

JOURNAL OF THE HOUSE

Fifty-first Legislative Assembly

* * * * *

Bismarck, February 3, 1989

The House convened at 12:30 p.m., with Speaker Kretschmar presiding.

The prayer was offered by Father Daniel Malony, University of Mary and Annunciation Priory, Bismarck.

The roll was called and all Representatives were present, except Representatives R. Anderson, Gerl, Shaft, and Sorensen.

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-second Day and finds it to be correct.

REP. SCHMIDT 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 1142, HB 1212, HB 1254, HB 1258, HB 1266, HB 1271, HB 1335, HB 1390, HB 1417, HB 1434, HB 1483, HB 1487, HB 1521, HB 1600, and HB 1631 recommending amendments on the Sixth order of business on the legislative calendar of the Twenty-third Legislative Day, be adopted, which motion prevailed.

SIXTH ORDER OF BUSINESS

REP. WHALEN MOVED that the amendments to HB 1142 as recommended by the Committee on Industry, Business and Labor as printed on page 479 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

HB 1142 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. WHALEN MOVED that the amendments to HB 1212 as recommended by the Committee on Industry, Business and Labor as printed on pages 479-480 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

HB 1212 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. GATES MOVED that the amendments to HB 1254 as recommended by the Committee on Education as printed on page 480 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

HB 1254 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 1258 as recommended by the Committee on Finance and Taxation as printed on pages 480-481 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

HB 1258 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. WHALEN MOVED that the amendments to HB 1266 as recommended by the Committee on Industry, Business and Labor as printed on pages 481-483 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

HB 1266 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. WHALEN MOVED that the amendments to HB 1271 as recommended by the Committee on Industry, Business and Labor as printed on page 483 of the House Journal be adopted, and when so adopted, recommends the same DO NOT PASS.

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

REP. WHALEN MOVED that the amendments to HB 1335 as recommended by the Committee on Industry, Business and Labor as printed on page 484 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

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

REP. GATES MOVED that the amendments to HB 1390 as recommended by the Committee on Education as printed on page 484 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

HB 1390 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. WHALEN MOVED that the amendments to HB 1417 as recommended by the Committee on Industry, Business and Labor as printed on page 485 of the House Journal be adopted, and when so adopted, recommends the same DO NOT PASS.

HB 1417 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. GATES MOVED that the amendments to HB 1434 as recommended by the Committee on Education as printed on pages 485-486 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

HB 1434 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 1483 as recommended by the Committee on Finance and Taxation as printed on page 486 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

HB 1483 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. GATES MOVED that the amendments to HB 1487 as recommended by the Committee on Education as printed on page 487 of the House Journal be adopted, and when so adopted, recommends the same DO NOT PASS.

HB 1487 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 1521 as recommended by the Committee on Finance and Taxation as printed on pages 487-488 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

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

REP. GATES MOVED that the amendments to HB 1600 as recommended by the Committee on Education as printed on page 488 of the House Journal be adopted, and when so adopted, recommends the same DO NOT PASS.

HB 1600 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. GATES MOVED that the amendments to HB 1631 as recommended by the Committee on Education as printed on pages 488-489 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

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

MOTION

REP. WENTZ MOVED that HB 1514 be returned to the House floor from the Committee on Judiciary, which motion prevailed.

REQUEST

REP. WALD REQUESTED the unanimous consent of the House to withdraw HB 1514. There being no objection, it was so ordered by the Speaker.

MOTION

REP. A. OLSON MOVED that HB 1367 be returned to the House floor from the Committee on Natural Resources, which motion prevailed.

REQUEST

REP. TOLLEFSON REQUESTED the unanimous consent of the House to withdraw HB 1367. There being no objection, it was so ordered by the Speaker.

MOTION

REP. WHALEN MOVED that HB 1609 be returned to the House floor from the Committee on Industry, Business and Labor, which motion prevailed.

REQUEST

REP. ULMER REQUESTED the unanimous consent of the House to withdraw HB 1609. 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 1019, HB 1066, HB 1116, HB 1181, HB 1241, HB 1260, HB 1277, HB 1317, HB 1323, HB 1344, HB 1368, HB 1425, HB 1451, HB 1466, HB 1477, HB 1512, HB 1526, HB 1534, HB 1538, HB 1559, HCR 3025.

MOTION

REP. WATNE MOVED that the House reconsider its action whereby HB 1329 failed to pass.

REQUEST

REP. GRABA REQUESTED a recorded roll call vote on the motion to reconsider the action whereby HB 1329 failed to pass, which request was granted.

ROLL CALL

The question being on the motion to reconsider the action whereby HB 1329 failed to pass, the roll was called and there were 54 YEAS, 51 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Belter; Berg, G.; Brokaw; Dalrymple; DeMers, P.; Enget; Flaagan; Gerhardt; Gerl; Gilmore; Hanson, L.; Hoffner; Hokana; Huether; Kaldor; Kingsbury; Kolbo; Kouba; Lang; Laughlin; Marks; Martin; Melby; Mertens; Nelson; Ness; Nowatzki; Oban; Olsen, D.; O'Shea; Ring; Schatz; Schindler; Schmidt; Schneider; Shide; Shockman; Skjervan; Smette; Solberg; Starke; Stofferahn; Thompson, K.; Thompson, V.; Tomac; Trautman; Urlacher; Vander Vorst; Watne; Wilkie; Williams, A.; Williams, W.

NAYS: Aas; Berg, R.; Bernstein; Carlson; Christman; Clayburgh; DeMers, J.; Dorso; Frey; Gates; Gerntholz; Goetz; Gorman; Graba; Gunsch; Halmrast; Hanson, D.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Howard; Jensen; Kelly; Kloubec; Knell; Larson, D.; Larson, R.; Lindgren; Martinson; Murphy; Myrdal; Nicholas; Olson, A.; Olson, V.; Payne; Peterson; Rydell; Scherber; Shaft; Sorensen; Soukup; Stenehjem; Timm; Tokach; Tollefson; Ulmer; Wald; Wentz; Whalen; Speaker Kretschmar

ABSENT AND NOT VOTING: Anderson, R.

So the motion to reconsider the action whereby HB 1329 failed to pass prevailed.

SECOND READING OF HOUSE BILLS

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.

MOTION

REP. W. WILLIAMS 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 53 YEAS, 52 NAYS, 1 ABSENT AND NOT VOTING.

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

NAYS: Aas; Berg, R.; Bernstein; Carlson; Christman; Clayburgh; DeMers, J.; Dorso; Frey; Gates; 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; Martinson; Murphy; Myrdal; Olsen, D.; Olson, A.; Olson, V.; Payne; Peterson; Ring; Rydell; Scherber; Shaft; Sorensen; Soukup; Stenehjem; Thompson, K.; Timm; Tokach; Tollefson; Ulmer; Wald; Wentz; Whalen

ABSENT AND NOT VOTING: Anderson, R.

HB 1329 lost for want of a Constitutional majority.

HB 1017: A BILL for an Act making an appropriation for the homestead tax credit.

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, 3 NAYS, 1 ABSENT AND NOT VOTING.

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

NAYS: Berg, R.; Murphy; Whalen

ABSENT AND NOT VOTING: Anderson, R.

HB 1017 passed and the title was agreed to.

THE HOUSE RECOGNIZED THE PRESENCE OF:

Former Representative Bud Wessman

SECOND READING OF HOUSE BILLS

HB 1336: A BILL for an Act to amend and reenact section 5-01-11 of the North Dakota Century Code, relating to unfair competition in the alcoholic beverage business.

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

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

NAYS: None

ABSENT AND NOT VOTING: Anderson, R.

HB 1336 passed and the title was agreed to.

HB 1393: A BILL for an Act to amend and reenact section 11-15-08 of the North Dakota Century Code, relating to commissions collected by sheriff in certain proceedings.

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, 0 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Aas; Anderson, B.; Belter; Berg, G.; Berg, R.; Bernstein; Brokaw; Carlson; Christman; Clayburgh; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Enget; Flaagan; Frey; Gates; Gerhardt; Gerl; Gerntholz; Gilmore; Goetz; Gorman; Graba; Gunsch; Halmarst; 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; 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: Anderson, R.; Kouba; Peterson

HB 1393 passed and the title was agreed to.

HB 1355: A BILL for an Act to create and enact a new section to chapter 54-06 of the North Dakota Century Code, relating to pay periods for state officers and employees.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 38 YEAS, 64 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Berg, G.; Brokaw; Carlson; DeMers, J.; DeMers, P.; Flaagan; Frey; Gilmore; Graba; Hanson, L.; Hausauer, A.;

Hoffner; Hokana; Kaldor; Kelly; Kingsbury; Kolbo; Laughlin; Marks; Martinson; Mertens; Nelson; Ness; Nowatzki; Oban; O'Shea; Ring; Schneider; Shockman; Starke; Stofferahn; Thompson, V.; Tollefson; Ulmer; Watne; Williams, W.

NAYS: Aas; Belter; Berg, R.; Bernstein; Christman; Clayburgh; Dalrymple; Dorso; Enget; Gates; Gerhardt; Gerntholz; Goetz; Gorman; Gunsch; Halmrast; Hanson, O.; Haugen; Haugland; Hausauer, R.; Howard; Huether; Jensen; Kloubec; Knell; Kouba; Lang; Larson, D.; Larson, R.; Lindgren; Martin; Melby; Murphy; Myrdal; Olsen, D.; Olson, A.; Olson, V.; Payne; Rydell; Schatz; Scherber; Schindler; Schmidt; Shaft; Shide; Skjerven; Smette; Solberg; Sorensen; Soukup; Stenehjem; Thompson, K.; Timm; Tokach; Tomac; Trautman; Urlacher; Vander Vorst; Wald; Wentz; Whalen; Wilkie; Williams, A.; Speaker Kretschmar

ABSENT AND NOT VOTING: Anderson, R.; Gerl; Nicholas; Peterson

HB 1355 lost.

MOTION

REP. STOFFERAHN MOVED that the House reconsider its action whereby HB 1308 failed to pass for want of a Constitutional majority, which motion lost on a verification vote.

SECOND READING OF HOUSE BILLS

HB 1356: A BILL for an Act to create and enact a new section to chapter 44-08 of the North Dakota Century Code, relating to prepayment of travel expenses for state officers and employees.

ROLL CALL

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

YEAS: Aarsvold; Aas; Anderson, B.; Belter; Berg, G.; Brokaw; Carlson; Christman; Clayburgh; DeMers, J.; DeMers, P.; Dorso; Enget; Flaagan; Frey; Gates; Gerhardt; Gerntholz; Gilmore; Goetz; Gorman; Graba; 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; Marks; Martin; Martinson; Melby; Mertens; Myrdal; Nelson; Ness; Nicholas; Nowatzki; Oban; Olsen, D.; Olson, V.; O'Shea; Payne; Peterson; Ring; Rydell; Schatz; Scherber; Schindler; Schneider; Shockman; Skjerven; Smette; Solberg; Sorensen; Soukup; Starke; Stenehjem; Stofferahn; Thompson, K.; Thompson, V.; Tokach; Tollefson; Tomac; Trautman; Ulmer; Urlacher; Wald; Watne; Wentz; Whalen; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: Berg, R.; Bernstein; Dalrymple; Gunsch; Lindgren; Murphy; Olson, A.; Schmidt; Shaft; Shide; Timm; Vander Vorst

ABSENT AND NOT VOTING: Anderson, R.; Gerl

HB 1356 passed and the title was agreed to.

HB 1379: 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 licensing of estheticians and manicurists; and to amend and reenact section 43-11-01 of the North Dakota Century Code, relating to definitions.

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, 5 NAYS, 1 ABSENT AND NOT VOTING.

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

NAYS: Kingsbury; Murphy; Olsen, D.; Schmidt; Skjerven

ABSENT AND NOT VOTING: Anderson, R.

HB 1379 passed and the title was agreed to.

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

MR. SPEAKER: The Senate has passed and your favorable consideration is requested on: SB 2105, SB 2192, SB 2193, SB 2305, SB 2313, SB 2330, SB 2351, SB 2373, SB 2390.

SECOND READING OF HOUSE BILL

HB 1423: A BILL for an Act to amend and reenact section 5-02-05 of the North Dakota Century Code, relating to the disposal of alcoholic beverages on certain days.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 34 YEAS, 71 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Berg, R.; Bernstein; Carlson; Clayburgh; DeMers, J.; Dorso; Flaagan; Gates; Gerl; Gorman; Halmrast; Hausauer, A.; Hausauer, R.; Hokana; Jensen; Kelly; Kloubec; Kolbo; Larson, R.; Lindgren; Nelson; Payne; Peterson; Ring; Rydell; Scherber; Schneider; Skjerven; Soukup; Stenehjem; Thompson, V.; Ulmer; Urlacher

NAYS: Aarsvold; Aas; Belter; Berg, G.; Brokaw; Christman; Dalrymple; DeMers, P.; Enget; Frey; Gerhardt; Gerntholz; Gilmore; Goetz; Graba; Gunsch; Hanson, L.; Hanson, O.; Haugen; Haugland; Hoffner; Howard; Huether; Kaldor; Kingsbury; Knell; Kouba; Lang; Larson, D.; Laughlin; Marks; Martin; Martinson; Melby; Mertens; Murphy; Myrdal; Ness; Nicholas; Nowatzki; Oban; Olsen, D.; Olson, A.; Olson, V.; O'Shea;

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

ABSENT AND NOT VOTING: Anderson, R.

HB 1423 lost.

MOTION

REP. KLOUBEC MOVED that HB 1462 be laid over one legislative day, which motion prevailed.

SECOND READING OF HOUSE BILLS

HB 1467: A BILL for an Act to amend and reenact subsections 1 and 2 of section 26.1-41-19 of the North Dakota Century Code, relating to the statute of limitations for no-fault insurance claims.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 86 YEAS, 16 NAYS, 4 ABSENT AND NOT VOTING.

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

NAYS: Brokaw; DeMers, P.; Enget; Hokana; Huether; Kingsbury; Kolbo; Ness; O'Shea; Schneider; Shaft; Starke; Ulmer; Watne; Wilkie; Williams, W.

ABSENT AND NOT VOTING: Anderson, R.; Haugen; Solberg; Whalen

HB 1467 passed and the title was agreed to.

HB 1484: A BILL for an Act to amend and reenact subsection 1 of section 57-38-40 of the North Dakota Century Code, relating to a claim for credit or refund; 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 58 YEAS, 46 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Aas; Berg, R.; Bernstein; Brokaw; Christman; Clayburgh; Dalrymple; Dorso; Gates; Gerntholz; Goetz; Gorman; Gunsch; Halmrast; Hanson, O.; Haugen; Hausauer, A.; Hausauer, R.; Jensen; Kingsbury; Kloubec; Knell; Kouba; Lang; Larson, D.; Larson, R.; Lindgren; Martin; Martinson;

Melby; Myrdal; Nelson; Nicholas; Olsen, D.; Olson, A.; Olson, V.; Payne; Rydell; Schatz; Schindler; Schmidt; Shaft; Shide; Smette; Sorensen; Soukup; Stenehjem; Thompson, K.; Thompson, V.; Timm; Tollefson; Trautman; Urlacher; Vander Vorst; Wald; Whalen; Wilkie; Speaker Kretschmar

NAYS: Aarsvold; Anderson, B.; Belter; Berg, G.; Carlson; DeMers, J.; DeMers, P.; Enget; Flaagan; Frey; Gerhardt; Gerl; Gilmore; Graba; Hanson, L.; Haugland; Hoffner; Hokana; Howard; Huether; Kaldor; Kelly; Kolbo; Laughlin; Marks; Mertens; Ness; Nowatzki; Oban; O'Shea; Peterson; Ring; Scherber; Schneider; Shockman; Skjerven; Solberg; Starke; Stofferahn; Tokach; Tomac; Ulmer; Watne; Wentz; Williams, A.; Williams, W.

ABSENT AND NOT VOTING: Anderson, R.; Murphy

HB 1484 passed and the title was agreed to.

MOTION

REP. A. OLSON MOVED that HB 1280, which is on the Eleventh order, be rereferred to the Committee on Natural Resources, which motion prevailed. Pursuant to Rep. A. Olson's motion, HB 1280 was rereferred.

SECOND READING OF HOUSE BILL

HB 1522: A BILL for an Act to amend and reenact section 65-12-11 of the North Dakota Century Code, relating to workers' compensation boiler inspection fees.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 93 YEAS, 9 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Aas; Anderson, B.; Belter; Berg, G.; Bernstein; Brokaw; Carlson; Christman; Clayburgh; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Enget; Flaagan; Frey; Gates; Gerhardt; Gerl; Gertholz; Gilmore; Goetz; Gorman; Graba; Halmarst; Hanson, L.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hoffner; Hokana; Howard; Huether; Jensen; Kaldor; Kelly; Kloube; Knell; Kolbo; Kouba; Lang; Larson, R.; Lindgren; Marks; Martinson; Melby; Murphy; Myrdal; 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; Watne; Wentz; Whalen; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: Berg, R.; Gunsch; Kingsbury; Larson, D.; Laughlin; Mertens; Nelson; Schmidt; Wald

ABSENT AND NOT VOTING: Anderson, R.; Hanson, D.; Martin; Thompson, K.

HB 1522 passed and the title was agreed to.

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

HCR 3004: A concurrent resolution directing the Legislative Council to establish a Jobs Development Commission composed of legislators, officials from the executive branch of state government, officials from higher education, and representatives of the private sector to study methods and coordinate efforts to initiate and sustain state economic development and to stimulate the creation of new employment opportunities for the citizens of North Dakota.

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

HCR 3004 was declared adopted on a voice vote.

HCR 3007: A concurrent resolution for the ratification of a proposed amendment to the Constitution of the United States, providing for a delay in an increase in compensation to members of Congress until an intervening election of representatives has occurred.

ROLL CALL

The question being on the adoption of the resolution, which has been read, the roll was called and there were 63 YEAS, 38 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Belter; Berg, R.; Bernstein; Christman; Clayburgh; Dalrymple; Dorso; Gerntholz; Goetz; Gorman; Gunsch; Hanson, O.; Haugen; Hausauer, A.; Hausauer, R.; Hoffner; Howard; Huether; Jensen; Kaldor; Kingsbury; Kloubec; Knell; Kouba; Lang; Larson, D.; Larson, R.; Lindgren; Marks; Martin; Martinson; Melby; Murphy; Myrdal; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Rydell; Schatz; Schindler; Schmidt; Shaft; Shide; Smette; Solberg; Sorensen; Soukup; Starke; Stenehjem; Thompson, K.; Thompson, V.; Tokach; Tollefson; Trautman; Urlacher; Vander Vorst; Wald; Watne; Wentz; Whalen; Wilkie

NAYS: Aas; Anderson, B.; Berg, G.; Brokaw; Carlson; DeMers, J.; DeMers, P.; Enget; Flaagan; Frey; Gates; Gerl; Gilmore; Graba; Halmrast; Hanson, L.; Haugland; Hokana; Kelly; Kolbo; Laughlin; Mertens; Nelson; Ness; Nowatzki; Oban; Payne; Peterson; Ring; Scherber; Schneider; Shockman; Stofferahn; Tomac; Ulmer; Williams, A.; Williams, W.; Speaker Kretschmar

ABSENT AND NOT VOTING: Anderson, R.; Gerhardt; Nicholas; Skjerven; Timm

HCR 3007 was declared adopted on a roll call vote.

HCR 3021: A concurrent resolution urging employers to provide employment opportunities for older workers.

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

HCR 3021 was declared adopted on a voice vote.

SECOND READING OF HOUSE BILLS

HB 1282: A BILL for an Act to amend and reenact subsection 3 of section 12.1-23-09 of the North Dakota Century Code, relating to prima facie evidence of theft in auction-related situations.

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, 1 NAY, 2 ABSENT AND NOT VOTING.

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

NAYS: Ring

ABSENT AND NOT VOTING: Anderson, R.; Ulmer

HB 1282 passed and the title was agreed to.

HB 1325: A BILL for an Act to amend and reenact section 39-10-71 of the North Dakota Century Code, relating to fleeing from a peace officer.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 15 YEAS, 90 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: DeMers, P.; Flaagan; Gilmore; Graba; Hanson, L.; Hoffner; Huether; Kaldor; Larson, D.; Laughlin; Ness; O'Shea; Ulmer; Wilkie; Williams, A.

NAYS: Aarsvold; Aas; Anderson, B.; Belter; Berg, G.; Berg, R.; Bernstein; Brokaw; Carlson; Christman; Clayburgh; Dalrymple; DeMers, J.; Dorso; Enget; Frey; Gates; Gerhardt; Gerl; Gerntholz; Goetz; Gorman; Gunsch; Halmrast; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hokana; Howard; Jensen; Kelly; Kingsbury; Kloubec; Knell; Kolbo; Kouba; Lang; Larson, R.; Lindgren; Marks; Martin; Martinson; Melby; Mertens; Murphy; Myrdal; Nelson; Nicholas; Nowatzki; Oban; Olsen, D.; Olson, A.; Olson, V.; 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; Urlacher; Vander Vorst; Wald; Watne; Wentz; Whalen; Williams, W.; Speaker Kretschmar

ABSENT AND NOT VOTING: Anderson, R.

HB 1325 lost.

HB 1369: A BILL for an Act to amend and reenact subsection 4 of section 23-06-03 of the North Dakota Century Code, relating to the duty of burial.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 84 YEAS, 20 NAYS, 2 ABSENT AND NOT VOTING.

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

NAYS: Aarsvold; Flaagan; Graba; Haugen; Kaldor; Kingsbury; Kouba; Lang; Laughlin; Murphy; Nelson; Schatz; Schindler; Schmidt; Shaft; Shockman; Stofferahn; Timm; Tokach; Tomac

ABSENT AND NOT VOTING: Anderson, R.; Wentz

HB 1369 passed and the title was agreed to.

HB 1426: A BILL for an Act to amend and reenact section 26.1-17-25 of the North Dakota Century Code, relating to rate requirements for nonprofit health service corporations.

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, 103 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: None

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

HB 1426 lost.

HB 1490: A BILL for an Act to amend and reenact section 26.1-08-12 of the North Dakota Century Code, relating to persons eligible for coverage under the comprehensive health association plan.

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, 104 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: None

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

ABSENT AND NOT VOTING: Anderson, R.; Marks

HB 1490 lost.

HB 1491: A BILL for an Act to amend and reenact section 20.1-01-21 of the North Dakota Century Code, relating to trapping near occupied buildings.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 91 YEAS, 13 NAYS, 2 ABSENT AND NOT VOTING.

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

Shide; Shockman; Skjerven; Smette; Solberg; Sorensen; Soukup; Starke; Stenehjem; Stofferahn; Thompson, V.; Tokach; Tollefson; Tomac; Trautman; Ulmer; Urlacher; Vander Vorst; Watne; Wentz; Wilkie; Williams, A.; Williams, W.

NAYS: Goetz; Hanson, L.; Hausauer, A.; Hoffner; Howard; Lindgren; Murphy; Olson, V.; Thompson, K.; Timm; Wald; Whalen; Speaker Kretschmar

ABSENT AND NOT VOTING: Anderson, R.; Schneider

HB 1491 passed and the title was agreed to.

HB 1493: A BILL for an Act to amend and reenact section 16.1-07-07 of the North Dakota Century Code, relating to applications for absentee ballots.

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

HB 1493 passed and the title was agreed to.

HB 1517: A BILL for an Act to create and enact a new section to chapter 15-10 of the North Dakota Century Code, relating to the amount of tuition charged at the state institutions of higher education.

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, 59 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Berg, G.; Berg, R.; Bernstein; Brokaw; Carlson; Clayburgh; DeMers, J.; Flaagan; Frey; Gerhardt; Gerl; Gilmore; Gorman; Graba; Hanson, L.; Hausauer, R.; Hoffner; Howard; Huether; Kaldor; Kelly; Kolbo; Lang; Laughlin; Myrdal; Oban; Olson, A.; Peterson; Ring; Schatz; Schneider; Shaft; Shockman; Soukup; Stenehjem;

Stofferahn; Timm; Ulmer; Vander Vorst; Watne; Wentz; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: Aas; Belter; Christman; Dalrymple; DeMers, P.; Dorso; Enget; Gates; Gerntholz; Goetz; Gunsch; Halmrast; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hokana; Jensen; Kingsbury; Kloube; Knell; Kouba; Larson, D.; Larson, R.; Lindgren; Marks; Martin; Martinson; Melby; Mertens; Murphy; Nelson; Ness; Nicholas; Nowatzki; Olsen, D.; Olson, V.; O'Shea; Payne; Rydell; Scherber; Schindler; Schmidt; Shide; Skjerven; Smette; Solberg; Sorensen; Starke; Thompson, K.; Thompson, V.; Tokach; Tollefson; Tomac; Trautman; Urlacher; Wald; Whalen; Wilkie

ABSENT AND NOT VOTING: Anderson, R.

HB 1517 lost.

HB 1531: A BILL for an Act to amend and reenact section 39-04-10.3 of the North Dakota Century Code, relating to personalized plates for motorcycles.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 94 YEAS, 8 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Belter; Berg, G.; Berg, R.; Bernstein; Brokaw; Carlson; Christman; Clayburgh; Dalrymple; DeMers, J.; DeMers, P.; Enget; Flaagan; Frey; Gates; Gerhardt; Gerntholz; Gilmore; Gorman; Graba; Gunsch; Halmrast; Hanson, L.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hoffner; Hokana; Howard; Huether; Jensen; Kaldor; Kelly; Kingsbury; Kloube; 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; Schindler; Schmidt; Schneider; Shaft; Shide; Shockman; Skjerven; Smette; Solberg; Sorensen; Soukup; Starke; Stofferahn; Thompson, K.; Thompson, V.; Timm; Tokach; Tomac; Trautman; Ulmer; Urlacher; Watne; Wentz; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: Aas; Hanson, O.; Scherber; Stenehjem; Tollefson; Vander Vorst; Wald; Whalen

ABSENT AND NOT VOTING: Anderson, R.; Dorso; Gerl; Goetz

HB 1531 passed and the title was agreed to.

MOTION

REP. KLOUBEC MOVED that HB 1553 be placed at the bottom of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1619: A BILL for an Act to amend and reenact section 12.1-23-03 and subsection 10 of section 12.1-23-10 of the North Dakota Century Code, relating to theft of services.

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, 90 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Berg, R.; Clayburgh; Hoffner; Jensen; Kingsbury; Martinson; Murphy; Oban; Sorensen; Ulmer

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

ABSENT AND NOT VOTING: Anderson, R.; Gerl; Hanson, O.; Kloubec; Lang; Rydell

HB 1619 lost.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3018: A concurrent resolution urging the Board on Geographic Names to recommend that the Secretary of the Interior change the name of Lake Audubon to Lake Sivert Thompson.

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

HCR 3018 lost on a voice vote.

SECOND READING OF HOUSE BILL

HB 1553: A BILL for an Act to create and enact a new section to chapter 60-02 of the North Dakota Century Code, relating to posting signs in warehouses designating commodity groups and providing refund information.

MOTION

REP. SCHMIDT 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 39 YEAS, 59 NAYS, 8 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Brokaw; Carlson; DeMers, J.; DeMers, P.; Frey; Gerl; Gilmore; Graba; Halmrast; Hanson, L.; Hoffner; Hokana; Huether; Kaldor; Kelly; Kolbo; Laughlin; Marks; Mertens; Nelson; Ness; Oban; O'Shea; Ring; Scherber; Schneider; Shockman; Skjerven; Starke; Stofferahn; Tomac; Ulmer; Watne; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

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

ABSENT AND NOT VOTING: Anderson, R.; Berg, G.; Flaagan; Hanson, O.; Peterson; Shaft; Thompson, V.; Urlacher

HB 1553 lost.

**SECOND READING OF HOUSE CONCURRENT RESOLUTIONS
ON CONSENT CALENDAR**

HCR 3006: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of consolidating various organizational and investment functions of the Public Employees Retirement System, Teachers' Fund for Retirement, and State Investment Board.

HCR 3041: A concurrent resolution designating the fourth Wednesday of each September through the year 2000 to be American Indian and Alaska Native Youth Day and urging the communities of North Dakota to support and participate in appropriate activities.

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

The resolutions were adopted on a voice vote.

HOUSE ENROSSING REPORT

The following bills were engrossed: HB 1142, HB 1212, HB 1254, HB 1258, HB 1266, HB 1271, HB 1335, HB 1390, HB 1417, HB 1434, HB 1483, HB 1487, HB 1521, HB 1600, HB 1631.

MOTIONS

REP. KLOUBEC MOVED that House Rule 326, paragraphs 1 and 2, with reference to bills being rereferred to the Committee on Appropriations, and House Rule 507, with reference to bills held in committee for more than 21 legislative days, be extended for one week, until Friday, February 10, 1989, 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 1:00 p.m., Monday, February 6, 1989, which motion prevailed.

REPORTS OF STANDING COMMITTEES

MR. SPEAKER: Your Committee on Appropriations (Rep. Peterson, Chairman) to which was referred HB 1015 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 1, replace "making" with "to make"

Page 1, line 2, after "Dakota" insert "; and to amend and reenact section 54-14-03.2 of the North Dakota Century Code, relating to claims against the state"

Page 2, after line 20, insert:

"SECTION 4. AMENDMENT. Section 54-14-03.2 of the 1987 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

54-14-03.2. Claims against the state - Acts of residents of state institutions.

1. Any individual injured by an act of a resident or an inmate of a state institution may submit a claim to the office of the budget state institution where the act occurred. As used in this section, "claim" means a monetary demand upon the state for personal injury or property damage arising from an act of a resident or an inmate of a state institution, and "state institution" means the state hospital, Grafton state school, ~~San Haven~~, state penitentiary, state farm, North Dakota industrial school, school for the blind, and school for the deaf.
2. The office of the budget state institution may approve a claim for less than two thousand five hundred dollars. If the claim is approved by the office of the budget, the office shall apply to the emergency commission for an amount from the contingency fund sufficient to pay the claim. It shall be conclusively presumed upon the receipt of such application by the emergency commission that an emergency exists, and the commission shall direct the transfer of the requested amount to the office of the budget from the contingency fund. The office of the budget, upon receipt of the transfer from the contingency fund, shall pay the claim and submit the claim to the office of the budget for processing. The expenditure for the claim must be drawn from the state institution's appropriation authority.
3. The office of the budget shall forward any claim exceeding two thousand five hundred dollars to the emergency commission with the office's recommendation. If the claim is approved by the emergency commission, it shall be conclusively presumed that an emergency exists, and the commission shall direct the transfer of the approved amount to the office of the budget from the contingency fund. The office of the budget, upon receipt of the transfer from the contingency fund, shall pay the claim.

- ~~4.~~ Decisions of the ~~office of the budget or the emergency commission state institution~~ partially or totally denying a claim may not be appealed to any court of this state.
- ~~5.~~ 4. Claims may not be submitted to the legislative assembly unless the claim has been partially or totally denied by the office of the budget or the emergency commission state institution.
- ~~6.~~ 5. This section does not apply to a resident or an inmate of a state institution who is injured by another resident or inmate of a state institution."

Renumber accordingly

HB 1015 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 1034 has had the same under consideration and recommends by a vote of 10 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS and be rereferred to the Committee on Appropriations:

Page 1, line 10, after the fourth comma insert "physical effort,"

Renumber accordingly

HB 1034 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 1035 has had the same under consideration and recommends by a vote of 12 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS and be rereferred to the Committee on Appropriations:

Page 1, line 12, remove "Compensation"

Page 1, remove lines 13 and 14

Page 1, line 18, remove the second "one"

Page 1, remove lines 19 through 21

Page 1, line 22, remove "municipal employees;"

Page 2, line 2, after the semicolon insert "one member appointed by the board of directors of the North Dakota county commissioners association;", replace "and two" with "one", replace "employees" with "employee", and remove "one"

Page 2, line 3, after "education" insert a semicolon, replace "one" with "two employees" and after "governor" insert "from a list of classified employees submitted by employee organizations to the governor"

Renumber accordingly

HB 1035 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 1036 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 8, remove "An insurance company, nonprofit health"

Page 1, remove lines 9 through 17

Page 1, line 18, remove "part of the employer's employee group."

Page 1, line 20, remove "also"

Page 2, line 6, replace "twenty" with "seventeen and one-half"

Renumber accordingly

HB 1036 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 1184 has had the same under consideration and recommends by a vote of 7 YEAS, 6 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, replace "two" with "a" and replace "sections" with "section"

Page 1, line 2, remove "and"

Page 1, line 5, after "wagering" insert "; and to declare an emergency"

Page 2, remove lines 19 through 27

Page 3, remove lines 1 through 3

Page 3, line 4, replace "12." with "9."

Page 3, line 8, replace "13." with "10."

Page 3, line 11, replace "14." with "11."

Page 3, line 12, replace "15." with "12."

Page 3, line 17, replace "16." with "13."

Page 5, line 1, overstrike "full" and insert immediately thereafter "such" and after "office" insert "as the commission may prescribe"

Page 9, line 6, after "and" insert ", interim standards that need not comply with chapter 28-32, or"

Page 9, remove lines 11 through 29

Page 10, remove lines 1 through 6

Page 10, after line 6, insert:

"SECTION 9. EMERGENCY. This Act is declared to be an emergency measure."

Re-number accordingly

HB 1184 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 1192 has had the same under consideration and recommends by a vote of 13 YEAS, 3 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 4, remove "6," and remove the third comma

Page 3, line 15, remove "6," and remove the second comma

Page 3, remove lines 18 through 29

Re-number accordingly

HB 1192 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 1198 has had the same under consideration and recommends by a vote of 9 YEAS, 3 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 "blind shall also act as"

Page 1, line 17, remove "superintendent for the school of the" and overstrike "deaf"

Page 1, line 20, after "institution" insert "deaf shall also act as superintendent of the school for the blind"

Re-number accordingly

HB 1198 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 1199 has had the same under consideration and recommends by a vote of 11 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 22, after "patrol" insert "commander of the civil air patrol or the"

Re-number accordingly

HB 1199 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 1261 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 BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION:

Page 1, line 1, remove "create and enact a new section to chapter 54-44.4 of the"

Page 1, remove lines 2 and 3

Page 1, line 4, remove "state agencies, institutions, and other instrumentalities; and to"

Page 1, line 5, replace "sections" with "section" and remove "and 54-44.4-05"

Page 1, line 7, remove "and competitive bidding on state"

Page 1, line 8, remove "purchases"

Page 1, line 20, after "additives" insert ", including aromatics, ethers, and alcohols"

Page 2, remove lines 3 through 25

Renumber accordingly

HB 1261 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 1318 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 9, remove the overstrike over "five", remove "two", remove "of the stamps", and overstrike "," and the "and" and insert immediately thereafter "of the stamps. The total discounts under this section for any distributor may not exceed five thousand dollars in any quarterly period. The"

Renumber accordingly

HB 1318 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 1333 has had the same under consideration and recommends by a vote of 8 YEAS, 5 NAYS, 4 ABSENT AND NOT VOTING that the same DO NOT PASS.

HB 1333 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 1334 has had the same under consideration and

recommends by a vote of 11 YEAS, 1 NAY, 5 ABSENT AND NOT VOTING that the same DO NOT PASS.

HB 1334 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 1339 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 3, after "commission" insert "; and to provide an appropriation"

Page 1, line 9, remove "by the industrial commission" and replace "An applicant for certification" with "A welder"

Page 1, line 10, after "commission" insert "for verification"

Page 1, line 12, replace "positions two-G and five-G or the equivalent" with "section nine position six-G"

Page 1, line 15, replace "welder is" with "welder's"

Page 1, line 16, replace "certified" with "certification has been verified"

Page 1, line 18, after "violation" insert "and shall pay all legal, administrative, and other costs incurred by the commission in investigating and litigating a violation" and replace "ten" with "twenty-five"

Page 1, line 19, after "for" insert "verifying a" and after the period insert "Annual fees collected under this section must be deposited into the state treasury in a special revolving fund. All moneys in the fund are hereby appropriated to the commission on a continuing basis to be used in administering this section."

Renumber accordingly

HB 1339 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 1354 has had the same under consideration and recommends by a vote of 10 YEAS, 2 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 3, remove "in"

Page 1, line 4, remove "cases where third parties are ultimately liable"

Page 1, line 11, replace "and who is not" with "must be"

Page 1, line 13, replace "by a third party liable to reimburse the state or the" with a period

Page 1, remove lines 14 through 18

ReNUMBER accordingly

HB 1354 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 1387 has had the same under consideration and recommends by a vote of 11 YEAS, 1 NAY, 5 ABSENT AND NOT VOTING that the same DO PASS.

HB 1387 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 1391 has had the same under consideration and recommends by a vote of 15 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, after the period insert "1."

Page 1, line 17, replace "1." with "a."

Page 1, line 19, replace "2." with "b."

Page 1, line 22, replace "3." with "c."

Page 1, after line 22, insert:

"2. This section does not apply to individually guaranteed renewable supplemental specified disease, long-term care, or other limited benefit policies."

ReNUMBER accordingly

HB 1391 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Political Subdivisions (Rep. Lindgren, Chairman) to which was referred HB 1394 has had the same under consideration and recommends by a vote of 13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

HB 1394 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Political Subdivisions (Rep. Lindgren, Chairman) to which was referred HB 1404 has had the same under consideration and recommends by a vote of 11 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

HB 1404 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Political Subdivisions (Rep. Lindgren, Chairman) to which was referred HB 1412 has had the same under consideration and recommends by a vote of 12 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same DO PASS.

HB 1412 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Political Subdivisions (Rep. Lindgren, Chairman) to which was referred HB 1414 has had the same under consideration and recommends by a vote of 7 YEAS, 5 NAYS, 3 ABSENT AND NOT VOTING that the same DO NOT PASS.

HB 1414 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Political Subdivisions (Rep. Lindgren, Chairman) to which was referred HB 1441 has had the same under consideration and recommends by a vote of 11 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING that the same DO NOT PASS.

HB 1441 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 1450 has had the same under consideration and recommends by a vote of 12 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING that the same DO PASS.

HB 1450 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Political Subdivisions (Rep. Lindgren, Chairman) to which was referred HB 1463 has had the same under consideration and recommends by a vote of 12 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same DO PASS.

HB 1463 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 1485 has had the same under consideration and recommends by a vote of 13 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 3, line 10, overstrike "taxes" and insert immediately thereafter "assessments"

Page 3, line 13, overstrike "taxes" and insert immediately thereafter "assessments"

Page 5, line 3, overstrike "Tax" and insert immediately thereafter "Assessments"

Page 6, line 13, after the period insert "However, for flax, emphasis should be given to utilize the assessment, except for that portion of the assessment necessary to administer the flax assessment, for nutritional and therapeutic research."

Page 6, line 27, overstrike "tax" and insert immediately thereafter "assessment"

Page 7, line 2, remove the underscored comma

Page 7, line 3, remove "safflower, rapeseed or canola, crambe, and flax" and overstrike "tax" and insert immediately thereafter ", safflower, rapeseed or canola, crambe, and flax assessment"

Page 7, line 15, overstrike "tax" and insert immediately thereafter "assessment"

Page 7, line 17, overstrike "taxes assessed" and insert immediately thereafter "assessments"

ReNUMBER accordingly

HB 1485 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 1489 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 the second "and" with a comma

Page 1, line 4, after "courses" insert ", and to reporting requirements"

Page 1, line 9, replace "Exception" with "Exceptions"

Page 1, line 18, remove ", insurance broker, surplus lines"

Page 1, line 19, remove "insurance broker, or insurance consultant"

Page 1, line 21, remove "No credit for continuing education may be"

Page 1, remove line 22

Page 2, remove lines 1 and 2

Page 2, line 3, remove "or employee of a state agency."

Page 2, line 17, overstrike "four-year" and insert immediately thereafter "two-year"

Page 2, line 18, overstrike ", except as provided in subsection 2"

Page 2, line 19, replace "an" with "a life" and replace ", insurance" with "who is at least sixty-two years of age"

Page 2, line 20, replace "broker, surplus lines insurance broker, or insurance consultant" with "and"

Page 2, line 21, remove ", broker, or"

Page 2, line 22, remove "consultant, or a combination thereof."

Page 2, line 23, replace "eighty" with "eighty-five" and after the period insert "No continuing education is required of an insurance agent who sells only group credit life or group credit accident and health insurance to cover an indebtedness."

Page 2, line 25, overstrike "four" and insert immediately thereafter "two"

Page 2, line 27, overstrike "One-fourth" and insert immediately thereafter "One-half"

Page 3, line 1, overstrike "first year under this section" and insert immediately thereafter "previous two years"

Page 3, line 2, overstrike "1, 1987" and insert immediately thereafter "first of every odd-numbered year"

Page 3, line 3, overstrike "One-fourth" and insert immediately thereafter "One-half"

Page 3, line 5, overstrike "first" and insert immediately thereafter "previous" and overstrike "under this section"

Page 3, line 6, overstrike "1, 1988" and insert immediately thereafter "first of every even-numbered year"

Page 3, overstrike lines 7 through 14

Page 3, line 15, overstrike "1987" and insert immediately thereafter "1989"

Page 3, line 17, overstrike "fourth" and insert immediately thereafter "second"

Re-number accordingly

HB 1489 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 1504 has had the same under consideration and recommends by a vote of 11 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING that the same DO NOT PASS and be rereferred to the Committee on Appropriations.

HB 1504 was rereferred to the Committee on Appropriations.

MR. SPEAKER: Your Committee on Agriculture (Rep. Nicholas, Chairman) to which was referred HB 1551 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 NOT PASS.

HB 1551 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Appropriations (Rep. Peterson, Chairman) to which was referred HB 1601 has had the same under consideration and recommends by a vote of 19 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 2, after the first semicolon insert "to amend and reenact subsection 5 of section 20 of chapter 70 of the 1987 Session Laws of North Dakota, relating to the sale of the blue book;"

Page 1, after line 12, insert:

"SECTION 2. AMENDMENT. Subsection 5 of section 20 of chapter 70 of the 1987 Session Laws of North Dakota is hereby amended and reenacted to read as follows:

5. After making the distribution required by subsection 4, the secretary of state shall provide for the sale of the Blue Book through state agencies and may negotiate with North Dakota licensed private vendors and state agencies to allow for sales at various locations throughout the state. The secretary of state shall establish the price of the Blue Book. ~~All proceeds received by the state must be deposited in the state general fund."~~

Page 1, line 14, remove "The office of management and"

Page 1, remove lines 15 and 16

Re-number accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amends the 1987 Session Laws to provide that the Secretary of State does not have to deposit the proceeds from the sale of the Blue Book Centennial edition in the state general fund as required by Senate Bill No. 2523 passed by the 1987 Legislative Assembly. Changing the language in the Session Laws will provide that the language is compatible with the bill so that the proceeds from the sale of the Blue Book can be deposited into the Blue Book fund. The amendment also provides that the unobligated moneys in the Blue Book fund as of June 30, 1991, do not have to be transferred to the state general fund.

HB 1601 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Agriculture (Rep. Nicholas, Chairman) to which was referred HB 1626 has had the same under consideration and recommends by a vote of 13 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS and be referred to the Committee on Appropriations:

Page 1, line 3, remove "to amend and reenact subsection 4 of section 63-01.1-06"

Page 1, remove line 4

Page 1, line 5, remove "for noxious weed control;"

Page 1, remove lines 7 through 15

Page 2, line 2, remove "The commissioner"

Page 2, remove lines 3 and 4

Re-number accordingly

HB 1626 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

FIRST READING OF HOUSE CONCURRENT RESOLUTION

Reps. D. Larson, Sorensen, Timm and Sens. Todd, Olson, Nalewaja introduced:
HCR 3050: A concurrent resolution directing the Legislative Council to study the fees charged by agencies, boards, commissions, departments, and other instrumentalities of the state and its political subdivisions.
Was read the first time and referred to the Committee on State and Federal Government.

FIRST READING OF SENATE BILLS

SB 2048: A BILL for an Act to create and enact a new section to chapter 23-06.1 and two new sections to chapter 23-07 of the North Dakota Century Code, relating to testing anatomical gifts for exposure to the human immunodeficiency virus and to testing of inmates, certain convicted individuals, and hospital patients for exposure to the human immunodeficiency virus; and to amend and reenact sections 14-10-17, 19-02.1-19, 23-07-01, 23-07-03, 23-07-07, 23-07-08, 23-07-09, 23-07-21, and 53-03-03 of the North Dakota Century Code, relating to sexually transmitted disease.
Was read the first time and referred to the Committee on Judiciary.

SB 2049: A BILL for an Act to create and enact sections 23-07-02.1 and 23-07-02.2 of the North Dakota Century Code, relating to the reporting of cases of human immunodeficiency virus infection; to amend and reenact sections 23-07-02 and 23-07-21 of the North Dakota Century Code, relating to reportable diseases and penalties; and to provide a penalty.
Was read the first time and referred to the Committee on Judiciary.

SB 2050: A BILL for an Act to provide for informed consent to testing for antibodies to the human immunodeficiency virus and confidentiality of test results; and to provide a penalty.
Was read the first time and referred to the Committee on Judiciary.

SB 2051: A BILL for an Act to amend and reenact sections 14-02.4-02 and 14-02.4-03 of the North Dakota Century Code, relating to definitions and employer's discriminatory practices under the Human Rights Act.
Was read the first time and referred to the Committee on Judiciary.

SB 2052: A BILL for an Act to create and enact a new section to chapter 12.1-20 and chapter 23-07.4 of the North Dakota Century Code, relating to transfer of body fluids that may contain the human immunodeficiency virus and public health procedures for persons with the human immunodeficiency virus infection; and to provide a penalty.
Was read the first time and referred to the Committee on Judiciary.

SB 2053: A BILL for an Act to create and enact a new chapter to title 23 of the North Dakota Century Code, relating to quarantine procedure for persons with communicable diseases; and to amend and reenact sections 23-03-08, 23-05-01, 23-07-06, 23-07-13, and 40-06-01 of the North Dakota Century Code, relating to quarantine authority of local boards of health.
Was read the first time and referred to the Committee on Judiciary.

SB 2060: A BILL for an Act to amend and reenact section 27-20-17 of the North Dakota Century Code, relating to the removal of an alleged sexual offender from the residence of a child as a condition of release of the child from shelter care under the Uniform Juvenile Court Act.

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

SB 2071: A BILL for an Act to amend and reenact section 4-24-09 of the North Dakota Century Code, relating to the investment income allocation of the soybean fund.

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

SB 2083: A BILL for an Act to amend and reenact subsection 1 of section 57-02-08.1 of the North Dakota Century Code, relating to retention of property tax credits for persons confined to certain care facilities and to limit benefits to living applicants; and to provide an effective date.

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

SB 2101: A BILL for an Act to amend and reenact subsections 1 and 6 of section 45-10.1-01, sections 45-10.1-05, 45-10.1-08, 45-10.1-09, 45-10.1-11, 45-10.1-12, 45-10.1-18, 45-10.1-20, 45-10.1-22, subsection 2 of section 45-10.1-23, section 45-10.1-25, subsections 4 and 5 of section 45-10.1-26, sections 45-10.1-31, 45-10.1-32, 45-10.1-33, 45-10.1-34, 45-10.1-36, 45-10.1-38, subsection 3 of section 45-10.1-41, and sections 45-10.1-45, 45-10.1-47, 45-10.1-52, 45-10.1-60, and 45-12-01 of the North Dakota Century Code, relating to the Uniform Limited Partnership Act.

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

SB 2206: A BILL for an Act to create and enact a new subsection to section 51-05.1-04 and a new section to chapter 51-05.1 of the North Dakota Century Code, relating to auctioneers and auction clerks and related definitions; to amend and reenact subdivision b of subsection 1 of section 51-05.1-03 and section 51-05.1-07 of the North Dakota Century Code, relating to auctioneers and auction clerks; and to provide a penalty.

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

SB 2216: A BILL for an Act to create and enact a new section to chapter 6-09 and two new sections to chapter 15-08.1 of the North Dakota Century Code, relating to transfer of certain property to and the management of certain property by the Bank of North Dakota; to amend and reenact sections 15-08.1-03, 15-08.1-05, 15-08.1-06, and 15-08.1-08 of the North Dakota Century Code, relating to property held by the Bank of North Dakota or the board of university and school lands; and to repeal 15-08.1-02, 15-08.1-04, and 15-08.1-07 of the North Dakota Century Code, relating to transfer of interests in realty from the Bank of North Dakota.

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

SB 2218: A BILL for an Act to provide for the protection of paleontological resources; to amend and reenact section 55-02-07, subsection 1 of section 55-03-00.1, and sections 55-03-02 and 55-03-07 of the North Dakota Century Code, relating to the protection of paleontological resources; and to provide a penalty.

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

SB 2238: A BILL for an Act to amend and reenact sections 39-20-01, 39-20-03.1, 39-20-04, and subsection 1 of section 39-20-04.1 of the

North Dakota Century Code, relating to juvenile custody under implied consent, taking possession of operators' licenses on arrest for alcohol offenses, and reports on arrest to the highway commissioner.

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

SB 2296: A BILL for an Act to create and enact a new section to chapter 32-19 of the North Dakota Century Code, relating to the disposition of personal property following completion of mortgage foreclosure actions.

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

SB 2325: A BILL for an Act to create and enact a new subsection to section 4-30-01 of the North Dakota Century Code, relating to the definition of dairy animal; to amend and reenact subsections 25, 48, and 51 of section 4-30-01 and section 4-30-45 of the North Dakota Century Code, relating to the definition of milk; and to declare an emergency.

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

SB 2339: A BILL for an Act to amend and reenact section 35-05-01.1 and subsection 2 of section 41-09-42 of the North Dakota Century Code, relating to crop liens and filing of financing statements.

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

SB 2356: A BILL for an Act to create and enact a new section to chapter 14-09 of the North Dakota Century Code, relating to modification of support obligations for children after majority.

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

SB 2377: A BILL for an Act to amend and reenact section 15-47-38.1 of the North Dakota Century Code, relating to the nonrenewal of superintendents' contracts.

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

SB 2405: A BILL for an Act to authorize the expansion of Oxford House at the university of North Dakota; and to provide an appropriation.

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

FIRST READING OF SENATE CONCURRENT RESOLUTION

SCR 4018: A concurrent resolution urging the Congress of the United States to increase appropriations for Indian health care.

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

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

ROY GILBREATH, Chief Clerk