Clark; Cleary; Dalrymple; Delmore; Devlin; Disrud; Dorso; Drovda; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Gorder; Grosz; Grumbo; Gunter; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; Mahoney; Martinson; Metcalf; Meyer; Mickelson; Monson; Mueller; Nelson; Nichols; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Rose; Sandvig; Schmidt; Severson; Solberg; Stefanowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

ABSENT AND NOT VOTING: Nicholas

Engrossed HB 1049 was declared lost.

SECOND READING OF HOUSE BILL

HB 1217: A BILL for an Act to amend and reenact subsection 2 of section 15-47-38.2 of the North Dakota Century Code, relating to school board evaluations of school district superintendents.

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 12 YEAS, 85 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Carlson; Delmore; Dorso; Ekstrom; Glassheim; Grande; Hawken; Jensen; Johnson, N.; Kelsh, S.; Maragos; Sveen

NAYS: Aarsvold; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Clark; Cleary; Dalrymple; DeKrey; Delzer; Devlin; Disrud; Drovda; Eckre; Fairfield; Froelich; Froseth; Galvin; Gorder; Grosz; Grumbo; Gullerson; Gunter; Haas; Hanson; Henegar; Herbel; Hoffner; Huether; Johnson, D.; Keiser; Kelsch, R.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; Mahoney; Martinson; Metcalf; Meyer; Mickelson; Monson; Mueller; Nelson; Nichols; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Rose; Sandvig; Schmidt; Severson; Solberg; Stefonowicz; Svedjan; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

ABSENT AND NOT VOTING: Nicholas

Engrossed HB 1217 was declared lost.

SECOND READING OF HOUSE BILL

HB 1326: A BILL for an Act to provide damages in accidents with uninsured motorists.

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 94 YEAS, 3 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Drovda; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glasheim; Gorder; Grande; Grosz; Grumbo; Gullerson; Gunter; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; Mahoney; Maragos; Martinson; Metcalf; Mickelson; Monson; Mueller; Nelson; Nichols; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Rose; Schmidt; Severson; Solberg; Stefonowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Timm; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

NAYS: Meyer; Sandvig; Thorpe

ABSENT AND NOT VOTING: Nicholas

Engrossed HB 1326 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1445: A BILL for an Act to create and enact a new section to chapter 49-21.1 of the North Dakota Century Code, relating to differentiation between electricity transmission lines and electricity distribution lines.

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 97 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Drovda; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glasheim; Gorder; Grande; Grosz; Grumbo; Gullerson; Gunter; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; Mahoney; Maragos; Martinson; Metcalf; Meyer; Mickelson; Monson; Mueller; Nelson; Nichols; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Rose; Sandvig; Schmidt; Severson; Solberg; Stefonowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

ABSENT AND NOT VOTING: Nicholas

Engrossed HB 1445 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1069: A BILL for an Act to amend and reenact subsection 3 of section 54-52-05 of the North Dakota Century Code, relating to employer payment of employee contributions under the public employees retirement system.

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 97 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Drovda; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleston; Gunter; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; Mahoney; Maragos; Martinson; Metcalf; Meyer; Mickelson; Monson; Mueller; Nelson; Nichols; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Rose; Sandvig; Schmidt; Severson; Solberg; Stefonowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

ABSENT AND NOT VOTING: Nicholas

HB 1069 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1148: A BILL for an Act to amend and reenact sections 36-01-08, 36-01-08.2, and 36-01-08.4 of the North Dakota Century Code, relating to the duties of the board of animal health and ownership of certain carnivorous animals and nonhuman primates.

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 30 YEAS, 67 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Boucher; Cleary; DeKrey; Ekstrom; Fairfield; Froelich; Galvin; Glassheim; Gorder; Herbel; Hoffner; Jensen; Keiser; Kelsh, S.; Kerzman; Lemieux; Lundgren; Mahoney; Maragos; Metcalf; Mickelson; Nichols; Niemeier; Price; Rose; Sandvig; Schmidt; Solberg; Stefonowicz; Wentz

NAYS: Aarsvold; Belter; Berg; Bernstein; Boehm; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Dalrymple; Delmore; Delzer; Devlin; Disrud; Dorso; Drovda; Eckre; Froseth; Grande; Grosz; Grumbo; Gulleston; Gunter; Haas; Hanson; Hawken; Henegar; Huether; Johnson, D.; Johnson, N.; Kelsch, R.; Kempenich; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lloyd; Martinson; Meyer; Monson; Mueller; Nelson; Nottestad; Nowatzki; Pollert; Poolman; Porter; Renner; Rennerfeldt; Severson; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Tollefson; Warner; Weisz; Wikenheiser; Winrich; Speaker Wald

ABSENT AND NOT VOTING: Nicholas

HB 1148 was declared lost.

SECOND READING OF HOUSE BILL

HB 1163: A BILL for an Act to amend and reenact sections 6-09.11-03, 6-09.11-05, and 6-09.11-06 of the North Dakota Century Code, relating to family farm loan amount restrictions, residency requirements, and net worth restrictions.

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; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Drovda; Eckre; Ekstrom; Fairfield; Froeth; Galvin; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleson; Gunter; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Klein; Klemm; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; Mahoney; Maragos; Martinson; Metcalf; Meyer; Mickelson; Monson; Mueller; Nelson; Nichols; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Rose; Sandvig; Schmidt; Severson; Stefanowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

ABSENT AND NOT VOTING: Nicholas; Solberg

HB 1163 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1172: A BILL for an Act to amend and reenact sections 18-08-12, 18-12-23, 18-12-25, 19-20.2-06.1, and 54-21.3-03 of the North Dakota Century Code, relating to the state building code.

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 4 YEAS, 90 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Ekstrom; Kelsh, S.; Maragos; Porter

NAYS: Aarsvold; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; Delmore; Delzer; Devlin; Disrud; Dorso; Drovda; Eckre; Fairfield; Froeth; Galvin; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleson; Gunter; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kempenich; Kerzman; Klein; Klemm; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; Mahoney; Martinson; Metcalf; Meyer; Mickelson; Monson; Mueller; Nelson; Nichols; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Price; Renner; Rennerfeldt; Rose; Sandvig; Schmidt; Severson; Stefanowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

ABSENT AND NOT VOTING: DeKrey; Froelich; Nicholas; Solberg

HB 1172 was declared lost.

SECOND READING OF HOUSE BILL

HB 1247: A BILL for an Act to amend and reenact section 40-23-07 of the North Dakota Century Code, relating to inspection of special assessment property.

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, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Drovda; Eckre; Ekstrom; Fairfield; Froeth; Galvin; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleson; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Klein; Klemm; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; Mahoney; Maragos; Martinson; Metcalf; Meyer; Mickelson; Monson; Mueller; Nelson; Nichols; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Rose; Sandvig; Schmidt; Severson; Solberg; Stefanowicz;

Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

ABSENT AND NOT VOTING: Froelich; Gunter; Nicholas

HB 1247 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 subsection to section 58-03-07 and a new section to chapter 58-03 of the North Dakota Century Code, relating to imposition of assessments by townships against property in the township for road and bridge degradation caused by activities of the owner of the property.

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 4 YEAS, 91 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; DeKrey; Kroeber; Niemeier

NAYS: Belter; Berg; Bernstein; Boehm; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; Delmore; Delzer; Devlin; Disrud; Dorso; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleeson; Gunter; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Koppelman; Lemieux; Lloyd; Lundgren; Mahoney; Maragos; Martinson; Metcalf; Meyer; Mickelson; Mueller; Nelson; Nichols; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Rose; Sandvig; Schmidt; Severson; Solberg; Stefonowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

ABSENT AND NOT VOTING: Boucher; Monson; Nicholas

HB 1251 was declared lost.

SECOND READING OF HOUSE BILL

HB 1254: A BILL for an Act to amend and reenact subsection 2 of section 15-40.1-06 of the North Dakota Century Code, relating to 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 38 YEAS, 59 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Boucher; Cleary; Delmore; Eckre; Ekstrom; Fairfield; Froelich; Glassheim; Gorder; Grumbo; Gulleeson; Hanson; Hawken; Herbel; Hoffner; Huether; Kelsh, S.; Kerzman; Kroeber; Lemieux; Lundgren; Maragos; Martinson; Metcalf; Meyer; Mueller; Nichols; Niemeier; Nowatzki; Rose; Sandvig; Schmidt; Solberg; Stefonowicz; Sveen; Warner; Winrich

NAYS: Belter; Berg; Bernstein; Boehm; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Dalrymple; DeKrey; Delzer; Devlin; Disrud; Dorso; Drovdal; Froseth; Galvin; Grande; Grosz; Gunter; Haas; Henegar; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kempenich; Klein; Klemin; Kliniske; Koppang; Koppelman; Lloyd; Mahoney; Mickelson; Monson; Nelson; Nottestad; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Severson; Svedjan; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Tollefson; Weisz; Wentz; Wikenheiser; Speaker Wald

ABSENT AND NOT VOTING: Nicholas

HB 1254 was declared lost.

SECOND READING OF HOUSE BILL

HB 1276: A BILL for an Act to create and enact a new section to chapter 36-01, a new section to chapter 36-05, and a new section to chapter 36-14 of the North Dakota Century Code, relating to the confiscation of nontraditional livestock, livestock unfit for sale, and animals imported into the state; to amend and reenact sections 36-01-05, 36-01-07, 36-01-08, 36-01-08.1, 36-01-08.3, 36-01-08.4, 36-01-13, 36-01-14, 36-01-28, 36-05-01, subsection 4 of section 36-05-13.2, sections 36-07-07, 36-14-10, 36-14-20, 36-14-21, 36-15-01, 36-15-02, 36-15-08.1, 36-15-09, 36-15-14, 36-15-19, 35-15-21, 36-15-22, and subsection 1 of section 36-21.1-06 of the North Dakota Century Code, relating to the board of animal health, livestock auction markets, rendering plants, contagious and infectious livestock diseases, tuberculosis and brucellosis eradication in animals, and humane treatment of animals; to repeal sections 36-14-04, 36-14-05, 36-14-06, 36-14-07, 36-15-08, and 36-15-12 of the North Dakota Century Code, relating to horses, cattle, sheep, and swine imported into the state, compensation for owners of animals infected with tuberculosis or paratuberculosis, and bovine tuberculosis and brucellosis funds; and to provide a penalty.

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 93 YEAS, 2 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; DeKrey; Delmore; Devlin; Disrud; Dorso; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Gordor; Grande; Grosz; Grumbo; Gullerson; Gunter; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsch, S.; Kempenich; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; Mahoney; Maragos; Martinson; Metcalf; Meyer; Mickelson; Monson; Mueller; Nelson; Nichols; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Rose; Sandvig; Schmidt; Severson; Solberg; Stefonowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Tollefson; Warner; Wentz; Wikenheiser; Winrich; Speaker Wald

NAYS: Delzer; Weisz

ABSENT AND NOT VOTING: Drovdal; Kerzman; Nicholas

HB 1276 passed and the title was agreed to.

MOTION

REP. DORSO MOVED that HB 1281 be placed at the bottom of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1317: A BILL for an Act to create and enact nineteen new sections to chapter 11-05, two new sections to chapter 11-06, a new section to chapter 11-08, a new section to chapter 11-09, a new section to chapter 11-09.1, a new section to chapter 40-05.1, four new sections to chapter 40-08, and a new section to chapter 54-40 of the North Dakota Century Code, relating to methods of restructuring county and city governments; to amend and reenact sections 11-05-02, 11-05-04, 11-05-05, 11-05-07, 11-05-25, 11-05-26, 11-05.1-01, 11-05.1-03, 11-05.1-04, 11-05.1-06, 11-08-02.1, 11-08-05, 11-09-03, 11-09-07, 11-09-48, 11-09.1-02, 11-09.1-03, 11-09.1-04, subsection 3 of section 11-09.1-05, sections 11-10-02, 40-04.1-01, 40-04.1-02, 40-05.1-01, 40-05.1-03, 40-05.1-04, 40-08-03, 40-08-04, 40-09-01, 40-09-04, 40-10-02, 40-12-01, 40-14-04, 40-49-05, 54-40-08 and 54-44.4-02 of the North Dakota Century Code, relating to methods of restructuring county and city governments; and to repeal sections 11-05-09.1, 11-05-09.2, 11-06-03.1, 11-09.1-04.1, chapters 11-10.2, 11-10.3, 40-01.1, sections 40-05.1-05.1, 40-06-09, 40-49-07.1, 40-49-07.2, chapters 40-49.1, 54-40.3, 54-40.4, and 54-40.5 of the North Dakota Century Code and section 1 of chapter 401 of the 1993 Session Laws, relating to methods of restructuring county and city governments.

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: Brusegaard; Carlisle; Delzer; Gorder; Grosz; Kempenich; Nichols; Thoreson, B.; Speaker Wald

NAYS: Aarsvold; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brekke; Byerly; Carlson; Clark; Cleary; Dalrymple; DeKrey; Delmore; Devlin; Disrud; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Grande; Grumbo; Gulleson; Gunter; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; Mahoney; Martinson; Metcalf; Meyer; Mickelson; Monson; Mueller; Nelson; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Rose; Sandvig; Schmidt; Severson; Solberg; Stefonowicz; Svedjan; Sveen; Thoreson, L.; Thorpe; Timm; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Winrich

ABSENT AND NOT VOTING: Dorso; Drovdal; Kerzman; Maragos; Nicholas

HB 1317 was declared lost.

SECOND READING OF HOUSE BILL

HB 1322: A BILL for an Act to create and enact a new section to chapter 4-35 of the North Dakota Century Code, relating to financial responsibility for the application of nonrestricted use pesticides; and to amend and reenact section 4-35-09.1 of the North Dakota Century Code, relating to financial responsibility for the application of restricted use pesticides.

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 24 YEAS, 71 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Belter; Boucher; Carlisle; Cleary; Dalrymple; Delmore; Eckre; Ekstrom; Fairfield; Glassheim; Gorder; Hanson; Herbel; Kelsh, S.; Koppang; Lemieux; Lundgren; Nichols; Niemeier; Sandvig; Warner; Wentz; Winrich

NAYS: Berg; Bernstein; Boehm; Brandenburg; Brekke; Brusegaard; Byerly; Carlson; Clark; DeKrey; Delzer; Devlin; Disrud; Dorso; Froelich; Froseth; Galvin; Grande; Grosz; Grumbo; Gulleson; Gunter; Haas; Hawken; Henegar; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppelman; Kroeber; Lloyd; Mahoney; Maragos; Martinson; Metcalf; Meyer; Mickelson; Monson; Mueller; Nelson; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Rose; Schmidt; Severson; Solberg; Stefonowicz; Svedjan; Sveen; Thoreson, B.; Thorpe; Timm; Tollefson; Weisz; Wikenheiser; Speaker Wald

ABSENT AND NOT VOTING: Drovdal; Nicholas; Thoreson, L.

HB 1322 was declared lost.

SECOND READING OF HOUSE BILL

HB 1343: A BILL for an Act to amend and reenact section 39-08-21 of the North Dakota Century Code, relating to an exemption from medical regulations for certain drivers of commercial vehicles; 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 88 YEAS, 6 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Eckre; Froelich; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Grumbo; Gunter; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; Mahoney; Maragos; Martinson; Metcalf; Meyer; Mickelson; Monson; Mueller; Nelson; Nichols; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt;

Sandvig; Schmidt; Severson; Solberg; Stefonowicz; Svedjan; Sveen; Thoreson, B.; Thorpe; Timm; Tollefson; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

NAYS: Cleary; Ekstrom; Fairfield; Kelsh, S.; Rose; Warner

ABSENT AND NOT VOTING: Drovdal; Gulleson; Nicholas; Thoreson, L.

HB 1343 passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF HOUSE BILL

HB 1349: A BILL for an Act to amend and reenact section 15-47-44.1 of the North Dakota Century Code, relating to school safety patrols.

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 93 YEAS, 0 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Grumbo; Gunter; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; Mahoney; Maragos; Martinson; Metcalf; Meyer; Mickelson; Monson; Mueller; Nelson; Nichols; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Rose; Sandvig; Schmidt; Severson; Solberg; Stefonowicz; Svedjan; Sveen; Thoreson, B.; Thorpe; Timm; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

ABSENT AND NOT VOTING: Drovdal; Gorder; Gulleson; Nicholas; Thoreson, L.

HB 1349 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1354: A BILL for an Act to amend and reenact section 11-11-11 of the North Dakota Century Code, relating to the salaries of county officials.

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 25 YEAS, 70 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Boehm; Boucher; Cleary; Delmore; Froelich; Grosz; Hanson; Hoffner; Kelsh, S.; Kerzman; Lemieux; Lundgren; Mahoney; Metcalf; Meyer; Monson; Mueller; Niemeier; Renner; Sandvig; Schmidt; Solberg; Stefonowicz; Thorpe; Winrich

NAYS: Aarsvold; Belter; Berg; Bernstein; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Dalrymple; DeKrey; Delzer; Devlin; Disrud; Dorso; Eckre; Ekstrom; Fairfield; Froseth; Galvin; Glassheim; Gorder; Grande; Grumbo; Gulleson; Gunter; Haas; Hawken; Henegar; Herbel; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kempenich; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lloyd; Maragos; Martinson; Mickelson; Nelson; Nichols; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Rennerfeldt; Rose; Severson; Svedjan; Sveen; Thoreson, B.; Timm; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Speaker Wald

ABSENT AND NOT VOTING: Drovdal; Nicholas; Thoreson, L.

HB 1354 was declared lost.

SECOND READING OF HOUSE BILL

HB 1356: A BILL for an Act to amend and reenact section 54-09-04 of the North Dakota Century Code, relating to fees collected by the secretary of state.

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 94 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Gordner; Grande; Grosz; Grumbo; Gulleson; Gunter; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; Mahoney; Maragos; Martinson; Metcalf; Meyer; Mickelson; Monson; Mueller; Nelson; Nichols; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Rose; Sandvig; Schmidt; Severson; Solberg; Stefonowicz; Svedjan; Sveen; Thoreson, B.; Timm; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

ABSENT AND NOT VOTING: Drovdal; Nicholas; Thoreson, L.; Thorpe

HB 1356 passed and the title was agreed to.

CONFLICT OF INTEREST

REP. MAHONEY STATED that he had a conflict of interest on HB 1362 and requested permission to vote.

MOTION

REP. DORSO MOVED that all Representatives who had a conflict of interest on HB 1362 be allowed to vote, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1362: A BILL for an Act to amend and reenact sections 11-10-10 and 11-10-10.1 of the North Dakota Century Code, relating to the salaries of county officers; 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 44 YEAS, 51 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Boucher; Brandenburg; DeKrey; Delmore; Disrud; Eckre; Ekstrom; Froseth; Glassheim; Grumbo; Gunter; Hawken; Hoffner; Jensen; Keiser; Kelsh, S.; Kempenich; Klein; Klemin; Koppang; Koppelman; Maragos; Martinson; Monson; Mueller; Nichols; Niemeier; Nottestad; Nowatzki; Price; Rose; Sandvig; Severson; Sveen; Thoreson, B.; Thorpe; Timm; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Winrich

NAYS: Belter; Berg; Bernstein; Boehm; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; Delzer; Devlin; Dorso; Fairfield; Froelich; Galvin; Gordner; Grande; Grosz; Gulleson; Haas; Hanson; Henegar; Herbel; Huether; Johnson, D.; Johnson, N.; Kelsch, R.; Kerzman; Kliniske; Kroeber; Lemieux; Lloyd; Lundgren; Mahoney; Metcalf; Meyer; Mickelson; Nelson; Pollert; Poolman; Porter; Renner; Rennerfeldt; Schmidt; Solberg; Stefonowicz; Svedjan; Speaker Wald

ABSENT AND NOT VOTING: Drovdal; Nicholas; Thoreson, L.

HB 1362 was declared lost.

MESSAGE TO THE SENATE FROM THE HOUSE (LANCE HAGEN, CHIEF CLERK)

MADAM PRESIDENT: The House has passed unchanged: SCR 4008.

MESSAGE TO THE SENATE FROM THE HOUSE (LANCE HAGEN, CHIEF CLERK)

MADAM PRESIDENT: The House has passed and your favorable consideration is requested on: HB 1136, HB 1153, HB 1155, HB 1161, HB 1175, HB 1176, HB 1178, HB 1211, HB 1238, HB 1284, HB 1307, HB 1332, HB 1333, HB 1367.

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

MR. SPEAKER: The President has signed: HB 1054.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following bill was delivered to the Governor for his approval at the hour of 1:25 p.m., February 2, 1999: HB 1054.

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

MR. SPEAKER: The President has signed and your signature is respectfully requested on: SCR 4008.

SIGNING OF BILLS AND RESOLUTIONS

The Speaker signed the following enrolled resolution: SCR 4008.

MESSAGE TO THE SENATE FROM THE HOUSE (LANCE HAGEN, CHIEF CLERK)

MADAM PRESIDENT: The Speaker has signed: SCR 4008.

MOTION

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

MOTION

REP. MONSON MOVED that the House be on the Fifth, Twelfth, and Thirteenth orders of business and at the conclusion of those orders, the House stand adjourned until 8:30 a.m., Wednesday, February 3, 1999, which motion prevailed.

REPORT OF STANDING COMMITTEE

HB 1085: Natural Resources Committee (Rep. Grosz, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 1 NAY, 3 ABSENT AND NOT VOTING). HB 1085 was placed on the Sixth order on the calendar.

Page 1, line 9, replace "twelve" with "one"

Page 1, line 10, remove "five hundred"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1123: Appropriations Committee (Rep. Dalrymple, Chairman) recommends **DO NOT PASS** (20 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1123 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1200: Natural Resources Committee (Rep. Grosz, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (10 YEAS, 2 NAYS, 3 ABSENT AND NOT VOTING). HB 1200 was placed on the Sixth order on the calendar.

Page 1, line 2, replace "angustifolia" with "angustifolia", remove "and", and after "penalty" insert "; and to declare an emergency"

Page 1, line 4, replace "**angustifolia**" with "**angustifolia**"

Page 1, line 5, after the period insert:

"1."

Page 1, line 7, remove "or leased"

Page 1, line 8, remove "or lessee"

Page 1, line 9, replace "angustifolia" with "angustifolia" and after the period insert:

"2. A person is guilty of a class A misdemeanor, is subject to court-ordered restitution to the state, and is subject to a civil penalty of up to ten thousand dollars if that person willfully removes or attempts to remove a purple coneflower, Echinacea purpurea or Echinacea angustifolia, from state-owned land.

3."

Page 1, line 12, after the period insert:

"4."

Page 1, after line 13, insert:

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

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1223: Natural Resources Committee (Rep. Grosz, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING). HB 1223 was placed on the Sixth order on the calendar.

Page 1, line 14, replace "immediate family members" with "a person, that person's spouse, and their children"

Page 1, line 15, replace "on" with "within a twenty-five-mile [40.23-kilometer] radius of the"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1246: Natural Resources Committee (Rep. Grosz, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (10 YEAS, 3 NAYS, 2 ABSENT AND NOT VOTING). HB 1246 was placed on the Sixth order on the calendar.

Page 1, line 8, remove the overstrike over "~~signs~~" and remove "a sign"

Page 1, line 10, remove the overstrike over "~~each~~", remove "the", remove the overstrike over "~~signs~~", remove "sign", and overstrike "the"

Page 1, line 11, overstrike "of", overstrike "and" and insert immediately thereafter ". Signs or markings", after "~~than~~" insert "at least", and remove the overstrike over "~~eight hundred eighty yards~~"

Page 1, line 12, remove the overstrike over "~~[804.68 meters] apart~~" and insert immediately thereafter ", or at the corners of the land, whichever is closer. Signs must be placed" and after "land" insert "and at all vehicular entrances to the land"

Page 1, line 13, remove the overstrike over "~~signs~~", remove "a sign", remove the overstrike over "~~or on all~~", and replace "the" with "vehicular entrances"

Page 1, remove lines 14 and 15

Page 1, line 16, remove "post," and after "~~No~~" insert "For purposes of this section, "markings" means fenceposts marked with not less than fifty square inches [322.58 square centimeters] of fluorescent orange paint or, if metal fenceposts are used, covering the entire post."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1250: Education Committee (Rep. R. Kelsch, Chairman) recommends **DO NOT PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1250 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1312: Appropriations Committee (Rep. Dalrymple, Chairman) recommends **DO PASS** (13 YEAS, 6 NAYS, 1 ABSENT AND NOT VOTING). HB 1312 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1323: Education Committee (Rep. R. Kelsch, Chairman) recommends **DO NOT PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1323 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1328: Natural Resources Committee (Rep. Grosz, Chairman) recommends **DO NOT PASS** (12 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING). HB 1328 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1406: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1406 was placed on the Sixth order on the calendar.

Page 2, line 2, remove "In addition, a"

Page 2, remove lines 3 and 4

Page 2, line 17, replace "seven" with "five"

Page 2, line 18, replace "three" with "two"

Page 2, line 20, remove the overstrike over "five" and remove "seven"

Page 2, line 21, remove the overstrike over "two" and remove "three"

Page 3, line 3, replace "to" with "for duplicating"

Page 3, line 6, remove "If procedures have been established, the register of"

Page 3, remove lines 7 through 9

Page 3, after line 9, insert:

"7."

Page 3, line 10, after "Duplicate" insert "register of deeds"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1459: Natural Resources Committee (Rep. Grosz, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING). HB 1459 was placed on the Sixth order on the calendar.

Page 1, line 14, remove the overstrike over "a" and replace "any" with "specified"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1464: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1464 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "to create and enact a new section to chapter 16.1-08.1 of the North Dakota"

Page 1, line 2, remove "Century Code, relating to political activities by labor organizations;" and after "reenact" insert "subsection 1 of"

Page 1, line 4, remove "; and to provide a penalty"

Page 1, line 6, replace "Section" with "Subsection 1 of section"

Page 1, remove lines 8 and 9

Page 1, line 11, after "unions" insert "and organizations"

Page 1, remove lines 17 through 24

Page 2, remove lines 1 through 30

Page 3, remove lines 1 through 31

Page 4, remove lines 1 through 4

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1471: Human Services Committee (Rep. Price, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (12 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1471 was placed on the Sixth order on the calendar.

Page 1, line 3, after "by" insert "certified"

Page 1, line 7, after "a" insert "certified"

Page 1, line 12, after "or" insert "certified"

Page 1, line 22, after "or" insert "certified"

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: SB 2058, SB 2125, SB 2133, SB 2185, SB 2186, SB 2218, SB 2221, SB 2234, SB 2249, SB 2261, SB 2266, SB 2272, SB 2343, SB 2360, SB 2369.

FIRST READING OF SENATE BILLS

SB 2058: A BILL for an Act to amend and reenact section 12-60-16.9 of the North Dakota Century Code, relating to the fee for a criminal history record check.
Was read the first time and referred to the **Judiciary Committee**.

SB 2125: A BILL for an Act to amend and reenact section 12.1-31-03 of the North Dakota Century Code, relating to the purchase, possession, and use of tobacco by minors; and to provide a penalty.
Was read the first time and referred to the **Judiciary Committee**.

SB 2133: A BILL for an Act to amend and reenact sections 12-47-21 and 12-47-37 of the North Dakota Century Code, relating to contraband at the penitentiary and escapes from the penitentiary; and to repeal sections 12-47-03, 12-47-07, 12-47-19, 12-47-20, and 12-47-32 of the North Dakota Century Code, relating to service of process at the penitentiary, oath and bond of the warden, inmates' food, beds, and clothing at the penitentiary, and warrants for cash payments to inmates at the penitentiary.
Was read the first time and referred to the **Judiciary Committee**.

SB 2185: A BILL for an Act to create and enact a new section to chapter 12-56 of the North Dakota Century Code, relating to the violation by parolees and probationers of the interstate compact for out-of-state supervision; and to provide a penalty.
Was read the first time and referred to the **Judiciary Committee**.

SB 2186: A BILL for an Act to create and enact a new section to chapter 12.1-17 of the North Dakota Century Code, relating to contact by bodily fluids or excrement; and to provide a penalty.
Was read the first time and referred to the **Judiciary Committee**.

SB 2218: A BILL for an Act to amend and reenact subdivision a of subsection 18 of section 52-01-01 of the North Dakota Century Code, relating to the exception of agricultural labor from employment subject to unemployment compensation insurance coverage.
Was read the first time and referred to the **Industry, Business and Labor Committee**.

SB 2221: A BILL for an Act to create and enact three new sections to chapter 26.1-12.1 of the North Dakota Century Code, relating to foreign mutual insurance holding companies; and to amend and reenact sections 26.1-12.1-01 and 26.1-12.1-09 of the North Dakota Century Code, relating to definitions and approval of a reorganization by eligible members of a domestic mutual insurance company.
Was read the first time and referred to the **Industry, Business and Labor Committee**.

SB 2234: A BILL for an Act to amend and reenact section 49-21-06 of the North Dakota Century Code, relating to telecommunications prices; and to provide an expiration date.

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

SB 2249: A BILL for an Act to amend and reenact section 12-54.1-01 of the North Dakota Century Code, relating to sentence reduction for good or meritorious conduct.

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

SB 2261: A BILL for an Act to amend and reenact subsection 4 of section 20.1-03-11 of the North Dakota Century Code, relating to purchase of deer hunting licenses by nonresidents.

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

SB 2266: A BILL for an Act to amend and reenact section 25-01.3-02 of the North Dakota Century Code, relating to the membership of the committee on protection and advocacy.

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

SB 2272: A BILL for an Act to amend and reenact section 65-01-08 of the North Dakota Century Code, relating to workers' compensation employer and staffing service relief from liability for injuries to an employee; and to declare an emergency.

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

SB 2343: A BILL for an Act to create and enact section 39-10-26.2 of the North Dakota Century Code, relating to the presumption of owner violation for failing to yield right of way to an emergency vehicle; and to amend and reenact subsection 2 of section 39-06.1-06 of the North Dakota Century Code, relating to the fees for noncriminal traffic violations.

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

SB 2360: A BILL for an Act to amend and reenact sections 12-46-05, 12-47-07, 15-02-01, 15-02-04, 18-01-01, 20.1-02-06, 20.1-02-08, 25-01-04, 27-03-02, 37-15-07, 37-18-07, subsection 3 of section 37-18.1-03, sections 39-03-06, 44-03-01, 49-01-03, 54-11-07, 54-23.3-04, 54-44-03, subsection 2 of section 54-52-04, sections 55-02-01.1, 61-03-02, 65-02-02, and 65-04-30 of the North Dakota Century Code, relating to bonds required of state officers; and to repeal sections 6-01-12, 15-12-06, 20.1-02-12, 27-04-02, 44-01-13, 54-06-11, 54-09-06, 54-10-03, 54-11-14, 54-18-08, and 57-01-01 of the North Dakota Century Code, relating to bonds required of state officers.

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

SB 2369: A BILL for an Act to amend and reenact sections 61-16.1-18 and 61-16.1-22 of the North Dakota Century Code, relating to water resource district project notices.

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

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

LANCE HAGEN, Chief Clerk