

JOURNAL OF THE HOUSE

Fifty-first Legislative Assembly

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Bismarck, February 2, 1989

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

The prayer was offered by Rev. John Miller, Baptist Temple, Mandan.

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

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 Twenty-first Day and finds it to be correct.

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

MOTION

REP. R. LARSON MOVED that HCR 3039 be returned to the House floor from the Committee on Human Services and Veterans Affairs, which motion prevailed.

REQUEST

REP. R. BERG REQUESTED the unanimous consent of the House to withdraw HCR 3039. There being no objection, it was so ordered by the Speaker.

REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER: Your procedural Committee on Employment (Rep. Martinson, Chairman) submits the following names for the positions specified below:

	<u>Telephone Attendant</u>	
Fay A. Pitzer .....		Mandan
	<u>Page</u>	
Robert Ackre .....		Cando

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

OATH OF OFFICE

SPEAKER KRETSCHMAR ADMINISTERED the Oath of Office to the above-named employees, as well as Sandy McCollom.

SIXTH ORDER OF BUSINESS

REP. PETERSON MOVED that the amendments to HB 1017 as recommended by the Committee on Appropriations as printed on page 462 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

HB 1017 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. WHALEN MOVED that the amendments to HB 1336 as recommended by the Committee on Industry, Business and Labor as printed on pages 463-464 of the

House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

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

REP. WENTZ MOVED that the amendments to HB 1393 as recommended by the Committee on Judiciary as printed on pages 464-465 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

HB 1393 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

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

MR. PRESIDENT: The House has passed unchanged: SB 2064.

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 1129, HB 1144, HB 1174, HB 1177, HB 1240, HB 1288, HB 1347, HB 1371, HB 1392, HB 1397, HB 1400, HB 1409, HB 1529, HCR 3024, HCR 3030, HCR 3033.

#### MOTION

REP. SHOCKMAN MOVED that the House reconsider its action whereby HB 1244 failed to pass, which motion prevailed.

#### REQUEST

REP. SCHMIDT REQUESTED a recorded roll call vote on the motion to reconsider the action whereby HB 1244 failed to pass, which request was granted.

#### ROLL CALL

The question being on the motion to reconsider the action whereby HB 1244 failed to pass, the roll was called and there were 66 YEAS, 38 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Berg, G.; Brokaw; Carlson; Clayburgh; DeMers, J.; DeMers, P.; Enget; Flaagan; Gerhardt; Gerntholz; Gilmore; Goetz; Gorman; Graba; Halmrast; Hanson, L.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hoffner; Hokana; Howard; Huether; Jensen; Kelly; Kingsbury; Knell; Lang; Larson, D.; Larson, R.; Laughlin; Lindgren; Marks; Martin; Martinson; Melby; Mertens; Murphy; Nelson; Ness; Oban; Olson, V.; O'Shea; Ring; Scherber; Schindler; Schneider; Shockman; Skjerven; Solberg; Starke; Stenehjem; Thompson, K.; Thompson, V.; Timm; Tollefson; Trautman; Uriacher; Wald; Watne; Wentz; Whalen; Wilkie; Williams, W.

NAYS: Aarsvold; Aas; Anderson, R.; Belter; Berg, R.; Bernstein; Christman; Dalrymple; Dorso; Gates; Gerl; Gunsch; Hanson, O.; Kaldor; Kolbo; Kouba; Myrdal; Nicholas; Nowatzki; Olsen, D.; Olson, A.; Payne; Peterson; Rydell; Schatz; Schmidt; Shaft; Shide; Smette; Sorensen; Soukup; Stofferahn; Tokach; Tomac; Ulmer; Vander Vorst; Williams, A.; Speaker Kretschmar

ABSENT AND NOT VOTING: Frey; Kloubec

So the motion to reconsider the action whereby HB 1244 failed to pass prevailed.

SECOND READING OF HOUSE BILLS

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 51 YEAS, 53 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, R.; Berg, G.; DeMers, P.; Enget; Gerhardt; Gerntholz; Goetz; Gorman; Gunsch; Halmrast; Hanson, L.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hoffner; Howard; Huether; Jensen; Kingsbury; Larson, D.; Larson, R.; Lindgren; Marks; Martin; Martinson; Melby; Murphy; Nelson; Ness; Oban; Olson, V.; Payne; Rydell; Scherber; Schindler; Schneider; Skjerven; Solberg; Soukup; Stenehjem; Thompson, K.; Timm; Tollefson; Trautman; Urlacher; Wald; Wentz; Whalen; Williams, W.

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

ABSENT AND NOT VOTING: Frey; Kloubec

HB 1244 lost.

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HB 1322: A BILL for an Act to amend and reenact section 47-16-30.1 of the North Dakota Century Code, relating to disposal by lessor of property abandoned by lessee.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 84 YEAS, 18 NAYS, 4 ABSENT AND NOT VOTING.

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

NAYS: Aarsvold; Brokaw; Carlson; DeMers, J.; Gilmore; Graba; Gunsch; Hoffner; Kaldor; Mertens; Murphy; Oban; Ring; Scherber; Shaft; Stofferahn; Ulmer; Watne

ABSENT AND NOT VOTING: Frey; Kingsbury; Kloubec; Peterson

HB 1322 passed and the title was agreed to.

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HB 1495: A BILL for an Act to create and enact a new section to chapter 57-43.2 of the North Dakota Century Code, relating to a deduction for the cost of collecting and remitting special fuels taxes.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 92 YEAS, 10 NAYS, 4 ABSENT AND NOT VOTING.

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

NAYS: Carlson; DeMers, J.; Gerl; Graba; Kelly; Ring; Schneider; Ulmer; Watne; Williams, A.

ABSENT AND NOT VOTING: Berg, G.; Frey; Marks; Nicholas

HB 1495 passed and the title was agreed to.

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#### HOUSE ENGROSSING REPORT

The following bill was reengrossed: HB 1569.

#### SECOND READING OF HOUSE BILLS

HB 1569: A BILL for an Act to require the North Dakota centennial commission to place the signature of Burdette B. (Burt) Calkins on the centennial logo and provide that any article or product using the logo must use the signed logo to recognize the significant contributions made by North Dakota artist Burdette B. (Burt) Calkins, the award winning designer of the North Dakota centennial logo; 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 70 YEAS, 33 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Aas; Anderson, R.; Belter; Berg, G.; Berg, R.; Bernstein; Brokaw; Christman; Clayburgh; Dalrymple; DeMers, J.; Dorso; Gates; Gerntholz; Goetz; Gorman; Gunsch; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hoffner; Hokana; Howard; Huether; Jensen; Kelly; Kingsbury; Kloubec; Knell; Kouba; Lang; Larson, D.; Larson, R.; Lindgren; Martin; Martinson; Melby; Myrdal; Nowatzki; Oban; Olsen, D.; Olson, A.; Olson, V.; Payne; Ring; Rydell; Schatz; Schindler; Schmidt; Shide; Shockman; Smette; Sorensen; Soukup; Thompson, K.; Timm; Tokach; Tollefson; Trautman; Urlacher; Vander Vorst; Wald; Watne; Wentz; Whalen; Wilkie; Speaker Kretschmar

NAYS: Aarsvold; Anderson, B.; Carlson; DeMers, P.; Enget; Flaagan; Gerhardt; Gerl; Gilmore; Graba; Halmrast; Kaldor; Kolbo; Laughlin; Marks; Mertens; Murphy; Nelson; Ness; O'Shea; Scherber; Schneider; Shaft; Skjerven; Solberg; Starke; Stenehjem; Stofferahn; Thompson, V.; Tomac; Ulmer; Williams, A.; Williams, W.

ABSENT AND NOT VOTING: Frey; Nicholas; Peterson

HB 1569 passed, the title was agreed to, and the emergency clause lost.

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HB 1634: A BILL for an Act to amend and reenact section 57-38-35.2, subsection 1 of section 57-38-45, and subsection 1 of section 57-38-62 of the North Dakota Century Code, relating to interest on refunds and additional assessments of individual and corporation income tax and declarations of estimated tax; 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 98 YEAS, 4 NAYS, 4 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.; Enget; Flaagan; Gates; Gerhardt; Gerl; Gerntholz; Gilmore; Goetz; Gorman; Graba; Gunsch; 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.; Laughlin; Lindgren; Marks; Martin; Martinson; Melby; Mertens; Murphy; Myrdal; Nelson; Ness; Nowatzki; Oban; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Peterson; Ring; Rydell; Schatz; Scherber; Schindler; Schneider; Shaft; Shide; Shockman; Skjerven; Smette; Solberg; Sorensen; 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: Dorso; Payne; Schmidt; Soukup

ABSENT AND NOT VOTING: Frey; Hanson, O.; Nicholas; Whalen

HB 1634 passed and the title was agreed to.

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HB 1650: A BILL for an Act to authorize the director of institutions to sell and convey certain land belonging to the school for the deaf to Devils Lake public school district no. 1; 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 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; 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: Dalrymple; Frey

HB 1650 passed, the title was agreed to, and the emergency clause carried.

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HB 1653: A BILL for an Act to create and enact a new section to chapter 44-04 of the North Dakota Century Code, relating to the confidentiality of public employee personnel records.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 39 YEAS, 65 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Anderson, R.; Brokaw; Christman; Enget; Flaagan; Gates; Gerl; Gilmore; Goetz; Graba; Halmrast; Hanson, L.; Haugen; Hoffner; Huether; Jensen; Kaldor; Kolbo; Marks; Martin; Martinson; Nicholas; Nowatzki; Oban; Olsen, D.; Olson, A.; Olson, V.; Rydell; Schatz; Scherber; Stenehjem; Timm; Trautman; Urlacher; Wentz; Wilkie; Williams, A.

NAYS: Aas; Belter; Berg, G.; Berg, R.; Bernstein; Carlson; Clayburgh; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Gerhardt; Gerntholz; Gorman; Gunsch; Hanson, O.; Haugland; Hausauer, R.; Hokana; Howard; Kelly; Kingsbury; Kloubec; Knell; Kouba; Lang; Larson, D.; Larson, R.; Laughlin; Lindgren; Melby; Mertens; Murphy; Myrdal; Nelson; Ness;

O'Shea; Payne; Peterson; Ring; Schindler; Schmidt; Schneider; Shaft; Shide; Shockman; Skjerven; Smette; Solberg; Sorensen; Soukup; Starke; Stofferahn; Thompson, K.; Thompson, V.; Tokach; Tollefson; Tomac; Ulmer; Vander Vorst; Wald; Watne; Whalen; Williams, W.; Speaker Kretschmar

ABSENT AND NOT VOTING: Frey; Hausauer, A.

HB 1653 lost.

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MESSAGE to the HOUSE from the SENATE (Patricia Conrad, Secretary)  
MR. SPEAKER: The Senate has passed and your favorable consideration is requested on: SB 2048, SB 2049, SB 2050, SB 2051, SB 2052, SB 2053, SB 2060, SB 2071, SB 2083, SB 2101, SB 2206, SB 2216, SB 2218, SB 2238, SB 2296, SB 2325, SB 2339, SB 2356, SB 2377, SB 2405, SCR 4018.

MOTION

REP. PETERSON MOVED that HB 1020 be laid over one legislative day, which motion prevailed.

HOUSE ENGROSSING REPORT

The following bills were engrossed: HB 1017, HB 1336, HB 1393.

SECOND READING OF HOUSE BILLS

HB 1105: A BILL for an Act to amend and reenact section 54-06-08.1 of the North Dakota Century Code, relating to petty cash funds and bank accounts.

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, 0 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.; 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.; 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: Dorso; Frey; Timm

HB 1105 passed and the title was agreed to.

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HB 1113: A BILL for an Act to provide insurance actuarial services for rate adjustment reviews conducted on behalf of authorized insurance companies.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 12 YEAS, 92 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Berg, G.; DeMers, J.; DeMers, P.; Flaagan; Gerl; Hokana; Kolbo; Laughlin; Mertens; Ring; Stofferahn; Wilkie

NAYS: Aarsvold; Aas; Anderson, B.; Anderson, R.; Belter; Berg, R.; Bernstein; Brokaw; Carlson; Christman; Clayburgh; Dalrymple; Dorso; Enget; Gates; Gerhardt; Gerntholz; Gilmore; Goetz; Gorman; Graba; Gunsch; Halmrast; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hoffner; Howard; Huether; Jensen; Kaldor; Kelly; Kingsbury; Kloubec; Knell; Kouba; Lang; Larson, D.; Larson, R.; Lindgren; Marks; Martin; Martinson; Melby; Murphy; Myrdal; Nelson; Ness; Nicholas; Nowatzki; Oban; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Peterson; 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; Wald; Watne; Whalen; Williams, A.; Williams, W.; Speaker Kretschmar

ABSENT AND NOT VOTING: Frey; Wentz

HB 1113 lost.

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HB 1175: A BILL for an Act to amend and reenact subsection 4 of section 54-52-03 of the North Dakota Century Code, relating to the honorarium of the chairman and members of the public employees retirement board.

ROLL CALL

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

YEAS: Anderson, B.; Brokaw; Clayburgh; Gerl; Hoffner; Huether; Marks; Scherber; Trautman; Ulmer

NAYS: Aarsvold; Aas; Anderson, R.; Belter; Berg, G.; Berg, R.; Bernstein; Carlson; Christman; 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.; Hokana; Howard; Jensen; Kaldor; Kelly; Kingsbury; Kloubec; Knell; Kolbo; Kouba; Lang; Larson, D.; Larson, R.; Laughlin; Lindgren; Martin; Martinson; Melby; Mertens; Murphy; Myrdal; Nelson; Ness; Nicholas; Nowatzki; Oban; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Ring; Rydell; Schatz; Schindler; Schmidt; Schneider; Shaft; Shide; Shockman; Skjerven; Smette; Solberg; Sorensen; Soukup; Starke; Stenehjem; Stofferahn; Thompson, K.; Thompson, V.; Timm; Tokach; Tollefson; Tomac; Urlacher; Vander Vorst; Wald; Watne; Wentz; Whalen; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

ABSENT AND NOT VOTING: Frey; Peterson

HB 1175 lost.

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HB 1295: A BILL for an Act to create and enact a new section to chapter 43-11 of the North Dakota Century Code, relating to the use of brush rollers by licensed cosmetologists.

MOTION

REP. KOLBO 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 70 YEAS, 33 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Aas; Anderson, B.; Berg, G.; Brokaw; Carlson; Christman; Dalrymple; DeMers, P.; Flaagan; Gerhardt; Gerl; Gilmore; Gorman; Graba; Halmrast; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hoffner; Hokana; Howard; Huether; Kaldor; Kelly; Kingsbury; Kolbo; Lang; Larson, D.; Laughlin; Marks; Martin; Martinson; Melby; Murphy; Myrdal; Nelson; Ness; Nicholas; Nowatzki; Oban; Olsen, D.; Olson, A.; O'Shea; Peterson; Ring; Schindler; Schneider; Shide; Shockman; Skjervem; Smette; Solberg; Sorensen; Soukup; Starke; Thompson, V.; Tollefson; Trautman; Ulmer; Urlacher; Vander Vorst; Watne; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: Anderson, R.; Belter; Berg, R.; Bernstein; Clayburgh; Dorso; Enget; Gates; Gerntholz; Goetz; Gunsch; Jensen; Kloubec; Knell; Kouba; Larson, R.; Lindgren; Mertens; Olson, V.; Payne; Rydell; Schatz; Scherber; Schmidt; Shaft; Stenehjerm; Thompson, K.; Timm; Tokach; Tomac; Wald; Wentz; Whalen

ABSENT AND NOT VOTING: DeMers, J.; Frey; Stofferahn

HB 1295 passed and the title was agreed to.

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HB 1308: A BILL for an Act to create and enact a new section to chapter 6-06 of the North Dakota Century Code, relating to granting immunity from civil liability to credit union volunteers and members of the state credit union board.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 53 YEAS, 48 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Berg, G.; Brokaw; Carlson; Clayburgh; DeMers, J.; DeMers, P.; Enget; Flaagan; Gates; Gerhardt; Gerl; Gilmore; Graba; Halmrast; Hanson, L.; Haugen; Hoffner; Hokana; Jensen; Kaldor; Kelly; Kolbo; Laughlin; Marks; Martinson; Myrdal; Nelson; Ness; Nicholas; Nowatzki; Oban; Olson, A.; O'Shea; Ring; Rydell; Schneider; Shockman; Solberg; Sorensen; Starke; Thompson, V.; Tomac; Trautman; Ulmer; Vander Vorst; Watne; Wentz; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: Aas; Anderson, R.; Belter; Berg, R.; Bernstein; Christman; Dalrymple; Dorso; Gerntholz; Goetz; Gorman; Gunsch; Hanson, O.; Haugland;

Hausauer, A.; Howard; Huether; Kingsbury; Kloubec; Knell; Lang; Larson, D.; Larson, R.; Lindgren; Martin; Melby; Murphy; Olsen, D.; Olson, V.; Payne; Peterson; Schatz; Scherber; Schindler; Schmidt; Shaft; Shide; Skjerven; Smette; Soukup; Stenehjem; Stofferahn; Thompson, K.; Timm; Tokach; Tollefson; Urlacher; Wald

ABSENT AND NOT VOTING: Frey; Hausauer, R.; Kouba; Mertens; Whalen

HB 1308 lost for want of a Constitutional majority.

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HB 1329: A BILL for an Act to create and enact a new section to chapter 40-05.1 of the North Dakota Century Code, relating to a limitation on the rate of sales, use, and motor vehicle excise taxes that may be levied by a home rule city under its home rule powers.

#### ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 50 YEAS, 54 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Belter; Berg, G.; Brokaw; Dalrymple; DeMers, P.; Enget; Flaagan; Gerl; Gilmore; Hoffner; Hokana; Howard; Huether; Kaldor; Kingsbury; Kolbo; Kouba; Lang; Laughlin; Melby; Mertens; Murphy; Nelson; Ness; Nicholas; Nowatzki; Oban; O'Shea; Schatz; Schindler; Schmidt; Schneider; Shide; Shockman; Skjerven; Smette; Solberg; Starke; Stofferahn; Thompson, K.; Tomac; Trautman; Ulmer; Urlacher; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: Aas; Anderson, R.; Berg, R.; Bernstein; Carlson; Christman; Clayburgh; DeMers, J.; Dorso; Gates; Gerhardt; Gerntholz; Goetz; Gorman; Graba; Gunsch; Halmrast; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Jensen; Kelly; Kloubec; Knell; Larson, D.; Larson, R.; Lindgren; Marks; Martin; Martinson; Myrdal; Olsen, D.; Olson, A.; Olson, V.; Payne; Ring; Rydell; Scherber; Shaft; Sorensen; Soukup; Stenehjem; Thompson, V.; Timm; Tokach; Tollefson; Vander Vorst; Wald; Watne; Wentz; Whalen

ABSENT AND NOT VOTING: Frey; Peterson

HB 1329 lost.

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HB 1349: A BILL for an Act to amend and reenact section 23-21.1-03 of the North Dakota Century Code, relating to cemetery perpetual care funds.

#### ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 102 YEAS, 0 NAYS, 4 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.; 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;

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: Frey; Hanson, O.; Martin; Peterson

HB 1349 passed and the title was agreed to.

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#### MOTIONS

REP. PETERSON MOVED that HB 1020, which is on the Eleventh order, be rereferred to the Committee on Appropriations, which motion prevailed.

REP. KLOUBEC MOVED that the absent members 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 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 12:30 p.m., Friday, February 3, 1989, which motion prevailed.

#### REPORTS OF STANDING COMMITTEES

MR. SPEAKER: Your Committee on Industry, Business and Labor (Rep. Whalen, Chairman) to which was referred HB 1142 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 1, remove "26.1-05-05,"

Page 1, line 3, remove "residency and"

Page 2, remove lines 7 through 17

Page 3, line 4, replace "two with "one" and remove "fifty"

Re-number accordingly

HB 1142 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 1212 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 16, after "compared" insert ", but does not include the field repair of a weighing or measuring device"

Re-number accordingly

HB 1212 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 1254 has had the same under consideration and recommends by a vote of 14 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

Page 1, line 20, replace "restrict any statutory right of a teacher with respect to" with "prevent a teacher with respect to that teacher's file or that teacher's direct supervisor, principal, superintendent, or school board from having access to a teacher's file"

Page 1, line 21, remove "access to a record or file relating to that teacher"

Re-number accordingly

HB 1254 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 1258 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 2, remove "that are exempt from"

Page 1, line 3, remove "property taxes"

Page 1, line 7, replace "an exempt" with "a"

Page 1, line 14, after the period insert "If the transfer to a governmental entity is exempt from the tax imposed by this section, the governmental entity shall issue to the seller a statement that the transfer is exempt from the tax imposed."

Page 1, line 15, replace "an exempt" with "a"

Page 1, line 16, after "treasurer" insert "or a copy of the statement of exemption furnished to the seller as"

Page 1, replace lines 17 through 20 with:

"1. As used in this section, unless the context or subject matter otherwise requires:

- a. "Contract purchase price" means the price paid for the property and does not include compensation for severance or other damages. For transfers between governmental entities, "contract purchase price" means the fair market value of the property, if that amount is greater than the price paid for the property.
- b. "Governmental entity" means:

- (1) An agency, department, or other instrumentality of the United States government, including congressionally chartered corporations.

- (2) An agency, department, or other instrumentality of any state government.
- (3) A political subdivision of any state.
2. Transfers of property acquired for waterway, road, or highway right-of-way are exempt from the tax imposed by this section.
3. Transfers of property acquired through foreclosure or tax sale are exempt from the tax under this section. However, if title to property acquired through foreclosure or tax sale is thereafter transferred to a governmental entity, the transfer is subject to the tax imposed by this section.
4. If a governmental entity sells property that was used by an agricultural experiment station to a taxable entity and purchases replacement property within two years, the seller of the replacement property is exempt from the tax imposed by this section.
5. If a governmental entity that has furnished a statement that a transfer is exempt from the tax imposed by this section is found by a court not to be exempt, the contract of sale is voidable at the option of the seller at any time within twelve months after that finding. The board of county commissioners shall direct the state's attorney to notify the buyer if an exemption claimed under this section is challenged by the county commissioner. The notice must be served on the buyer within thirty days after the recording of the instrument for transfer of title or challenge to the claim of exemption is waived and the sale is not subject to the tax imposed by this section.
6. A governmental entity that acquires property subject to the tax imposed by this section must provide written notice to the seller of the tax imposed by this section at the time of making the first offer that leads to sale of the property. Failure to provide the notice required by this subsection makes the contract of sale voidable at the option of the seller at any time within twelve months after the date of sale."

Page 2, remove lines 1 through 6

Renumber accordingly

HB 1258 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 1266 has had the same under consideration and recommends by a vote of 13 YEAS, 0 NAYS, 4 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 "section" insert "43-44-01, subsection 1 of section 43-44-02, and section"

Page 1, line 2, after "to" insert "definitions, membership of the board of dietetic practice, and"

Page 1, after line 4, insert:

"SECTION 1. AMENDMENT. Section 43-44-01 of the 1987 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

43-44-01. Definitions. As used in this chapter, unless the context or subject matter otherwise requires:

1. ~~"Association"~~ means the North Dakota dietetic association.
- 2- ~~"Board"~~ means the board of dietetic practice.
- 3- 2. "Dietetics" means the application of principles derived from integrating knowledge of food, nutrition, biochemistry, physiology, management, and behavioral and social science to achieve and maintain the health of people by providing nutrition care services.
- 4- 3. "Dietitian" includes dietician.
- 5- 4. "General nutrition services" means the counseling of individuals or groups in the selection of food to meet normal nutritional needs, and the assessment of nutritional needs of individuals or groups by planning, organizing, coordinating, and evaluating the nutritional components of community health services.
- 6- 5. "Licensed registered dietitian" means a person licensed to practice dietetics as provided in this chapter.
- 7- 6. "Licensed nutritionist" means a person licensed to provide general nutrition services as provided in this chapter.
- 8- 7. "Nutrition assessment" means the screening and evaluation of the nutrition of individuals and groups based upon appropriate biochemical, anthropometric, physical, and dietary data to determine their nutritional needs and recommend appropriate nutritional intake including enteral and parenteral nutrition.
- 9- 8. "Nutrition care services" includes:
  - a. Providing nutrition assessment.
  - b. Planning or providing of food appropriate for physical and medical needs.
  - c. Providing nutrition counseling to meet both normal and therapeutic needs.
  - d. Providing general nutrition services and related nutrition activities.

SECTION 2. AMENDMENT. Subsection 1 of section 43-44-02 of the 1987 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

1. ~~A The governor shall appoint a board of dietetic practice is established. The board consists, consisting of five members appointed by the governor, all of whom must be residents of the state at the time of their appointment, and four of whom must be appointed from a list of names submitted by the association. The persons appointed from the list submitted by the association must have been engaged in the teaching or rendering of dietetics or general nutrition services to the public, or in research in dietetics or general nutrition services for three years immediately preceding their appointment. Four Three board members must be licensed registered dietitians or licensed nutritionists, and at least three members one member must be a licensed registered dietitians nutritionist. The members first appointed to the board need not be licensed under this chapter for appointment to their first term on the board, but must possess the qualifications necessary for licensure under this chapter. One member must be appointed to represent consumers of health services."~~

Renumber accordingly

HB 1266 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 1271 has had the same under consideration and recommends by a vote of 11 YEAS, 2 NAYS, 4 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO NOT PASS:

Page 1, line 5, after "organization" insert "which exists primarily for the benefit of a governmental unit or which receives a substantial part of its support from a governmental unit"

Renumber accordingly

HB 1271 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Natural Resources (Rep. A. Olson, Chairman) to which was referred HB 1280 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 PLACED ON THE CALENDAR WITHOUT RECOMMENDATION.

HB 1280 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 1282 has had the same under consideration and recommends by a vote of 9 YEAS, 4 NAYS, 3 ABSENT AND NOT VOTING that the same DO PASS.

HB 1282 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Transportation (Rep. Timm, Chairman) to which was referred HB 1325 has had the same under consideration and recommends by a vote of 11 YEAS, 3 NAYS, 2 ABSENT AND NOT VOTING that the same DO NOT PASS.

HB 1325 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 1335 has had the same under consideration and recommends by a vote of 12 YEAS, 0 NAYS, 5 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

Page 3, line 2, after "services" insert "- Exclusivity"

Page 3, line 3, after "board" insert ". Notwithstanding any other law or ordinance, a person may not be required to obtain a license to provide private investigative or security services in this state other than the license required by this chapter."

Page 4, overstrike line 12

Page 4, line 13, overstrike "sufficient surety within thirty days after notice from the"

Page 4, line 14, replace "board" with "licenseholder"

Renumber accordingly

HB 1335 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Human Services and Veterans Affairs (Rep. Haugland, Chairman) to which was referred HB 1369 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 PASS.

HB 1369 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 1390 has had the same under consideration and recommends by a vote of 12 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 9, replace "initial" with "be notified in writing whenever any new material is placed in the teacher's file. If the teacher desires, the teacher may acknowledge the new material being placed in the teacher's file by initialing"

Page 1, line 10, replace "each" with "the", replace "whenever any" with "corresponding to the", and remove "is"

Page 1, line 11, after "file" insert "within ten days of the notification"

Renumber accordingly

HB 1390 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 1417 has had the same under consideration and recommends by a vote of 9 YEAS, 5 NAYS, 3 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO NOT PASS:

Page 1, line 12, after "deposits" insert ". "Comparable insurance" as specified in chapters 6-06 and 21-04 and in section 26.1-05-19 means the same insurance coverage per account as is provided by the national credit union administration. The state credit union board may not approve any credit union for insurance of accounts through companies or providers other than the national credit union administration, unless the company or provider has been properly licensed and approved by the commissioner of insurance. The approval must include a determination of the financial and actuarial soundness of the company or provider"

Page 2, line 17, after the second "insurance" insert ". The state credit union board may not approve any credit union for insurance of accounts through companies or providers other than the national credit union administration, unless the company or provider has been properly licensed and approved by the commissioner of insurance. The approval must include a determination of the financial and actuarial soundness of the company or provider"

Renumber accordingly

HB 1417 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 1426 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same DO NOT PASS.

HB 1426 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 1434 has had the same under consideration and recommends by a vote of 8 YEAS, 7 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

Page 2, line 1, after "Prohibited" insert "- Guidelines"

Page 2, line 6, remove "reasonable and"

Page 2, line 7, after the first "a" insert "physical"

Page 2, line 8, after the first comma insert "to quell a verbal disturbance," and after the second comma insert "for the preservation of order,"

Page 2, line 11, after the underscored period insert "Each school board shall develop policies defining expected student behavior and procedures to follow in the event the standard of expected student behavior is violated."

Renumber accordingly

HB 1434 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 1483 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 3, replace "section" with "sections" and after "57-20-09" insert "and 57-28-04"

Page 1, line 4, after "discounts" insert "and service of notice of the expiration of the period of redemption"

Page 1, line 10, after the first "to" insert "the oldest" and after "taxes" insert "or special assessments due"

Page 2, after line 6, insert:

"SECTION 3. AMENDMENT. Section 57-28-04 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

57-28-04. Service of notice by registered mail of the expiration of the period of redemption. The county auditor shall serve the notice of the expiration of the period of redemption upon the owner of the record title of the real estate sold to the county for taxes, and upon each mortgagee, lienholder, and other interested person interested therein as may appear from the records of the register of deeds and the clerk of the district court of said the county. Said Except for property upon which there is a homestead, the notice shall must be served by registered or certified mail, and a registry and return receipt shall must be demanded and filed with proof of service. For property upon which there is a homestead, the notice must be served as provided in subsection 2 of section 57-27-02. The expense of such the service by registered or certified mail shall must be added to the amount required to redeem, and shall must be paid by the person making the redemption in addition to the amounts stated in the notice. The auditor shall make proof of such service by affidavit showing the names and addresses of all parties upon whom such the notice was served, with the date of mailing in each case, and shall must attach the registry, certification, and return receipts thereto, and shall must file such the affidavit and receipts with the original notice of the expiration of the period of redemption. The register of deeds and the clerk of the district court, upon request by the county auditor, and within ten days thereafter, shall furnish him the county auditor with a certified list giving the names and addresses of all persons who appear to be interested as owners, mortgagees, lienholders, or otherwise in the said real estate, upon whom the notice of the expiration of the period of redemption must be served."

Renumber accordingly

HB 1483 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 1487 has had the same under consideration and recommends by a

vote of 11 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO NOT PASS:

Page 3, line 21, replace "ready for marriage" with "married"

Page 3, remove lines 25 and 26

Renumber accordingly

HB 1487 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 1490 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 NOT PASS.

HB 1490 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Natural Resources (Rep. A. Olson, Chairman) to which was referred HB 1491 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 1491 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 1493 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 1493 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 1517 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 NOT PASS.

HB 1517 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 1521 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 1, after "Act" insert "to create and enact a new subsection to section 57-15-06.7 of the North Dakota Century Code, relating to the limitation on county levies for certain comprehensive human services programs; and"

Page 1, line 15, replace "which is not" with "not exceeding the limitation in section 2 of this Act, and if this amount is not sufficient, may levy for deficiency purposes under chapter 50-03."

Page 1, replace line 16 with:

"SECTION 2. A new subsection to section 57-15-06.7 of the 1987 Supplement to the North Dakota Century Code is hereby created and enacted to read as follows:

Counties levying an annual tax for poor relief purposes as provided in section 50-06.2-05 may levy a tax not exceeding twenty mills."

Renumber accordingly

HB 1521 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Transportation (Rep. Timm, Chairman) to which was referred HB 1531 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 1531 was placed on the Eleventh 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 1553 has had the same under consideration and recommends by a vote of 7 YEAS, 6 NAYS, 3 ABSENT AND NOT VOTING that the same DO NOT PASS.

HB 1553 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 1600 has had the same under consideration and recommends by a vote of 12 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO NOT PASS:

Page 1, line 3, replace "county" with "school district"

Page 1, line 8, replace "criterion-referenced" with "norm-referenced"

Page 1, line 9, replace "test" with "tests" and after "that" insert "are presently in use or a test that"

Page 1, line 15, replace "county" with "school district"

Renumber accordingly

HB 1600 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 1619 has had the same under consideration and recommends by a vote of 10 YEAS, 2 NAYS, 4 ABSENT AND NOT VOTING that the same DO NOT PASS.

HB 1619 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 1631 has had the same under consideration and recommends by a vote of 16 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 9, remove "" in letters not less than eight inches [20.32"

Page 1, line 10, remove "centimeters] in height" and after the period insert a quotation mark

Renumber accordingly

HB 1631 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Natural Resources (Rep. A. Olson, Chairman) to which was referred HCR 3018 has had the same under consideration and recommends by a vote of 10 YEAS, 1 NAY, 6 ABSENT AND NOT VOTING that the same DO NOT PASS.

HCR 3018 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

#### FIRST READING OF HOUSE CONCURRENT RESOLUTION

Reps. V. Thompson, Vander Vorst and Sens. Langley, W. Meyer introduced:

HCR 3049: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of consolidating the various agricultural loan programs administered by the Bank of North Dakota.

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

#### FIRST READING OF SENATE BILLS

SB 2093: A BILL for an Act to amend and reenact section 26.1-01-10, subsection 9 of section 26.1-04-03, and subsection 1 of section 26.1-04-13 of the North Dakota Century Code, relating to general penalties for violation of provisions of the insurance title and to penalties for prohibited practices.

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

SB 2095: A BILL for an Act to authorize the state department of health and consolidated laboratories to apply for and accept certain grants for the planning, design, construction, and rehabilitation of wastewater treatment facilities, to provide for matching funds, to require that money received through such grants and state matching funds be deposited into the water pollution control revolving loan fund, and to provide for the use, capitalization, investment, and disposition of the funds.

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

SB 2096: A BILL for an Act to authorize the industrial commission acting as the North Dakota building authority to issue evidences of indebtedness; or in the alternative, to authorize the administrative committee on veterans' affairs to obtain a loan to match federal funds available to construct, modify, or alter the facilities at the veterans' home; to provide an appropriation; and to declare an emergency.

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

SB 2122: A BILL for an Act to amend and reenact subsection 2 of section 52-04-07, subsection 2 of section 52-06-04, and section 52-06-33 of the North Dakota Century Code, relating to noncharging of unemployment compensation benefits, qualifying as an insured worker for unemployment compensation purposes, and unemployment compensation overpayments.

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

SB 2275: A BILL for an Act to create and enact a new section to chapter 15-34.2 of the North Dakota Century Code, relating to school district fuel purchases from registered vendors; and to amend and reenact section 15-34.2-07.1 of the North Dakota Century Code, relating to school district fuel purchases by negotiation.

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

SB 2286: A BILL for an Act to create and enact a new chapter to title 6 of the North Dakota Century Code, relating to oil and gas development loans by the Bank of North Dakota.

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

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

ROY GILBREATH, Chief Clerk