

## JOURNAL OF THE HOUSE

## Fifty-first Legislative Assembly

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Bismarck, February 1, 1989

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

The prayer was offered by Rev. Al Shauer, First Lutheran Church, Tioga.

The roll was called and all Representatives were present, except Representative Frey.

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 Twentieth Day and finds it to be correct.

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

## MOTION

REP. KLOUBEC MOVED that the rules be suspended and that the committee reports for HB 1116, HB 1244, HB 1322, HB 1495, HB 1569, HB 1634, HB 1650, and HB 1653 recommending amendments on the Sixth order of business on the legislative calendar of the Twenty-first Legislative Day be adopted, which motion prevailed.

## SIXTH ORDER OF BUSINESS

REP. PETERSON MOVED that the amendments to HB 1116 as recommended by the Committee on Appropriations as printed on pages 434-435 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

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

REP. NICHOLAS MOVED that the amendments to HB 1244 as recommended by the Committee on Agriculture as printed on page 435 of the House Journal be adopted, and when so adopted, recommends the same BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION.

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

REP. WENTZ MOVED that the amendments to HB 1322 as recommended by the Committee on Judiciary as printed on page 436 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

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

REP. A. HAUSAUER MOVED that the amendments to HB 1495 as recommended by the Committee on Finance and Taxation as printed on page 437 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

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

REP. MARTINSON MOVED that the amendments to HB 1569 as recommended by the Committee on State and Federal Government as printed on page 438 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

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

REP. A. HAUSAUER MOVED that the amendments to HB 1634 as recommended by the Committee on Finance and Taxation as printed on page 438 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

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

REP. MARTINSON MOVED that the amendments to HB 1650 as recommended by the Committee on State and Federal Government as printed on pages 438-439 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

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

REP. MARTINSON MOVED that the amendments to HB 1653 as recommended by the Committee on State and Federal Government as printed on page 439 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

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

#### MOTION

REP. TIMM MOVED that HB 1648 be returned to the House floor from the Committee on Transportation, which motion prevailed.

#### REQUEST

REP. WALD REQUESTED the unanimous consent of the House to withdraw HB 1648. There being no objection, it was so ordered by the Speaker.

#### MOTION

REP. A. OLSON MOVED that HB 1278 be returned to the House floor from the Committee on Natural Resources, which motion prevailed.

#### REQUEST

REP. A. HAUSAUER REQUESTED the unanimous consent of the House to withdraw HB 1278. There being no objection, it was so ordered by the Speaker.

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 1041, HB 1062, HB 1076, HB 1236, HB 1250, HB 1264, HB 1305, HB 1346, HB 1351, HB 1378.

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

MR. SPEAKER: The Senate has passed and your favorable consideration is requested on: SB 2095, SB 2096, SB 2093, SB 2122, SB 2275, SB 2286.

## MOTION

REP. PETERSON MOVED that the House reconsider its action whereby HB 1072 failed to pass, which motion prevailed on a verification vote.

## SECOND READING OF HOUSE BILLS

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 43 YEAS, 61 NAYS, 2 ABSENT AND NOT VOTING.

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

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

ABSENT AND NOT VOTING: Frey; Peterson

HB 1072 lost.

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HB 1181: A BILL for an Act to amend and reenact sections 6-09.11-01, 6-09.11-03, 6-09.11-04, 6-09.11-06, 6-09.11-07, and 6-09.11-09 of the North Dakota Century Code, relating to financial assistance for family farmers; and to declare an emergency.

## 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; 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: Frey

HB 1181 passed, the title was agreed to, and the emergency clause carried.

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HB 1241: A BILL for an Act to create and enact a new section to chapter 20.1-01 of the North Dakota Century Code, relating to spotting bighorn sheep, moose, or elk from aircraft.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 98 YEAS, 7 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; Gates; Gerhardt; Gerl; Gerntholz; Gilmore; Goetz; Gorman; Graba; Halmrast; Hanson, L.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hoffner; Hokana; Howard; Huether; Jensen; Kaldor; Kelly; Kingsbury; Kloubec; Knell; Kolbo; 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; Skjerven; Smette; Solberg; Sorensen; Soukup; Starke; Stenehjem; Thompson, K.; Thompson, V.; Timm; Tokach; Tollefson; Tomac; Trautman; Ulmer; Urlacher; Vander Vorst; Watne; Wentz; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: Gunsch; Hanson, O.; Kouba; Mertens; Stofferahn; Wald; Whalen

ABSENT AND NOT VOTING: Frey

HB 1241 passed and the title was agreed to.

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HB 1257: A BILL for an Act to create and enact a new section to chapter 20.1-03 of the North Dakota Century Code, relating to gratis hunting licenses issued to resident members of the armed forces stationed outside North Dakota.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 18 YEAS, 87 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Berg, G.; Berg, R.; Gerl; Gerntholz; Goetz; Hanson, O.; Haugen; Kouba; Laughlin; Olson, V.; Schatz; Schindler; Stenehjem; Thompson, K.; Urlacher; Vander Vorst; Wald; Whalen

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

ABSENT AND NOT VOTING: Frey

HB 1257 lost.

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HB 1260: A BILL for an Act to create and enact a new section to chapter 61-16.1 of the North Dakota Century Code, relating to notice of removal or replacement of fill adjacent to a watercourse.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 97 YEAS, 6 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Aas; Anderson, B.; Anderson, R.; Belter; Berg, G.; Berg, R.; Bernstein; Brokaw; Carlson; Christman; Clayburgh; Dalrymple; DeMers, J.; Dorso; Flaagan; 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, R.; Laughlin; Lindgren; Marks; Martin; Martinson; Melby; Mertens; Murphy; Myrdal; Nelson; Ness; Nowatzki; Oban; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Peterson; Ring; Rydell; Schatz; Scherber; Schindler; Schmidt; Schneider; Shaft; Shide; Shockman; Skjerven; Smette; Sorensen; Soukup; Starke; Stenehjelm; Stofferahn; Thompson, K.; Thompson, V.; Timm; Tokach; Tollefson; Tomac; Trautman; Ulmer; Urlacher; Vander Vorst; Wald; Watne; Wentz; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: Aarsvold; DeMers, P.; Enget; Larson, D.; Solberg; Wilkie

ABSENT AND NOT VOTING: Frey; Nicholas; Whalen

HB 1260 passed and the title was agreed to.

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HB 1277: A BILL for an Act to amend and reenact section 43-30-02 of the North Dakota Century Code, relating to law enforcement personnel providing private security service.

## ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 62 YEAS, 43 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Aas; Anderson, R.; Belter; Berg, G.; Bernstein; Christman; Dalrymple; DeMers, P.; Dorso; Gerhardt; Gilmore; Goetz; Gorman; Gunsch; Hanson, O.; Haugen; Haugland; Hausauer, R.; Hokana; Howard; Huether; Kaldor; Kloubec; Knell; Kolbo; Kouba; Larson, R.; Laughlin; Lindgren; Martin; Melby; Mertens; Murphy; Myrdal; Olson, A.; Olson, V.; Payne; Peterson; Schatz; Schindler; Schmidt; Schneider; Shide; Skjerven; Smette; Solberg; Starke; Stenehjem; Thompson, K.; Thompson, V.; Timm; Tokach; Tollefson; Tomac; Trautman; Urlacher; Vander Vorst; Wald; Wilkie; Williams, W.; Speaker Kretschmar

NAYS: Anderson, B.; Berg, R.; Brokaw; Carlson; Clayburgh; DeMers, J.; Enget; Flaagan; Gates; Gerl; Gerntholz; Graba; Halmrast; Hanson, L.; Hausauer, A.; Hoffner; Jensen; Kelly; Kingsbury; Lang; Larson, D.; Marks; Martinson; Nelson; Ness; Nicholas; Nowatzki; Oban; Olsen, D.; O'Shea; Ring; Rydell; Scherber; Shaft; Shockman; Sorensen; Soukup; Stofferahn; Ulmer; Watne; Wentz; Whalen; Williams, A.

ABSENT AND NOT VOTING: Frey

HB 1277 passed and the title was agreed to.

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HB 1317: A BILL for an Act to amend and reenact subsection 23 of section 57-15-10 and section 57-15-48 of the North Dakota Century Code, relating to limitations on city tax levies for emergency purposes; 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 99 YEAS, 6 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Aas; Anderson, B.; Anderson, R.; Belter; Berg, G.; Brokaw; Carlson; Christman; Clayburgh; Dalrymple; DeMers, J.; DeMers, P.; Enget; Flaagan; 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; Mertens; Murphy; Myrdal; Nelson; Ness; Nicholas; Nowatzki; Oban; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Peterson; Ring; Rydell; Schatz; Scherber; Schindler; Schneider; 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: Berg, R.; Bernstein; Dorso; Melby; Schmidt; Shaft

ABSENT AND NOT VOTING: Frey

HB 1317 passed and the title was agreed to.

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HB 1344: A BILL for an Act to amend and reenact section 54-52.1-04.1 of the North Dakota Century Code, relating to health maintenance organization contracts under the uniform group insurance program.

## 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; 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; Kneil; 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; Skjervan; Smette; Solberg; Sorensen; Soukup; Starke; Stenehjelm; Stofferahn; Thompson, K.; Thompson, V.; 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: Frey; Timm

HB 1344 passed and the title was agreed to.

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HB 1368: A BILL for an Act to amend subsection 6 of section 50-11.1-02 of the North Dakota Century Code, relating to the definition of a family child care home for the purpose of requirements for early childhood services facilities.

## ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 103 YEAS, 1 NAY, 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; Gates; Gerhardt; Gerntholz; Gilmore; Goetz; Gorman; Graba; Gunsch; Halmrast; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hoffner; Hokana; Howard; Huether; Jensen; Kaldor; Kelly; Kloubec; Kneil; 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; Skjervan; 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: Kingsbury

ABSENT AND NOT VOTING: Frey; Gerl

HB 1368 passed and the title was agreed to.

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HB 1425: A BILL for an Act to provide for the disposition of stored cremated remains.

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; Gates; Gerhardt; 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; Myrdaal; 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; Stenehem; 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: Frey; Gerl

HB 1425 passed and the title was agreed to.

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SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3025: A concurrent resolution urging Congress to provide funds to the appropriate agency to construct a bridge over the Missouri River approximately midway between Bismarck, North Dakota, and Mobridge, South Dakota, in the vicinity of Fort Yates and Emmons County, North Dakota.

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

HCR 3025 was declared adopted on a voice vote.

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## SECOND READING OF HOUSE BILLS

HB 1019: A BILL for an Act making an appropriation for defraying the expenses of the centennial commission of the state of North Dakota.

## ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 68 YEAS, 36 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Berg, G.; Brokaw; Carlson; Dalrymple; DeMers, J.; DeMers, P.; Enget; Flaagan; Gates; Gerhardt; Gerl; Gerntholz; Gilmore; Goetz; Graba; Halmrast; Hanson, L.; Haugland; Hausauer, A.; Hausauer, R.; Hoffner; Hokana; Huether; Jensen; Kaldor; Kelly; Kingsbury; Kloubec; Kolbo; Larson, R.; Laughlin; Lindgren; Marks; Martin; Mertens; Nelson; Nicholas; Nowatzki; Oban; Olson, V.; Payne; Peterson; Ring; Rydell; Scherber; Schneider; Shockman; Skjerven; Smette; Solberg; Sorensen; Starke; Stenehjem; Stofferahn; Thompson, V.; Timm; Tomac; Trautman; Ulmer; Urlacher; Vander Vorst; Watne; Wentz; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: Aas; Anderson, R.; Belter; Berg, R.; Bernstein; Christman; Clayburgh; Dorso; Gorman; Gunsch; Hanson, O.; Haugen; Howard; Knell; Kouba; Lang; Larson, D.; Martinson; Melby; Murphy; Myrdal; Ness; Olsen, D.; Olson, A.; O'Shea; Schatz; Schindler; Schmidt; Shaft; Shide; Soukup; Thompson, K.; Tokach; Tollefson; Whalen; Wilkie

ABSENT AND NOT VOTING: Frey; Wald

HB 1019 passed and the title was agreed to.

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HB 1066: A BILL for an Act to amend and reenact section 15 of chapter 374 of the 1987 Session Laws of North Dakota, relating to the expiration date for legislation creating a temporary court of appeals.

## ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 72 YEAS, 32 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Aas; Anderson, B.; Belter; Berg, G.; Berg, R.; Bernstein; Christman; Clayburgh; Dalrymple; Enget; Flaagan; Gates; Gerhardt; Gerl; Gerntholz; Graba; Halmrast; Hanson, L.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hoffner; Hokana; Huether; Jensen; Kelly; Kingsbury; Kolbo; Lang; Larson, R.; Laughlin; Lindgren; Marks; Martinson; Mertens; Murphy; Myrdal; Nelson; Ness; Nicholas; Nowatzki; Olsen, D.; Olson, A.; O'Shea; Payne; Peterson; Rydell; Schindler; Schmidt; Schneider; Shaft; Shide; Shockman; Skjerven; Smette; Solberg; Sorensen; Soukup; Stenehjem; Stofferahn; Timm; Tollefson; Trautman; Ulmer; Urlacher; Vander Vorst; Watne; Wentz; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: Aarsvold; Anderson, R.; Brokaw; Carlson; DeMers, J.; DeMers, P.; Dorso; Gilmore; Goetz; Gorman; Gunsch; Hanson, O.; Howard; Kaldor; Kloubec; Knell; Kouba; Larson, D.; Martin; Melby; Oban; Olson, V.; Ring; Schatz; Scherber; Starke; Thompson, K.; Thompson, V.; Tokach; Wald; Whalen; Wilkie

ABSENT AND NOT VOTING: Frey; Tomac

HB 1066 passed and the title was agreed to.

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HB 1306: A BILL for an Act to amend and reenact section 15-47-27.1 of the North Dakota Century Code, relating to a modification of the procedure by which first-year teachers are evaluated and a determination is made as to the renewal or nonrenewal of first-year teacher contracts.

MOTION

REP. PAYNE MOVED the previous question, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 46 YEAS, 58 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Berg, G.; Brokaw; Carlson; DeMers, J.; DeMers, P.; Flaagan; Gerhardt; Gerl; Gilmore; Graba; Halmrast; Hanson, L.; Haugland; Hausauer, A.; Hausauer, R.; Hoffner; Hokana; Huether; Jensen; Kelly; Kingsbury; Kolbo; Laughlin; Marks; Martin; Martinson; Mertens; Murphy; Nelson; Ness; Oban; O'Shea; Ring; Schatz; Scherber; Schindler; Schneider; Shockman; Stenehjelm; Stofferahn; Ulmer; Watne; Wentz; Williams, W.

NAYS: Aas; Anderson, R.; Belter; Berg, R.; Bernstein; Christman; Clayburgh; Dalrymple; Dorso; Enget; Gates; Gerntholz; Goetz; Gorman; Gunsch; Hanson, O.; Haugen; Howard; Kaldor; Kloubec; Knell; Kouba; Lang; Larson, D.; Larson, R.; Lindgren; Melby; Myrdal; Nicholas; Nowatzki; Olson, D.; Olson, A.; Olson, V.; Payne; Rydell; Schmidt; Shaft; Shide; Skjerven; Smette; Solberg; Sorensen; Soukup; Starke; Thompson, K.; Thompson, V.; Timm; Tokach; Tollefson; Tomac; Trautman; Urlacher; Vander Vorst; Wald; Whalen; Wilkie; Williams, A.; Speaker Kretschmar

ABSENT AND NOT VOTING: Frey; Peterson

HB 1306 lost.

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HB 1316: A BILL for an Act to amend and reenact subsections 1 and 4 of section 47-16-07.1 of the North Dakota Century Code, relating to security deposits.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 42 YEAS, 62 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Bernstein; Brokaw; Carlson; Dalrymple; DeMers, J.; DeMers, P.; Flaagan; Gerhardt; Gerl; Gilmore; Graba; Halmrast; Hanson, L.; Haugland; Hoffner; Hokana; Kaldor; Kelly; Kolbo; Larson, D.; Laughlin; Marks; Mertens; Murphy; Nelson; Ness; Oban; Olson, A.; O'Shea; Ring; Scherber; Schneider; Shockman; Solberg; Stofferahn; Tomac; Ulmer; Watne; Wilkie; Williams, W.

NAYS: Aas; Anderson, R.; Belter; Berg, G.; Berg, R.; Christman; Clayburgh; Dorso; Enget; Gates; Gerntholz; Goetz; Gorman; Gunsch; Hanson, O.; Haugen; Hausauer, A.; Hausauer, R.; Howard; Huether; Jensen; Kingsbury; Kloubec; Knell; Kouba; Lang; Larson, R.; Lindgren; Martin; Martinson;

Melby; Myrdal; Nicholas; Nowatzki; Olsen, D.; Olson, V.; Payne; Rydell; Schatz; Schindler; Schmidt; Shaft; Shide; Skjerven; Smette; Sorensen; Soukup; Starke; Stenehjelm; Thompson, K.; Thompson, V.; Timm; Tokach; Tollefson; Trautman; Urlacher; Vander Vorst; Wald; Wentz; Whalen; Williams, A.; Speaker Kretschmar

ABSENT AND NOT VOTING: Frey; Peterson

HB 1316 lost.

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HB 1323: A BILL for an Act to amend and reenact section 16.1-12-02 of the North Dakota Century Code, relating to petition requirements of independent candidates.

#### ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 98 YEAS, 2 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Anderson, R.; Belter; Berg, G.; Berg, R.; Bernstein; Brokaw; Carlson; Christman; Clayburgh; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Enget; Flaagan; 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; 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; Rydell; Schatz; Schindler; Schmidt; Schneider; Shaft; Shide; Shockman; Skjerven; Smette; Solberg; Sorensen; Soukup; Starke; Stofferahn; Thompson, K.; Thompson, V.; Timm; Tokach; Tollefson; Tomac; Trautman; Ulmer; Vander Vorst; Wald; Watne; Wentz; Whalen; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: Ring; Scherber

ABSENT AND NOT VOTING: Aas; Frey; Lang; Peterson; Stenehjelm; Urlacher

HB 1323 passed and the title was agreed to.

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HB 1386: A BILL for an Act to amend and reenact section 12.1-23-02 of the North Dakota Century Code, relating to theft of rental property.

#### ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 3 YEAS, 97 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Hoffner; Martinson; Schindler

NAYS: Aarsvold; Aas; Anderson, B.; Anderson, R.; Belter; Berg, G.; Berg, R.; Bernstein; Brokaw; Carlson; Christman; Clayburgh; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Enget; Flaagan; Gates; Gerhardt; Gerl; Gerntholz; Gilmore; Goetz; Gorman; Graba; Gunsch; Halmrast; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hokana; Howard; Huether; Jensen; Kaldor; Kelly; Kingsbury; Knell; Kolbo; Kouba;

Larson, D.; Larson, R.; Laughlin; Lindgren; Melby; Mertens; Murphy; Myrdal; Nelson; Ness; Nicholas; Nowatzki; Oban; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Ring; Rydell; Schatz; Scherber; Schmidt; Schneider; Shaft; 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

ABSENT AND NOT VOTING: Frey; Kloubec; Lang; Marks; Martin; Peterson

HB 1386 lost.

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HB 1396: A BILL for an Act to amend and reenact subsection 1 of section 27-08.1-01, sections 27-08.1-02, 27-08.1-03, and 27-08.1-04 of the North Dakota Century Code, relating to eviction actions in small claims court.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 0 YEAS, 101 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: None

NAYS: Aarsvold; Aas; Anderson, R.; Belter; Berg, G.; Berg, R.; Bernstein; Brokaw; Carlson; Christman; Clayburgh; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Enget; Flaagan; 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; Ring; Rydell; Schatz; Scherber; Schindler; Schmidt; Schneider; Shaft; Shide; Shockman; Skjerven; Smette; Solberg; Sorensen; Soukup; Starke; Stenehjelm; Stofferahn; Thompson, K.; Thompson, V.; Timm; Tokach; Tollefson; Tomac; Trautman; Ulmer; Vander Vorst; Wald; Watne; Wentz; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

ABSENT AND NOT VOTING: Anderson, B.; Frey; Peterson; Urlacher; Whalen

HB 1396 lost.

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HB 1431: A BILL for an Act to create and enact a new section to chapter 26.1-04 of the North Dakota Century Code, relating to judicial remedies for violating a prohibited practice in the insurance business.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 48 YEAS, 57 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Anderson, R.; Brokaw; Carlson; DeMers, J.; DeMers, P.; Flaagan; Gates; Gerhardt; Gerl; Gilmore; Graba; Halmrast; Hanson, L.; Haugland; Hoffner; Hokana; Huether; Kaldor; Kelly; Kolbo;

Laughlin; Marks; Mertens; Murphy; Nelson; Ness; Nowatzki; Oban; O'Shea; Ring; Scherber; Schneider; Shaft; Shockman; Skjerven; Starke; Stofferahn; Thompson, V.; Timm; Tomac; Ulmer; Watne; Wentz; Wilkie; Williams, A.; Williams, W.

**NAYS:** Aas; Belter; Berg, G.; Berg, R.; Bernstein; Christman; Clayburgh; Dalrymple; Dorso; Enget; Gerntholz; Goetz; Gorman; Gunsch; Hanson, O.; Haugen; Hausauer, A.; Hausauer, R.; Howard; Jensen; Kingsbury; Kloubec; Knell; Kouba; Lang; Larson, D.; Larson, R.; Lindgren; Martin; Martinson; Melby; Myrdal; Nicholas; Olsen, D.; Olson, A.; Olson, V.; Payne; Peterson; Rydell; Schatz; Schindler; Schmidt; Shide; Smette; Solberg; Sorensen; Soukup; Stenehjem; Thompson, K.; Tokach; Tollefson; Trautman; Urlacher; Vander Vorst; Wald; Whalen; Speaker Kretschmar

**ABSENT AND NOT VOTING:** Frey

HB 1431 lost.

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**HB 1433:** A BILL for an Act to amend and reenact section 40-57.1-03 of the North Dakota Century Code, relating to city and county authority to grant tax exemptions to certain revenue-producing enterprises; 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 21 YEAS, 82 NAYS, 3 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Berg, G.; Brokaw; Christman; DeMers, P.; Gerhardt; Gilmore; Hanson, L.; Haugen; Hokana; Kolbo; Laughlin; Marks; Nelson; Shaft; Tokach; Tomac; Watne; Wilkie; Williams, A.; Williams, W.

**NAYS:** Aarsvold; Aas; Anderson, R.; Belter; Berg, R.; Bernstein; Carlson; Clayburgh; Dalrymple; DeMers, J.; Dorso; Enget; Flaagan; Gates; Gerl; Gerntholz; Goetz; Gorman; Graba; Gunsch; Halmrast; Haugland; Hausauer, A.; Hausauer, R.; Hoffner; Howard; Huether; Jensen; Kaldor; Kelly; Kingsbury; Kloubec; Knell; Kouba; Lang; Larson, D.; Larson, R.; Lindgren; Martin; Martinson; Mertens; Murphy; Myrdal; 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; Stenehjem; Stofferahn; Thompson, K.; Thompson, V.; Timm; Tollefson; Trautman; Ulmer; Urlacher; Vander Vorst; Wald; Wentz; Whalen; Speaker Kretschmar

**ABSENT AND NOT VOTING:** Frey; Hanson, O.; Melby

HB 1433 lost.

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**HB 1451:** A BILL for an Act to create and enact a new section to chapter 11-17; and to amend and reenact sections 11-10-02, 11-10-06, 11-10-10, 11-10-11, 11-17-05, and 27-01-01.1 of the North Dakota Century Code, relating to clerks of district court.

## ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 95 YEAS, 10 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; Gates; Gerhardt; Gerl; Gerntholz; Gilmore; Goetz; Gorman; Graba; Halmrast; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hoffner; Hokana; Howard; Huether; Jensen; Kaldor; Kelly; Kingsbury; Kloubec; Kolbo; 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; Scherber; Schindler; Schmidt; Schneider; Shaft; Shide; Shockman; Skjerven; Smette; Solberg; Sorensen; Soukup; Stenehjem; Stofferahn; Timm; Tokach; Tollefson; Tomac; Trautman; Ulmer; Urlacher; Vander Vorst; Wald; Watne; Wentz; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: Gunsch; Hanson, L.; Hanson, O.; Knell; Kouba; Schatz; Starke; Thompson, K.; Thompson, V.; Whalen

ABSENT AND NOT VOTING: Frey

HB 1451 passed and the title was agreed to.

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HB 1465: A BILL for an Act to create and enact a new section to chapter 41-09 of the North Dakota Century Code, relating to transition on change of place of filing of financing or continuation statements; to amend and reenact section 41-09-40 of the North Dakota Century Code, relating to place of filing of a financing statement and the residence of an organization; 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 3 YEAS, 100 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Haugen; Solberg; Tokach

NAYS: Aarsvold; Aas; Anderson, B.; Belter; Berg, G.; Berg, R.; Bernstein; Brokaw; Carlson; Christman; Clayburgh; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Enget; Flaagan; Gates; Gerhardt; Gerl; Gerntholz; Gilmore; Goetz; Gorman; Graba; Gunsch; Halmrast; Hanson, L.; Hanson, O.; 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; Sorensen; Soukup; Starke; Stenehjem; Stofferahn; Thompson, K.; Thompson, V.; Timm; Tollefson; Tomac; Trautman; Urlacher; Vander Vorst; Wald; Watne; Wentz; Whalen; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

ABSENT AND NOT VOTING: Anderson, R.; Frey; Ulmer

HB 1465 lost.

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HB 1466: A BILL for an Act to amend and reenact subsection 1 of section 41-09-40 of the North Dakota Century Code, relating to perfecting security interests in farm equipment.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 100 YEAS, 3 NAYS, 3 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; Gates; Gerhardt; Gerl; Gerntholz; Gilmore; Goetz; Gorman; Graba; Gunsch; Halmrast; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, R.; Hoffner; Hokana; Howard; Huether; Kaldor; 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; Stenehjelm; Stofferahn; Thompson, V.; Timm; Tokach; Tollefson; Tomac; Trautman; Ulmer; Urlacher; Vander Vorst; Wald; Watne; Wentz; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: Hausauer, A.; Thompson, K.; Whalen

ABSENT AND NOT VOTING: Frey; Jensen; Kelly

HB 1466 passed and the title was agreed to.

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MOTION

REP. R. ANDERSON MOVED that the House waive the reading of the title to HB 1477, which motion prevailed.

SECOND READING OF HOUSE BILLS

HB 1477: A BILL for an Act to create and enact a new subsection to section 15-29-08 of the North Dakota Century Code, relating to the powers of a school board to designate an official school district newspaper; to amend and reenact sections 15-28-06, 15-28-11, subsection 17 of section 15-29-08, sections 15-34.2-07, 15-34.2-07.1, 15-47-15, and subsection 7 of section 21-03-07 of the North Dakota Century Code, relating to official newspapers of school districts; and to repeal section 15-22-23 of the North Dakota Century Code, relating to publication of notice of school elections by county superintendents of schools.

ROLL CALL

The question being on the final passage of the 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; Gates; Gerhardt; Gerl; Gerntholz; Gilmore; 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; 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: Frey; Gorman

HB 1477 passed and the title was agreed to.

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HB 1512: A BILL for an Act to amend and reenact section 54-44.2-02.2 of the North Dakota Century Code, relating to the membership of the communications advisory committee.

#### 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, G.; Berg, R.; Bernstein; Brokaw; Carlson; Christman; Clayburgh; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Enget; Flaagan; 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: Frey

HB 1512 passed and the title was agreed to.

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HB 1526: A BILL for an Act to amend and reenact subsection 1 of section 6-08-16 of the North Dakota Century Code, relating to nonsufficient fund check offenses.

#### 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, G.; Berg, R.; Bernstein; Brokaw; Carlson; Christman; Clayburgh; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Enget; Flaagan; 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: Frey

HB 1526 passed and the title was agreed to.

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HB 1534: A BILL for an Act to amend and reenact subsection 1 of section 57-39.2-18 and subsection 1 of section 57-40.2-15 of the North Dakota Century Code, relating to penalties for delinquent sales and use tax returns and payments.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 97 YEAS, 7 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Aas; Anderson, B.; Anderson, R.; Berg, G.; Berg, R.; Bernstein; Brokaw; Carlson; Christman; Clayburgh; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Enget; Flaagan; Gates; Gerhardt; Gerntholz; Gilmore; Goetz; Gorman; Graba; Halmrast; Hanson, L.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hoffner; Hokana; Howard; Huether; Jensen; Kaldor; Kelly; Kingsbury; Kloubec; Knell; Kolbo; Kouba; Lang; Larson, D.; Larson, R.; 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; Solberg; Sorensen; Soukup; Starke; Stenehjem; Stofferahn; Thompson, K.; Thompson, V.; Timm; Tokach; Tollefson; Tomac; Trautman; Ulmer; Urlacher; Wald; Watne; Whalen; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: Belter; Gerl; Gunsch; Hanson, O.; Laughlin; Smette; Vander Vorst

ABSENT AND NOT VOTING: Frey; Wentz

HB 1534 passed and the title was agreed to.

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HB 1538: A BILL for an Act to amend and reenact sections 57-43.2-03 and 57-43.2-04 of the North Dakota Century Code, relating to a special fuels excise tax levy and to the collection and payment of the tax.

#### ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 95 YEAS, 10 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; Gates; Gerhardt; Gerl; Gerntholz; Gilmore; Goetz; Gorman; Graba; Halmrast; Hanson, L.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hoffner; Hokana; Huether; Jensen; Kaldor; Kelly; Kloubec; Knell; Kolbo; Kouba; Lang; Larson, D.; Larson, R.; Lindgren; Marks; Martin; Martinson; Mertens; Myrdal; Nelson; Ness; Nicholas; Nowatzki; Oban; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Peterson; Ring; Rydell; Schatz; Scherber; Schindler; Schneider; Shaft; Shide; Shockman; Skjerven; Smette; Solberg; Sorensen; Soukup; Starke; Stenehjem; Stofferahn; Thompson, V.; Timm; Tokach; Tollefson; Tomac; Trautman; Ulmer; Urlacher; Vander Vorst; Wald; Watne; Wentz; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: Gunsch; Hanson, O.; Howard; Kingsbury; Laughlin; Melby; Murphy; Schmidt; Thompson, K.; Whalen

ABSENT AND NOT VOTING: Frey

HB 1538 passed and the title was agreed to.

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HB 1559: A BILL for an Act to amend and reenact sections 15-19-02 and 15-19-08 of the North Dakota Century Code, relating to requiring the superintendent of public instruction to appoint the director of the division of independent study; and to repeal subsection 4 of section 15-19-06 of the North Dakota Century Code, relating to the budget of the division of independent study.

#### 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, G.; Berg, R.; Bernstein; Brokaw; Carlson; Christman; Clayburgh; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Enget; Flaagan; 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: Frey

HB 1559 passed and the title was agreed to.

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#### HOUSE ENGROSSING REPORT

The following bills were engrossed: HB 1116, HB 1244, HB 1322, HB 1495, HB 1569, HB 1634, HB 1650, HB 1653.

#### MOTION

REP. KLOUBEC MOVED that the rules be suspended and that HB 1116, HB 1244, HB 1322, HB 1495, HB 1569, HB 1634, HB 1650, and HB 1653, which were considered on the Sixth order of business and placed on the calendar for final passage, be voted on immediately, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

HB 1116: A BILL 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.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 102 YEAS, 2 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; 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; 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; Schneider; 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: Kouba; Shaft

ABSENT AND NOT VOTING: Frey; Schmidt

HB 1116 passed and the title was agreed to.

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HB 1244: A BILL for an Act to repeal subsections 14 and 16 of section 4-12.2-01, sections 4-12.2-09, 4-12.2-10, 4-12.2-11, and 4-12.2-12 of the North Dakota Century Code, relating to the two-mile radius restriction for apiary locations.

## ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 48 YEAS, 56 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Aas; Anderson, B.; Anderson, R.; DeMers, P.; Enget; Gerhardt; Gerntholz; Goetz; Gorman; Gunsch; Halmrast; Hanson, L.; Hausauer, A.; Hausauer, R.; Hoffner; Howard; Huether; Jensen; Kingsbury; Kloubec; Knell; Larson, D.; Larson, R.; Lindgren; Marks; Melby; Murphy; Myrdal; Ness; Oban; Olson, V.; O'Shea; Payne; Rydell; Scherber; Schneider; Skjerven; Solberg; Stenehjem; Thompson, K.; Timm; Tokach; Tollefson; Trautman; Wald; Wentz; Whalen; Williams, W.

NAYS: Aarsvold; Belter; Berg, G.; Berg, R.; Bernstein; Brokaw; Carlson; Christman; Clayburgh; Dalrymple; DeMers, J.; Dorso; Flaagan; Gates; Gerl; Gilmore; Graba; Hanson, O.; Haugen; Hokana; Kaldor; Kelly; Kolbo; Kouba; Lang; Laughlin; Martin; Martinson; Mertens; Nelson; Nicholas; Nowatzki; Olsen, D.; Olson, A.; Peterson; Ring; Schatz; Schindler; Schmidt; Shaft; Shide; Shockman; Smette; Sorensen; Soukup; Starke; Stofferahn; Thompson, V.; Tomac; Ulmer; Urlacher; Vander Vorst; Watne; Wilkie; Williams, A.; Speaker Kretschmar

ABSENT AND NOT VOTING: Frey; Haugland

HB 1244 lost.

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## MOTIONS

REP. KLOUBEC MOVED that the absent member be excused, which motion prevailed.

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 Thirteenth order of business, and at the conclusion of the Thirteenth order, the House stand adjourned until 1:00 p.m., Thursday, February 2, 1989, which motion prevailed.

## REPORTS OF STANDING COMMITTEES

MR. SPEAKER: Your Committee on Appropriations (Rep. Peterson, Chairman) to which was referred HB 1017 has had the same under consideration and recommends by a vote of 21 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

Page 1, line 9, replace "\$4,006,000" with "\$5,000,000"

Page 1, line 10, replace "\$4,006,000" with "\$5,000,000"

Re-number accordingly

## STATEMENT OF PURPOSE OF AMENDMENT:

This amendment adds \$994,000 from the general fund for homestead tax credit claims providing for a total general fund appropriation of \$5 million.

HB 1017 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 1033 has had the same under consideration and recommends by a vote of 9 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS and be rereferred to the Committee on Appropriations.

HB 1033 was rereferred to the Committee on Appropriations.

MR. SPEAKER: Your Committee on State and Federal Government (Rep. Martinson, Chairman) to which was referred HB 1105 has had the same under consideration and recommends by a vote of 11 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same DO PASS.

HB 1105 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Industry, Business and Labor (Rep. Whalen, Chairman) to which was referred HB 1113 has had the same under consideration and recommends by a vote of 15 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING that the same DO NOT PASS.

HB 1113 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 1175 has had the same under consideration and recommends by a vote of 7 YEAS, 4 NAYS, 3 ABSENT AND NOT VOTING that the same DO PASS.

HB 1175 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Industry, Business and Labor (Rep. Whalen, Chairman) to which was referred HB 1295 has had the same under consideration and recommends by a vote of 10 YEAS, 5 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

HB 1295 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Industry, Business and Labor (Rep. Whalen, Chairman) to which was referred HB 1308 has had the same under consideration and recommends by a vote of 10 YEAS, 5 NAYS, 2 ABSENT AND NOT VOTING that the same DO NOT PASS.

HB 1308 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 1329 has had the same under consideration and recommends by a vote of 12 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING that the same DO NOT PASS.

HB 1329 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Industry, Business and Labor (Rep. Whalen, Chairman) to which was referred HB 1336 has had the same under consideration

and recommends by a vote of 14 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

Page 1, line 21, remove the overstrike over "~~not to exceed one~~"

Page 1, line 22, remove the overstrike over "~~hundred dollars per year~~", remove "~~do~~", and after "~~not~~" insert "subject to this limitation"

Page 2, line 3, after the underscored period insert "The point-of-sale items must be limited to two hundred fifty dollars per retail account from the wholesaler for each of the wholesaler's brewers or suppliers. The state treasurer may, to keep current with market conditions, adjust the limitation amount for the point-of-sale items on an annual basis upon consultation with representatives of the alcohol beverage industry."

Renumber accordingly

HB 1336 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Industry, Business and Labor (Rep. Whalen, Chairman) to which was referred HB 1349 has had the same under consideration and recommends by a vote of 15 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

HB 1349 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 1355 has had the same under consideration and recommends by a vote of 7 YEAS, 5 NAYS, 2 ABSENT AND NOT VOTING that the same DO NOT PASS.

HB 1355 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 1356 has had the same under consideration and recommends by a vote of 7 YEAS, 6 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

HB 1356 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Industry, Business and Labor (Rep. Whalen, Chairman) to which was referred HB 1379 has had the same under consideration and recommends by a vote of 14 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING that the same DO PASS.

HB 1379 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 1393 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

Page 1, line 16, remove "fifty dollars,"

Page 1, line 17, remove "plus" and "of all moneys in excess of one thousand"

Page 1, line 18, remove "dollars"

Re-number accordingly

HB 1393 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 1423 has had the same under consideration and recommends by a vote of 9 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

HB 1423 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Industry, Business and Labor (Rep. Whalen, Chairman) to which was referred HB 1462 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 PASS.

HB 1462 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Industry, Business and Labor (Rep. Whalen, Chairman) to which was referred HB 1467 has had the same under consideration and recommends by a vote of 10 YEAS, 5 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

HB 1467 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 1484 has had the same under consideration and recommends by a vote of 9 YEAS, 6 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

HB 1484 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Industry, Business and Labor (Rep. Whalen, Chairman) to which was referred HB 1522 has had the same under consideration and recommends by a vote of 15 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

HB 1522 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Industry, Business and Labor (Rep. Whalen, Chairman) to which was referred HCR 3004 has had the same under consideration and recommends by a vote of 13 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

HCR 3004 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 HCR 3006 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS and BE PLACED ON THE CONSENT CALENDAR.

HCR 3006 was placed on the Tenth 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 HCR 3007 has had the same under consideration and recommends by a vote of 11 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

HCR 3007 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Industry, Business and Labor (Rep. Whalen, Chairman) to which was referred HCR 3021 has had the same under consideration and recommends by a vote of 15 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

HCR 3021 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 HCR 3041 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS and BE PLACED ON THE CONSENT CALENDAR.

HCR 3041 was placed on the Tenth order of business on the calendar for the succeeding legislative day.

#### FIRST READING OF SENATE BILLS

SB 2137: A BILL for an Act to amend and reenact sections 37-15-02 and 37-15-14.1 of the North Dakota Century Code, relating to the object of the veterans' home and membership contributions for residents of the veterans' home.

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

SB 2279: A BILL for an Act providing an appropriation for defraying the expenses of the department of human services' service payments to the elderly and disabled program; and declaring an emergency.

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

SB 2306: A BILL for an Act to amend and reenact section 30.1-28-11 of the North Dakota Century Code, relating to the appointment of a guardian of an incapacitated person.

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

SB 2307: A BILL for an Act to amend and reenact subsection 1 of section 30.1-18-06 of the North Dakota Century Code, relating to the duties of personal representatives of decedents' estates.

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

SB 2314: A BILL for an Act to create and enact a new section to chapter 20.1-13 of the North Dakota Century Code, relating to personal flotation devices for children on boats.

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

SB 2328: A BILL for an Act to create and enact a new chapter to title 61 of the North Dakota Century Code, relating to the transfer of possessory interests in and the management of sovereign lands; to amend and reenact section 47-06-08 and subsection 13 of section 61-24-08 of the North Dakota Century Code, relating to the management of sovereign lands and the powers of the Garrison Diversion Conservancy District to use sovereign lands; and to repeal chapter 15-08.2 of the North Dakota Century Code, relating to the transfer of possessory interests in and the management of sovereign lands.

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

SB 2347: A BILL for an Act to amend and reenact section 39-21-39 of the North Dakota Century Code, relating to tinted windows and sunscreening devices.

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

SB 2348: A BILL for an Act to amend and reenact section 16.1-10-04.1 of the North Dakota Century Code, relating to the disclosure of names on political advertisements.

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

SB 2366: A BILL for an Act to repeal section 20.1-01-15 of the North Dakota Century Code, relating to joint violators testifying against other participants concerning violation of the state's game and fish laws.

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

SB 2374: A BILL for an Act to amend and reenact subsection 2 of section 39-06.1-11 of the North Dakota Century Code, relating to temporary restricted licenses and ignition interlock devices.

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

SB 2375: A BILL for an Act to amend and reenact subsection 2 of section 16.1-11-30 of the North Dakota Century Code, relating to the name of the democratic party entitled to a separate column on the primary election ballot.

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

SB 2394: A BILL for an Act to amend and reenact section 43-11-03 of the North Dakota Century Code, relating to the state board of cosmetology.

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

SB 2406: A BILL for an Act to amend and reenact subsection 10 of section 27-20-02 of the North Dakota Century Code, relating to the definition of an unruly child under the Uniform Juvenile Court Act.

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

SB 2424: A BILL for an Act to amend and reenact section 11-15-12 of the North Dakota Century Code, relating to sheriff's mileage.

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

SB 2426: A BILL for an Act to amend and reenact section 11-15-07 of the North Dakota Century Code, relating to fees to be charged by the sheriff.

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

FIRST READING OF SENATE CONCURRENT RESOLUTION

SCR 4012: A concurrent resolution designating Saturday, May 13, 1989, as "Centennial Youth Day".

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