

JOURNAL OF THE HOUSE

Fifty-first Legislative Assembly

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Bismarck, January 31, 1989

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

The prayer was offered by Rev. James Stenslie, Heart River Lutheran Church, Mandan.

The roll was called and all Representatives were present.

A quorum was declared by the Speaker.

CORRECTION and REVISION of the JOURNAL (Rep. V. Olson, Chairman)
MR. SPEAKER: Your Committee on Correction and Revision of the Journal has carefully examined the Journal of the Nineteenth Day and finds it to be correct.

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

COMMUNICATION

State of North Dakota
EXECUTIVE OFFICE
Bismarck

January 31, 1989

The Honorable William Kretschmar
Speaker of the House
House Chamber
State Capitol
Bismarck, North Dakota 58505

Dear Mr. Speaker:

This is to inform you that on January 31, 1989, I signed HB 1080.

Sincerely,

GEORGE A. SINNER
Governor

HOUSE ENGROSSING REPORT

The following bill was engrossed: HB 1264.

MOTION

REP. R. LARSON MOVED that HB 1443 be returned to the House floor from the Committee on Human Services and Veterans Affairs, which motion prevailed.

REQUEST

REP. GOETZ REQUESTED the unanimous consent of the House to withdraw HB 1443. There being no objection, it was so ordered by the Speaker.

MOTION

REP. KLOUBEC MOVED that the rules be suspended and that the committee reports for HB 1129, HB 1144, HB 1174, HB 1177, HB 1181, HB 1241, HB 1257, HB 1260, HB 1277, HB 1317, HB 1344, HB 1368, HB 1425, and HCR 3025 recommending amendments on the Sixth order of business on the legislative calendar of the Twentieth Legislative Day be adopted, which motion prevailed.

SIXTH ORDER OF BUSINESS

REP. A. OLSON MOVED that the amendments to HB 1129 as recommended by the Committee on Natural Resources as printed on pages 410-411 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

HB 1129 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. A. OLSON MOVED that the amendments to HB 1144 as recommended by the Committee on Natural Resources as printed on page 411 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

HB 1144 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. TIMM MOVED that the amendments to HB 1174 as recommended by the Committee on Transportation as printed on page 411 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

HB 1174 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. LINDGREN MOVED that the amendments to HB 1177 as recommended by the Committee on Political Subdivisions as printed on pages 411-412 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

HB 1177 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. NICHOLAS MOVED that the amendments to HB 1181 as recommended by the Committee on Agriculture as printed on page 412 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

HB 1181 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. A. OLSON MOVED that the amendments to HB 1241 as recommended by the Committee on Natural Resources as printed on pages 412-413 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

HB 1241 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. A. OLSON MOVED that the amendments to HB 1257 as recommended by the Committee on Natural Resources as printed on page 413 of the House Journal be adopted, and when so adopted, recommends the same DO NOT PASS.

HB 1257 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. A. OLSON MOVED that the amendments to HB 1260 as recommended by the Committee on Natural Resources as printed on page 413 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

HB 1260 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. LINDGREN MOVED that the amendments to HB 1277 as recommended by the Committee on Political Subdivisions as printed on page 414 of the House Journal be adopted, and when so adopted, recommends the same DO NOT PASS.

HB 1277 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. LINDGREN MOVED that the amendments to HB 1317 as recommended by the Committee on Political Subdivisions as printed on page 414 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

HB 1317 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. HAUGLAND MOVED that the amendments to HB 1344 as recommended by the Committee on Human Services and Veterans Affairs as printed on page 414 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

HB 1344 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. HAUGLAND MOVED that the amendments to HB 1368 as recommended by the Committee on Human Services and Veterans Affairs as printed on page 414 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

HB 1368 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. HAUGLAND MOVED that the amendments to HB 1425 as recommended by the Committee on Human Services and Veterans Affairs as printed on page 415 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

HB 1425 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. TIMM MOVED that the amendments to HCR 3025 as recommended by the Committee on Transportation as printed on pages 415-416 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

HCR 3025 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MESSAGE to the HOUSE from the SENATE (Patricia Conrad, Secretary)
MR. SPEAKER: The Senate does not concur in the House amendments to SCR 4027, and the President has appointed as a conference committee to act with a like committee from the House on:

SCR 4027: Sens. Satrom, Naaden, W. Meyer

MESSAGE to the HOUSE from the SENATE (Patricia Conrad, Secretary)

MR. SPEAKER: The Senate has passed and your favorable consideration is requested on: SB 2137, SB 2279, SB 2306, SB 2307, SB 2314, SB 2328, SB 2347, SB 2348, SB 2366, SB 2374, SB 2375, SB 2394, SB 2406, SB 2424, SB 2426, SCR 4012.

MESSAGE to the SENATE from the HOUSE (Roy Gilbreath, Chief Clerk)

MR. PRESIDENT: The House has passed and your favorable consideration is requested on: HB 1160, HB 1294, HB 1328, HB 1359, HB 1377, HB 1407, HB 1424, HB 1428, HB 1455, HB 1457, HB 1464, HB 1488, HB 1498, HB 1528, HCR 3023, HCR 3027.

SECOND READING OF HOUSE BILLS

HB 1240: A BILL for an Act to create and enact a new section to chapter 15-36 of the North Dakota Century Code, relating to the issuance of temporary teachers' certificates.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 73 YEAS, 32 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Belter; Berg, G.; Berg, R.; Bernstein; Brokaw; Carlson; Clayburgh; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Enget; Flaagan; Frey; Gerhardt; Gerl; Gerntholz; Gilmore; Graba; Halmrast; Hanson, L.; Haugland; Hausauer, A.; Hausauer, R.; Hoffner; Hokana; Howard; Huether; Jensen; Kelly; Kingsbury; Kloubec; Knell; Kolbo; Lang; Larson, D.; Larson, R.; Laughlin; Marks; Martin; Martinson; Melby; Mertens; Murphy; Ness; Nicholas; Nowatzki; Oban; Olson, A.; O'Shea; Ring; Rydell; Schatz; Scherber; Schindler; Schneider; Shaft; Shockman; Skjerven; Solberg; Sorensen; Soukup; Stofferahn; Timm; Trautman; Ulmer; Uriacher; Watne; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: Aarsvold; Aas; Anderson, R.; Christman; Gates; Goetz; Gorman; Gunsch; Hanson, O.; Haugen; Kaldor; Kouba; Lindgren; Myrdal; Nelson; Olsen, D.; Olson, V.; Payne; Schmidt; Shide; Smette; Starke; Stenehjem; Thompson, K.; Thompson, V.; Tokach; Tollefson; Tomac; Vander Vorst; Wald; Wentz; Whalen

ABSENT AND NOT VOTING: Peterson

HB 1240 passed and the title was agreed to.

HB 1288: A BILL for an Act to amend and reenact section 43-11-02 of the North Dakota Century Code, relating to exemptions from provisions governing cosmetologists.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 77 YEAS, 28 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Aas; Anderson, B.; Anderson, R.; Berg, G.; Berg, R.; Bernstein; Christman; DeMers, J.; Dorso; Enget; Frey; Gerhardt; Gerl; Gilmore; Goetz; Gorman; Graba; Gunsch; Halmrast; Hanson, L.; Haugen;

Hausauer, A.; Hoffner; Howard; Jensen; Kelly; Kingsbury; Kloubec; Knell; Kouba; Lang; Larson, D.; Larson, R.; Laughlin; Lindgren; Marks; Martin; Martinson; Mertens; Murphy; Myrdal; Ness; Nicholas; Nowatzki; Oban; Olsen, D.; Olson, A.; O'Shea; Payne; Rydell; Schatz; Scherber; Schindler; Schmidt; Schneider; Shide; Skjerven; Smette; Solberg; Sorensen; Starke; Stofferahn; Thompson, K.; Thompson, V.; Timm; Tokach; Tollefson; Tomac; Trautman; Ulmer; Urlacher; Wald; Watne; Whalen; Wilkie; Williams, W.; Speaker Kretschmar

NAYS: Aarsvold; Belter; Brokaw; Carlson; Clayburgh; Dalrymple; DeMers, P.; Flaagan; Gates; Gerntholz; Hanson, O.; Haugland; Hausauer, R.; Hokana; Huether; Kaldor; Kolbo; Melby; Nelson; Olson, V.; Ring; Shaft; Shockman; Soukup; Stenehjem; Vander Vorst; Wentz; Williams, A.

ABSENT AND NOT VOTING: Peterson

HB 1288 passed and the title was agreed to.

HB 1347: A BILL for an Act to amend and reenact section 15-47-27 and subsection 5 of section 15-47-38 of the North Dakota Century Code, relating to performance evaluations of teachers.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 70 YEAS, 34 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Aas; Anderson, R.; Belter; Berg, G.; Berg, R.; Bernstein; Brokaw; Clayburgh; Dalrymple; Dorso; Enget; Flaagan; Gates; Goetz; Gorman; Graba; Gunsch; Halmrast; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hoffner; Howard; Huether; Jensen; Kaldor; Kingsbury; Kloubec; Knell; Kouba; Larson, D.; Larson, R.; Lindgren; Martin; Martinson; Melby; Mertens; Murphy; Myrdal; Nicholas; Nowatzki; Olsen, D.; Olson, A.; Payne; Rydell; Schatz; Schindler; Schmidt; Shide; Skjerven; Smette; Solberg; Sorensen; Soukup; Starke; Stenehjem; Thompson, K.; Timm; Tollefson; Trautman; Urlacher; Wald; Watne; Wentz; Whalen; Wilkie; Williams, A.; Speaker Kretschmar

NAYS: Aarsvold; Anderson, B.; Carlson; Christman; DeMers, J.; DeMers, P.; Frey; Gerhardt; Gerl; Gerntholz; Gilmore; Hanson, L.; Hokana; Kelly; Kolbo; Lang; Laughlin; Marks; Nelson; Ness; Oban; Olson, V.; O'Shea; Ring; Scherber; Schneider; Shaft; Shockman; Stofferahn; Tokach; Tomac; Ulmer; Vander Vorst; Williams, W.

ABSENT AND NOT VOTING: Peterson; Thompson, V.

HB 1347 passed and the title was agreed to.

HB 1371: A BILL for an Act to amend and reenact section 15-39.1-05 of the North Dakota Century Code, relating to the membership of the board of trustees of the teachers' fund for retirement; to provide for application of this Act; and to provide an effective date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 104 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Aas; Anderson, B.; Anderson, R.; Belter; Berg, G.; Berg, R.; Bernstein; Brokaw; Carlson; Christman; Clayburgh; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Enget; Flaagan; Frey; Gates; Gerhardt; Gerl; Gerntholz; Gilmore; Goetz; Gorman; Graba; Gunsch; Halmrast; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hoffner; Hokana; Howard; Huether; Jensen; Kaldor; Kelly; Kingsbury; Kloubec; Knell; Kolbo; Kouba; Lang; Larson, D.; Larson, R.; Laughlin; Lindgren; Marks; Martin; Martinson; Melby; Mertens; Murphy; Myrdal; Nelson; Ness; Nicholas; Nowatzki; Oban; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Ring; Rydell; Schatz; Scherber; Schindler; Schmidt; Schneider; Shaft; Shide; Shockman; Skjerven; Smette; Solberg; Sorensen; Soukup; Starke; Stenehjem; Stofferahn; Thompson, K.; Thompson, V.; Timm; Tokach; Tollefson; Tomac; Trautman; Ulmer; Urlacher; Vander Vorst; Wald; Watne; Wentz; Whalen; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: None

ABSENT AND NOT VOTING: Hanson, L.; Peterson

HB 1371 passed and the title was agreed to.

HB 1400: A BILL for an Act to amend and reenact sections 15-40.2-03 and 15-40.2-04 of the North Dakota Century Code, relating to an exemption from tuition payments for students enrolled in approved alternative education programs.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 105 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Aas; Anderson, B.; Anderson, R.; Belter; Berg, R.; Bernstein; Brokaw; Carlson; Christman; Clayburgh; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Enget; Flaagan; Frey; Gates; Gerhardt; Gerl; Gerntholz; Gilmore; Goetz; Gorman; Graba; Gunsch; Halmrast; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hoffner; Hokana; Howard; Huether; Jensen; Kaldor; Kelly; Kingsbury; Kloubec; Knell; Kolbo; Kouba; Lang; Larson, D.; Larson, R.; Laughlin; Lindgren; Marks; Martin; Martinson; Melby; Mertens; Murphy; Myrdal; Nelson; Ness; Nicholas; Nowatzki; Oban; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Peterson; Ring; Rydell; Schatz; Scherber; Schindler; Schmidt; Schneider; Shaft; Shide; Shockman; Skjerven; Smette; Solberg; Sorensen; Soukup; Starke; Stenehjem; Stofferahn; Thompson, K.; Thompson, V.; Timm; Tokach; Tollefson; Tomac; Trautman; Ulmer; Urlacher; Vander Vorst; Wald; Watne; Wentz; Whalen; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: None

ABSENT AND NOT VOTING: Berg, G.

HB 1400 passed and the title was agreed to.

HB 1392: A BILL for an Act to create a new section to chapter 61-24.3 of the North Dakota Century Code, relating to the distribution of water through the southwest pipeline project.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 105 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Aas; Anderson, B.; Anderson, R.; Belter; Berg, R.; Bernstein; Brokaw; Carlson; Christman; Clayburgh; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Enget; Flaagan; Frey; Gates; Gerhardt; Gerl; Gerntholz; Gilmore; Goetz; Gorman; Graba; Gunsch; Halmrast; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hoffner; Hokana; Howard; Huether; Jensen; Kaldor; Kelly; Kingsbury; Kloubec; Knell; Kolbo; Kouba; Lang; Larson, D.; Larson, R.; Laughlin; Lindgren; Marks; Martin; Martinson; Melby; Mertens; Murphy; Myrdal; Nelson; Ness; Nicholas; Nowatzki; Oban; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Peterson; Ring; Rydell; Schatz; Scherber; Schindler; Schmidt; Schneider; Shaft; Shide; Shockman; Skjerven; Smette; Solberg; Sorensen; Soukup; Starke; Stenehjem; Stofferahn; Thompson, K.; Thompson, V.; Timm; Tokach; Tollefson; Tomac; Trautman; Ulmer; Urlacher; Vander Vorst; Wald; Watne; Wentz; Whalen; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: None

ABSENT AND NOT VOTING: Berg, G.

HB 1392 passed and the title was agreed to.

HB 1397: A BILL for an Act to amend and reenact section 61-06-01 of the North Dakota Century Code, relating to the residency requirements of the board of directors of an irrigation district.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 106 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Aas; Anderson, B.; Anderson, R.; Belter; Berg, G.; Berg, R.; Bernstein; Brokaw; Carlson; Christman; Clayburgh; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Enget; Flaagan; Frey; Gates; Gerhardt; Gerl; Gerntholz; Gilmore; Goetz; Gorman; Graba; Gunsch; Halmrast; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hoffner; Hokana; Howard; Huether; Jensen; Kaldor; Kelly; Kingsbury; Kloubec; Knell; Kolbo; Kouba; Lang; Larson, D.; Larson, R.; Laughlin; Lindgren; Marks; Martin; Martinson; Melby; Mertens; Murphy; Myrdal; Nelson; Ness; Nicholas; Nowatzki; Oban; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Peterson; Ring; Rydell; Schatz; Scherber; Schindler; Schmidt; Schneider; Shaft; Shide; Shockman; Skjerven; Smette; Solberg; Sorensen; Soukup; Starke; Stenehjem; Stofferahn; Thompson, K.; Thompson, V.; Timm; Tokach; Tollefson; Tomac; Trautman;

Ulmer; Urlacher; Vander Vorst; Wald; Watne; Wentz; Whalen; Wilkie;
Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: None

ABSENT AND NOT VOTING: None

HB 1397 passed and the title was agreed to.

HB 1409: A BILL for an Act to amend and reenact sections 26.1-41-04 and 26.1-41-14 of the North Dakota Century Code, relating to optional excess no-fault benefits.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 106 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Aas; Anderson, B.; Anderson, R.; Belter; Berg, G.; Berg, R.; Bernstein; Brokaw; Carlson; Christman; Clayburgh; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Enget; Flaagan; Frey; Gates; Gerhardt; Gerl; Gerntholz; Gilmore; Goetz; Gorman; Graba; Gunsch; Halmrast; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hoffner; Hokana; Howard; Huether; Jensen; Kaldor; Kelly; Kingsbury; Kloubec; Knell; Kolbo; Kouba; Lang; Larson, D.; Larson, R.; Laughlin; Lindgren; Marks; Martin; Martinson; Melby; Mertens; Murphy; Myrdal; Nelson; Ness; Nicholas; Nowatzki; Oban; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Peterson; Ring; Rydell; Schatz; Scherber; Schindler; Schmidt; Schneider; Shaft; Shide; Shockman; Skjerven; Smette; Solberg; Sorensen; Soukup; Starke; Stenehjem; Stofferahn; Thompson, K.; Thompson, V.; Timm; Tokach; Tollefson; Tomac; Trautman; Ulmer; Urlacher; Vander Vorst; Wald; Watne; Wentz; Whalen; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: None

ABSENT AND NOT VOTING: None

HB 1409 passed and the title was agreed to.

HB 1452: A BILL for an Act to amend and reenact sections 36-05-10 and 36-05-11 of the North Dakota Century Code, relating to an exception from the brand inspection requirement.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 7 YEAS, 99 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Brokaw; Gilmore; Gorman; Melby; Shaft; Vander Vorst;
Speaker Kretschmar

NAYS: Aarsvold; Aas; Anderson, B.; Anderson, R.; Belter; Berg, G.; Berg, R.; Bernstein; Carlson; Christman; Clayburgh; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Enget; Flaagan; Frey; Gates; Gerhardt; Gerl; Gerntholz; Goetz; Graba; Gunsch; Halmrast; Hanson, L.; Hanson, O.;

Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hoffner; Hokana; Howard; Huether; Jensen; Kaldor; Kelly; Kingsbury; Kloubec; Knell; Kolbo; Kouba; Lang; Larson, D.; Larson, R.; Laughlin; Lindgren; Marks; Martin; Martinson; Mertens; Murphy; Myrdal; Nelson; Ness; Nicholas; Nowatzki; Oban; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Peterson; Ring; Rydell; Schatz; Scherber; Schindler; Schmidt; Schneider; Shide; Shockman; Skjervan; Smette; Solberg; Sorensen; Soukup; Starke; Stenehjem; Stofferahn; Thompson, K.; Thompson, V.; Timm; Tokach; Tollefson; Tomac; Trautman; Ulmer; Urlacher; Wald; Watne; Wentz; Whalen; Wilkie; Williams, A.; Williams, W.

ABSENT AND NOT VOTING: None

HB 1452 lost.

HB 1486: A BILL for an Act to amend and reenact section 39-21-44.1 of the North Dakota Century Code, relating to covering vehicles to prevent spillage onto the roadway.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 27 YEAS, 79 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Aas; Brokaw; DeMers, J.; Dorso; Frey; Gerl; Gilmore; Hanson, L.; Hoffner; Kelly; Lang; Mertens; Myrdal; Nicholas; Nowatzki; Oban; Schneider; Shaft; Shockman; Skjervan; Stenehjem; Tollefson; Vander Vorst; Watne; Wentz; Williams, W.; Speaker Kretschmar

NAYS: Aarsvold; Anderson, B.; Anderson, R.; Belter; Berg, G.; Berg, R.; Bernstein; Carlson; Christman; Clayburgh; Dalrymple; DeMers, P.; Enget; Flaagan; Gates; Gerhardt; Gerntholz; Goetz; Gorman; Graba; Gunsch; Halmrast; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hokana; Howard; Huether; Jensen; Kaldor; Kingsbury; Kloubec; Knell; Kolbo; Kouba; Larson, D.; Larson, R.; Laughlin; Lindgren; Marks; Martin; Martinson; Melby; Murphy; Nelson; Ness; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Peterson; Ring; Rydell; Schatz; Scherber; Schindler; Schmidt; Shide; Smette; Solberg; Sorensen; Soukup; Starke; Stofferahn; Thompson, K.; Thompson, V.; Timm; Tokach; Tomac; Trautman; Ulmer; Urlacher; Wald; Whalen; Wilkie; Williams, A.

ABSENT AND NOT VOTING: None

HB 1486 lost.

HB 1506: A BILL for an Act to create and enact a new section to chapter 4-12.1 of the North Dakota Century Code, relating to the North Dakota beekeepers committee; and to amend and reenact sections 4-12.1-01, 4-12.1-03, and 4-12.1-07 of the North Dakota Century Code, relating to the beekeepers committee and the honey fund.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 25 YEAS, 81 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Brokaw; Flaagan; Gerhardt; Gilmore; Goetz; Halmrast; Hanson, L.; Hausauer, R.; Hokana; Huether; Kouba; Laughlin; Marks; Martinson; Nelson; Olson, V.; Schatz; Shockman; Stenehjem; Thompson, K.; Tollefson; Trautman; Wald; Williams, A.; Williams, W.

NAYS: Aarsvold; Aas; Anderson, B.; Anderson, R.; Belter; Berg, G.; Berg, R.; Bernstein; Carlson; Christman; Clayburgh; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Enget; Frey; Gates; Gerl; Gerntholz; Gorman; Graba; Gunsch; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hoffner; Howard; Jensen; Kaldor; Kelly; Kingsbury; Kloubec; Knell; Kolbo; Lang; Larson, D.; Larson, R.; Lindgren; Martin; Melby; Mertens; Murphy; Myrdal; Ness; Nicholas; Nowatzki; Oban; Olsen, D.; Olson, A.; O'Shea; Payne; Peterson; Ring; Rydell; Scherber; Schindler; Schmidt; Schneider; Shaft; Shide; Skjervem; Smette; Solberg; Sorensen; Soukup; Starke; Stofferahn; Thompson, V.; Timm; Tokach; Tomac; Ulmer; Urlacher; Vander Vorst; Watne; Wentz; Whalen; Wilkie; Speaker Kretschmar

ABSENT AND NOT VOTING: None

HB 1506 lost.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3024: A concurrent resolution urging Congress to amend the Surface Mining Control and Reclamation Act of 1977, to allow the duration of the responsibility period for revegetation to be determined by each state regulatory authority.

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

HCR 3024 was declared adopted on a voice vote.

SECOND READING OF HOUSE BILLS

HB 1026: A BILL for an Act to amend and reenact sections 4-01-21, 15-21-02, 26.1-01-09, 34-05-01.2, 49-01-05, 54-07-04, 54-08-03, 54-09-05, 54-10-10, 54-11-13, 54-12-11, and 57-01-04 of the North Dakota Century Code, relating to the salaries of the commissioner of agriculture, superintendent of public instruction, commissioner of insurance, commissioner of labor, public service commissioners, governor, lieutenant governor, secretary of state, state auditor, state treasurer, attorney general, and tax commissioner; and to provide an effective date.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 16 YEAS, 90 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Carlson; DeMers, J.; DeMers, P.; Frey; Gerl; Huether; Kelly; Ness; Ring; Scherber; Schneider; Starke; Thompson, V.; Ulmer

NAYS: Aas; Anderson, R.; Belter; Berg, G.; Berg, R.; Bernstein; Brokaw; Christman; Clayburgh; Dalrymple; Dorso; Enget; Flaagan; Gates; Gerhardt; Gerntholz; Gilmore; Goetz; Gorman; Graba; Gunsch; Halmrast; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.;

Hoffner; Hokana; Howard; Jensen; Kaldor; Kingsbury; Kloubec; Knell; Kolbo; Kouba; Lang; Larson, D.; Larson, R.; Laughlin; Lindgren; Marks; Martin; Martinson; Melby; Mertens; Murphy; Myrdal; Nelson; Nicholas; Nowatzki; Oban; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Peterson; Rydell; Schatz; Schindler; Schmidt; Shaft; Shide; Shockman; Skjerven; Smette; Solberg; Sorensen; Soukup; Stenehjem; Stofferahn; Thompson, K.; Timm; Tokach; Tollefson; Tomac; Trautman; Urlacher; Vander Vorst; Wald; Watne; Wentz; Whalen; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

ABSENT AND NOT VOTING: None

HB 1026 lost.

HB 1072: A BILL for an Act to limit the introduction of bills into the legislative assembly.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 47 YEAS, 59 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Aas; Anderson, R.; Belter; Berg, R.; Bernstein; Christman; Dorso; Enget; Gerntholz; Gilmore; Gorman; Gunsch; Hanson, O.; Haugen; Hausauer, R.; Howard; Kingsbury; Kloubec; Knell; Kouba; Lang; Martin; Melby; Myrdal; Ness; Nicholas; Olson, A.; Olson, V.; O'Shea; Payne; Schindler; Schmidt; Shaft; Shide; Smette; Solberg; Soukup; Stenehjem; Thompson, K.; Timm; Tokach; Tomac; Urlacher; Vander Vorst; Whalen; Wilkie; Williams, A.

NAYS: Aarsvold; Anderson, B.; Berg, G.; Brokaw; Carlson; Clayburgh; Dalrymple; DeMers, J.; DeMers, P.; Flaagan; Frey; Gates; Gerhardt; Gerl; Goetz; Graba; Halmrast; Hanson, L.; Haugland; Hausauer, A.; Hoffner; Hokana; Huether; Jensen; Kaldor; Kelly; Kolbo; Larson, D.; Larson, R.; Laughlin; Lindgren; Marks; Martinson; Mertens; Murphy; Nelson; Nowatzki; Oban; Olsen, D.; Peterson; Ring; Rydell; Schatz; Scherber; Schneider; Shockman; Skjerven; Sorensen; Starke; Stofferahn; Thompson, V.; Tollefson; Trautman; Ulmer; Wald; Watne; Wentz; Williams, W.; Speaker Kretschmar

ABSENT AND NOT VOTING: None

HB 1072 lost.

HB 1529: A BILL for an Act to amend and reenact sections 54-03.1-03 and 54-44.1-07 of the North Dakota Century Code, relating to the organizational session agenda and presentation of the executive budget.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 103 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Aas; Anderson, B.; Anderson, R.; Belter; Berg, G.; Berg, R.; Bernstein; Brokaw; Carlson; Christman; Clayburgh; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Enget; Flaagan; Frey; Gates; Gerhardt;

Gerl; Gerntholz; Gilmore; Goetz; Gorman; Graba; Gunsch; Halmrast; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hoffner; Hokana; Howard; Huether; Jensen; Kaldor; Kelly; Kingsbury; Knell; Kolbo; Kouba; Lang; Larson, D.; Larson, R.; Laughlin; Lindgren; Marks; Martin; Martinson; Melby; Murphy; Myrdal; Nelson; Ness; Nicholas; Nowatzki; Oban; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Peterson; Ring; Rydell; Schatz; Scherber; Schindler; Schmidt; Schneider; Shaft; Shide; Shockman; Skjervem; Smette; Solberg; Sorensen; Soukup; Starke; Stenehjem; Stofferahn; Thompson, K.; Thompson, V.; Timm; Tokach; Tollefson; Tomac; Trautman; Urlacher; Vander Vorst; Wald; Watne; Wentz; Whalen; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: Kloubec; Mertens; Ulmer

ABSENT AND NOT VOTING: None

HB 1529 passed and the title was agreed to.

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS ON CONSENT CALENDAR

HCR 3030: A concurrent resolution inviting President Bush to visit North Dakota in recognition of the Centennial of the admittance of the states formally comprising the Dakota Territory.

HCR 3033: A concurrent resolution directing the Legislative Council to study and evaluate the adequacy of compensation to justices of the Supreme Court and Judges of the district courts, legislators, and other elected state officials.

The question being on the final adoption of the resolutions, which have been read.

The resolutions were declared adopted on a voice vote.

SECOND READING OF SENATE BILL

SB 2064: A BILL for an Act to amend and reenact section 16.1-06-09.1 of the North Dakota Century Code, relating to statements of intent in resolutions proposing constitutional amendments.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 106 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Aas; Anderson, B.; Anderson, R.; Belter; Berg, G.; Berg, R.; Bernstein; Brokaw; Carlson; Christman; Clayburgh; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Enget; Flaagan; Frey; Gates; Gerhardt; Gerl; Gerntholz; Gilmore; Goetz; Gorman; Graba; Gunsch; Halmrast; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hoffner; Hokana; Howard; Huether; Jensen; Kaldor; Kelly; Kingsbury; Kloubec; Knell; Kolbo; Kouba; Lang; Larson, D.; Larson, R.; Laughlin; Lindgren; Marks; Martin; Martinson; Melby; Mertens; Murphy; Myrdal; Nelson; Ness; Nicholas; Nowatzki; Oban; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Peterson; Ring; Rydell; Schatz; Scherber;

Schindler; Schmidt; Schneider; Shaft; Shide; Shockman; Skjerven; Smette; Solberg; Sorensen; Soukup; Starke; Stenehjem; Stofferahn; Thompson, K.; Thompson, V.; Timm; Tokach; Tollefson; Tomac; Trautman; Ulmer; Urlacher; Vander Vorst; Wald; Watne; Wentz; Whalen; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: None

ABSENT AND NOT VOTING: None

SB 2064 passed and the title was agreed to.

MOTION

REP. KLOUBEC MOVED that the rules be suspended and HB 1129, HB 1144, HB 1174, and HB 1177, which were considered on the Sixth order and placed on the calendar for final passage, be voted on immediately, which motion prevailed.

HOUSE ENGRROSSING REPORT

The following bills and resolution were engrossed: HB 1129, HB 1144, HB 1174, HB 1177, HB 1181, HB 1241, HB 1257, HB 1260, HB 1277, HB 1317, HB 1344, HB 1368, HB 1425, HCR 3025.

SECOND READING OF HOUSE BILLS

HB 1129: A BILL for an Act to amend and reenact subsection 3 of section 61-04-01.1, sections 61-04-04.1, 61-04-05, 61-04-27, 61-04-29, and 61-04-30 of the North Dakota Century Code, relating to the definition of domestic use, application fees for water permits, notice of a water permit application, water use reports required by the state engineer, and enforcement of water rights and the enjoining of unauthorized uses through the administrative process; and to provide a penalty.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 94 YEAS, 10 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Aas; Anderson, B.; Anderson, R.; Belter; Berg, G.; Berg, R.; Bernstein; Carlson; Christman; Clayburgh; Dalrymple; DeMers, J.; Dorso; Flaagan; Frey; Gates; Gerhardt; Gerl; Gerntholz; Goetz; Gorman; Graba; Halmrast; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hoffner; Howard; Jensen; Kaldor; Kelly; Kloubec; Knell; Kouba; Lang; Larson, D.; Larson, R.; Laughlin; Lindgren; Marks; Martin; Martinson; Melby; Mertens; Murphy; Myrdal; Nelson; Ness; Nicholas; Nowatzki; Oban; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Peterson; Ring; Rydell; Schatz; Scherber; Schindler; Schmidt; Schneider; Shaft; Shide; Shockman; Smette; Solberg; Sorensen; Soukup; Starke; Stenehjem; Stofferahn; Thompson, K.; Thompson, V.; Timm; Tokach; Tollefson; Tomac; Trautman; Ulmer; Urlacher; Vander Vorst; Wald; Watne; Whalen; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: Brokaw; DeMers, P.; Enget; Gilmore; Gunsch; Hokana; Huether; Kingsbury; Kolbo; Wilkie

ABSENT AND NOT VOTING: Skjerven; Wentz

HB 1129 passed and the title was agreed to.

HB 1144: A BILL for an Act to amend and reenact section 39-24-05 of the North Dakota Century Code, relating to the disposition of snowmobile registration fees.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 101 YEAS, 3 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Aas; Anderson, B.; Anderson, R.; Belter; Berg, G.; Berg, R.; Bernstein; Brokaw; Carlson; Christman; Clayburgh; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Enget; Flaagan; Frey; Gates; Gerhardt; Gerl; Gerntholz; Gilmore; Goetz; Gorman; Graba; Halmrast; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hoffner; Hokana; Howard; Huether; Jensen; Kaldor; Kelly; Kloubec; Knell; Kolbo; Lang; Larson, D.; Larson, R.; Laughlin; Lindgren; Marks; Martin; Martinson; Melby; Mertens; Myrdal; Nelson; Ness; Nicholas; Nowatzki; Oban; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Peterson; Ring; Rydell; Schatz; Scherber; Schindler; Schmidt; Schneider; Shaft; Shide; Shockman; Skjerven; Smette; Solberg; Sorensen; Soukup; Starke; Stenehjem; Stofferahn; Thompson, K.; Thompson, V.; Timm; Tokach; Tollefson; Tomac; Trautman; Ulmer; Urlacher; Vander Vorst; Wald; Watne; Wentz; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: Gunsch; Kouba; Murphy

ABSENT AND NOT VOTING: Kingsbury; Whalen

HB 1144 passed and the title was agreed to.

HB 1174: A BILL for an Act to create and enact a new section to chapter 39-16.1 of the North Dakota Century Code, relating to verification of operator's liability insurance; and to amend and reenact section 39-06-34 of the North Dakota Century Code, relating to the immediate suspension of licenses of drivers constituting a threat to the motoring public.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 95 YEAS, 11 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Aas; Anderson, B.; Anderson, R.; Belter; Berg, G.; Berg, R.; Bernstein; Carlson; Christman; Clayburgh; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Enget; Flaagan; Frey; Gates; Gerhardt; Gilmore; Goetz; Gorman; Graba; Gunsch; Halmrast; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hoffner; Hokana; Howard; Huether; Jensen; Kaldor; Kelly; Kloubec; Knell; Kolbo; Kouba; Lang; Larson, D.; Larson, R.; Laughlin; Lindgren; Marks; Martin; Martinson; Melby; Mertens; Myrdal; Nelson; Ness; Nicholas; Nowatzki; Oban; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Peterson; Ring; Rydell; Schatz; Scherber; Schindler; Schneider; Shide; Smette; Solberg; Sorensen; Soukup; Starke; Stenehjem; Stofferahn; Thompson, K.; Thompson, V.;

Timm; Tokach; Tollefson; Tomac; Trautman; Urlacher; Vander Vorst; Wald; Wentz; Whalen; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: Brokaw; Gerl; Gerntholz; Kingsbury; Murphy; Schmidt; Shaft; Shockman; Skjerven; Ulmer; Watne

ABSENT AND NOT VOTING: None

HB 1174 passed and the title was agreed to.

MOTION

REP. R. ANDERSON MOVED that the House waive the reading of the title to HB 1177, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1177: A BILL for an Act to amend and reenact sections 6-09.4-03, 6-09.4-06, 6-09.4-09, 6-09.4-10, 6-09.4-12, 6-09.4-13, 6-09.4-14, 6-09.4-16, 6-09.4-17, 6-09.4-18, 6-09.4-19, 6-09.4-20, and 6-09.4-21 and subdivision 1 of subsection 1 of section 28-32-01 of the North Dakota Century Code, relating to the North Dakota municipal bond bank.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 105 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Aas; Anderson, B.; Anderson, R.; Belter; Berg, G.; Berg, R.; Bernstein; Brokaw; Carlson; Christman; Clayburgh; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Enget; Flaagan; Frey; Gates; Gerhardt; Gerl; Gerntholz; Gilmore; Goetz; Gorman; Graba; Gunsch; Halmrast; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hoffner; Hokana; Howard; Huether; Jensen; Kaldor; Kelly; Kingsbury; Kloubec; Knell; Kolbo; Kouba; Lang; Larson, D.; Larson, R.; Laughlin; Lindgren; Marks; Martin; Martinson; Melby; Mertens; Murphy; Myrdal; Nelson; Ness; Nicholas; Nowatzki; Oban; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Peterson; Ring; Rydell; Schatz; Scherber; Schindler; Schmidt; Schneider; Shide; Shockman; Skjerven; Smette; Solberg; Sorensen; Soukup; Starke; Stenehjelm; Stofferahn; Thompson, K.; Thompson, V.; Timm; Tokach; Tollefson; Tomac; Trautman; Ulmer; Urlacher; Vander Vorst; Wald; Watne; Wentz; Whalen; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: None

ABSENT AND NOT VOTING: Shaft

HB 1177 passed and the title was agreed to.

THE HOUSE RECOGNIZED THE PRESENCE OF:

Former Representative John F. Gengler

ANNOUNCEMENT OF SELECT COMMITTEE ON MEMORIAL SERVICE

SPEAKER KRETSCHMAR ANNOUNCED the following appointments to the Select Committee on Memorial Service:

Rep. V. Olson, Chairman
Rep. Shaft
Rep. Scherber

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SCR 4027: Reps. Martinson, Melby, Ulmer.

MESSAGE to the SENATE from the HOUSE (Roy Gilbreath, Chief Clerk)

MR. PRESIDENT: The Speaker has appointed as a conference committee to act with a like committee from the Senate on:

SCR 4027: Reps. Martinson, Melby, Ulmer

MOTION

REP. KLOUBEC MOVED that the House be on the Fifth order of business, and at the conclusion of the Fifth order, the House be on the Ninth order of business, and at the conclusion of the Ninth order, the House be on the Thirteenth order of business, and at the conclusion of the Thirteenth order, the House stand adjourned until 1:00 p.m., Wednesday, February 1, 1989, which motion prevailed.

REPORTS OF STANDING COMMITTEES

MR. SPEAKER: Your Committee on Appropriations (Rep. Peterson, Chairman) to which was referred HB 1019 has had the same under consideration and recommends by a vote of 20 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING that the same DO PASS.

HB 1019 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Appropriations (Rep. Peterson, Chairman) to which was referred HB 1066 has had the same under consideration and recommends by a vote of 17 YEAS, 4 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

HB 1066 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Appropriations (Rep. Peterson, Chairman) to which was rereferred HB 1116 has had the same under consideration and recommends by a vote of 22 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact section 12.1-32-12 of the North Dakota Century Code, relating to penalties, sentences, and parole for unclassified offenses; and to repeal section 12.1-32-10 of the North Dakota Century Code, relating to mandatory parole components.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 12.1-32-12 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

12.1-32-12. Penalties, sentences, and parole for offenses unclassified and in other titles. Where an offense is defined by a statute or by the constitution without specification of its classification pursuant to under section 12.1-32-01, the offense ~~shall be is~~ punishable as provided in the statute or constitutional provision defining it, or:

1. If the offense is declared to be a felony, without further specification of punishment, it ~~shall be is~~ punishable as if it were a class C felony.
2. If the offense is declared to be a misdemeanor, without further specification of punishment, it ~~shall be is~~ punishable as if it were a class A misdemeanor.

The sentencing alternatives available under section 12.1-32-02 ~~shall be~~ are available to a court sentencing an offender for commission of an offense defined by a statute outside this title. ~~The mandatory parole component provided by section 12.1-32-10 shall apply to sentences imposed for offenses defined by statutes outside this title.~~

SECTION 2. REPEAL. Section 12.1-32-10 of the North Dakota Century Code is hereby repealed."

Renumber accordingly

HB 1116 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Agriculture (Rep. Nicholas, Chairman) to which was referred HB 1244 has had the same under consideration and recommends by a vote of 15 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION:

Page 1, line 1, remove "create and enact a new section to chapter 4-35 of the"

Page 1, remove line 2

Page 1, line 3, remove "and to"

Page 1, remove lines 7 through 18

Renumber accordingly

HB 1244 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Education (Rep. Gates, Chairman) to which was referred HB 1306 has had the same under consideration and recommends by a vote of 11 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING that the same DO NOT PASS.

HB 1306 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Judiciary (Rep. Wentz, Chairman) to which was referred HB 1316 has had the same under consideration and recommends by a vote of 10 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING that the same DO NOT PASS.

HB 1316 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Judiciary (Rep. Wentz, Chairman) to which was referred HB 1322 has had the same under consideration and recommends by a vote of 10 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

Page 1, line 12, after "of" insert "more than" and remove "or more"

Page 1, line 15, after the underscored period insert "Before the sale or disposition of property with a total estimated value of more than five hundred dollars, the landlord shall make reasonable efforts to notify in writing the tenant of the sale or disposition at least fourteen days before the action is taken. The notice of the sale or disposition must be by personal service or by certified mail, return receipt requested, to the tenant's last known address or usual place of abode, if known by the landlord."

Renumber accordingly

HB 1322 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Judiciary (Rep. Wentz, Chairman) to which was referred HB 1323 has had the same under consideration and recommends by a vote of 13 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING that the same DO PASS.

HB 1323 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Judiciary (Rep. Wentz, Chairman) to which was referred HB 1386 has had the same under consideration and recommends by a vote of 14 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING that the same DO NOT PASS.

HB 1386 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Judiciary (Rep. Wentz, Chairman) to which was referred HB 1396 has had the same under consideration and recommends by a vote of 13 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same DO NOT PASS.

HB 1396 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Judiciary (Rep. Wentz, Chairman) to which was referred HB 1431 has had the same under consideration and recommends by a vote of 10 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

HB 1431 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Finance and Taxation (Rep. A. Hausauer, Chairman) to which was referred HB 1433 has had the same under consideration

and recommends by a vote of 11 YEAS, 4 NAYS, 2 ABSENT AND NOT VOTING that the same DO NOT PASS.

HB 1433 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Judiciary (Rep. Wentz, Chairman) to which was referred HB 1451 has had the same under consideration and recommends by a vote of 10 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

HB 1451 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Judiciary (Rep. Wentz, Chairman) to which was referred HB 1465 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO NOT PASS.

HB 1465 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Judiciary (Rep. Wentz, Chairman) to which was referred HB 1466 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

HB 1466 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Education (Rep. Gates, Chairman) to which was referred HB 1477 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

HB 1477 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Finance and Taxation (Rep. A. Hausauer, Chairman) to which was referred HB 1495 has had the same under consideration and recommends by a vote of 14 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

Page 1, line 8, replace "two" with "one"

Renumber accordingly

HB 1495 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Education (Rep. Gates, Chairman) to which was referred HB 1512 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

HB 1512 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Judiciary (Rep. Wentz, Chairman) to which was referred HB 1526 has had the same under consideration and recommends by a vote of 16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

HB 1526 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Finance and Taxation (Rep. A. Hausauer, Chairman) to which was referred HB 1534 has had the same under consideration and recommends by a vote of 13 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

HB 1534 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Finance and Taxation (Rep. A. Hausauer, Chairman) to which was referred HB 1538 has had the same under consideration and recommends by a vote of 17 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

HB 1538 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Education (Rep. Gates, Chairman) to which was referred HB 1559 has had the same under consideration and recommends by a vote of 13 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same DO PASS.

HB 1559 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on State and Federal Government (Rep. Martinson, Chairman) to which was referred HB 1569 has had the same under consideration and recommends by a vote of 10 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

Page 1, line 11, replace "manufactured" with "approved for manufacture"

Renumber accordingly

HB 1569 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Finance and Taxation (Rep. A. Hausauer, Chairman) to which was referred HB 1634 has had the same under consideration and recommends by a vote of 17 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

Page 1, line 11, replace "nine" with "twelve"

Renumber accordingly

HB 1634 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on State and Federal Government (Rep. Martinson, Chairman) to which was referred HB 1650 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

Page 1, replace lines 9 through 12 with "A parcel of land located in the southwest quarter of the southwest quarter of section twenty-seven, township one hundred fifty-four north, range sixty-four west of the

fifth principal meridian, Ramsey County, state of North Dakota, further described as follows:

Beginning at the southwest corner of the Devils Lake school district property which is located at a point on the section line eight hundred eighty-seven and one-tenth feet northerly of the section corner common to sections twenty-seven, twenty-eight, thirty-three, and thirty-four, thence southerly along said section line a distance of eight hundred eighty-seven and one-tenth feet to the section corner, thence easterly along the section line a distance of one thousand three hundred twenty feet, thence northerly along the quarter-quarterline a distance of eight hundred fifty feet to the south boundary line of the Devils Lake school district property, thence turn a left deflection angle of eighty-eight degrees twenty-three minutes along said south boundary line a distance of one thousand three hundred twenty and five-tenths feet to the point of beginning, less the so-called railroad right of way across the property as shown on the enclosed plat. This tract contains twenty-six and three-tenths acres less two and two-tenths acres for the railroad right of way, more or less. And also includes several lots in the Wineman first addition of the city of Devils Lake located south of the above-noted section twenty-seven in section thirty-four and east of the railroad crossing through both sections in a northwesterly direction and north of fourteenth street west and west of the north-south shelterbelt on the west side of the school for the deaf. The payment for this additional land must be the same as the assessed value of the above-described land to be sold."

Renumber accordingly

HB 1650 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on State and Federal Government (Rep. Martinson, Chairman) to which was referred HB 1653 has had the same under consideration and recommends by a vote of 9 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

Page 1, line 9, after "employee" insert "except that the employee's supervisors and officials of the state agency or political subdivision employing the employee have access to all information contained in the employee's personnel records"

Page 1, line 10, after "state" insert "in the classified service"

Renumber accordingly

HB 1653 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

FIRST READING OF HOUSE CONCURRENT RESOLUTION

Reps. Graba, Hoffner and Sen. Schoenwald introduced:

HCR 3048: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of requiring boiler operators to be licensed.

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

FIRST READING OF SENATE BILLS

Engrossed SB 2109: A BILL for an Act to create and enact two new sections to chapter 43-12.1 of the North Dakota Century Code, relating to emergency medical treatment by nurses; to amend and reenact section 32-03.1-06 of the North Dakota Century Code, relating to exceptions to laws superseded by the Good Samaritan Act; and to repeal sections 43-12-33 and 43-12-34 of the North Dakota Century Code, relating to emergency medical treatment by nurses.

Was read the first time and referred to the Committee on Human Services and Veterans Affairs.

SB 2116: A BILL for an Act to amend and reenact subsections 1 and 2 of section 52-06-04 and section 52-06-05 of the North Dakota Century Code, relating to minimum weekly benefit amount, qualifications as an insured worker, and benefit duration.

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

Engrossed SB 2185: A BILL for an Act to amend and reenact subsection 4 of section 39-03.1-11 and section 39-03.1-27 of the North Dakota Century Code, relating to computation of retirement benefits and amendments to existing rights under the highway patrolmen's retirement system.

Was read the first time and referred to the Committee on State and Federal Government.

SB 2213: A BILL for an Act to amend and reenact subsection 15 of section 15-29-08 and section 57-15-13 of the North Dakota Century Code, relating to the certification of school district budgets and tax levies.

Was read the first time and referred to the Committee on Education.

Engrossed SB 2254: A BILL for an Act to create and enact a new subsection to section 54-52.1-01, relating to definition of part-time permanent employee; and to amend and reenact section 54-52.1-06 of the North Dakota Century Code, relating to the state's contribution to the uniform group insurance program for a part-time permanent employee.

Was read the first time and referred to the Committee on State and Federal Government.

SB 2287: A BILL for an Act to create and enact two new subsections to section 26.1-01-07 and a new chapter to title 26.1 of the North Dakota Century Code, relating to insurance premium finance companies.

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

SB 2301: A BILL for an Act to amend and reenact section 47-18-05.1 of the North Dakota Century Code, relating to waiver of homestead exemptions on platted property.

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

Engrossed SB 2381: A BILL for an Act to create and enact a new section to chapter 37-03 of the North Dakota Century Code, relating to the establishment of a state veterans' cemetery; and to provide an appropriation.

Was read the first time and referred to the Committee on Human Services and Veterans Affairs.

SB 2414: A BILL for an Act to create and enact a new subsection to section 11-11-14 of the North Dakota Century Code, relating to pawnbrokers. Was read the first time and referred to the Committee on Political Subdivisions.

SB 2421: A BILL for an Act to amend and reenact section 54-02-07 of the North Dakota Century Code, relating to the rough rider award and the North Dakota hall of fame. Was read the first time and referred to the Committee on State and Federal Government.

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

ROY GILBREATH, Chief Clerk