

JOURNAL OF THE HOUSE

Fifty-first Legislative Assembly

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Bismarck, February 13, 1989

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

The prayer was offered by Sister Marie Hunkler, Chaplain, St. Vincent's Nursing Home, Bismarck.

The roll was called and all Representatives were present, except Representatives Nowatzki, Rydell, Shaft, and Shockman.

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-eighth Day and finds it to be correct.

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

POINT OF PERSONAL PRIVILEGE

REP. SHOCKMAN: Mr. Speaker: I rise on a point of personal privilege and request that my remarks be printed in the Journal.

My green light did not work and I was present when the roll was called.

CHAPLAINCY SCHEDULE
FEBRUARY 13-17

DATE	CHURCH
13	Sister Marie Hunkler, Chaplain ... St. Vincent's Nursing Home, Bismarck
14	Rev. Ronald Gouch First United Methodist Church, Mandan
15	Rev. John Nicolai Trinity Lutheran Church, Bismarck
16	Rev. Duane Maracle Seventh Day Adventist Church, Mandan
17	Rev. Richard Smith Trinity Lutheran Church, Westhope

HOUSE ENGROSSING REPORT

The following bills were engrossed: HB 1058, HB 1132, HB 1230, HB 1292, HB 1332, HB 1410, HB 1436, HB 1438, HB 1513, HB 1539, HB 1546, HB 1558, HB 1583, HB 1611, HB 1625, HB 1627, HB 1651.

MOTION

REP. KLOUBEC MOVED that the rules be suspended and that the committee reports on HB 1016, HB 1213, HB 1296, HB 1300, HB 1324, HB 1459, HB 1515, HB 1535, HB 1565, HB 1608, and HCR 3045 recommending amendments on the Sixth order of business on the legislative calendar of the Twenty-ninth Day be adopted, which motion prevailed.

SIXTH ORDER OF BUSINESS

REP. PETERSON MOVED that the amendments to HB 1016 as recommended by the Committee on Appropriations as printed on pages 667-669 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

HB 1016 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. WHALEN MOVED that the amendments to HB 1213 as recommended by the Committee on Industry, Business and Labor as printed on page 672 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

HB 1213 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. A. OLSON MOVED that the amendments to HB 1296 as recommended by the Committee on Natural Resources as printed on pages 673-674 of the House Journal be adopted, and when so adopted, recommends the same DO NOT PASS.

HB 1296 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. A. OLSON MOVED that the amendments to HB 1300 as recommended by the Committee on Natural Resources as printed on pages 674-675 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

HB 1300 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. A. OLSON MOVED that the amendments to HB 1324 as recommended by the Committee on Natural Resources as printed on page 675 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

HB 1324 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. A. OLSON MOVED that the amendments to HB 1459 as recommended by the Committee on Natural Resources as printed on pages 676-677 of the House Journal be adopted, and when so adopted, recommends the same DO NOT PASS.

HB 1459 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. WHALEN MOVED that the amendments to HB 1515 as recommended by the Committee on Industry, Business and Labor as printed on page 677 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

HB 1515 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. GATES MOVED that the amendments to HB 1535 as recommended by the Committee on Education as printed on pages 677-678 of the House Journal be adopted, and when so adopted, recommends the same DO NOT PASS.

HB 1535 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. LINDGREN MOVED that the amendments to HB 1565 as recommended by the Committee on Political Subdivisions as printed on page 678 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

HB 1565 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. WHALEN MOVED that the amendments to HB 1608 as recommended by the Committee on Industry, Business and Labor as printed on page 679 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

HB 1608 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. GATES MOVED that the amendments to HCR 3045 as recommended by the Committee on Education as printed on pages 680-681 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

HCR 3045 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. PETERSON MOVED that the amendments to HB 1018 as recommended by the Committee on Appropriations as printed on pages 669-671 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

HB 1018 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

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

MR. SPEAKER: The Senate has passed and your favorable consideration is requested on: SB 2018, SB 2020, SB 2094, SB 2169, SB 2207, SB 2247, SB 2252, SB 2363, SB 2372, SB 2493, SB 2496, SCR 4011, SCR 4025, SCR 4035.

MOTION

REP. V. THOMPSON MOVED that the House reconsider its action whereby HB 1533 failed to pass.

REQUEST

REP. PETERSON REQUESTED a recorded roll call vote on the motion to reconsider the action whereby HB 1533 failed to pass, which request was granted.

ROLL CALL

The question being on the motion to reconsider the action whereby HB 1533 failed to pass, the roll was called and there were 44 YEAS, 60 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, R.; Berg, G.; Berg, R.; Bernstein; Carlson; Clayburgh; DeMers, J.; DeMers, P.; Dorso; Flaagan; Frey; Gerl; Gilmore; Graba; Hausauer, R.; Hoffner; Hokana; Huether; Jensen; Kelly; Larson, R.; Lindgren; Mertens; Ness; Nicholas; Oban; O'Shea; Peterson; Ring; Rydell; Scherber; Schneider; Shaft; Shockman; Skjerven; Stofferahn; Thompson, V.; Timm; Ulmer; Watne; Wilkie; Williams, W.; Speaker Kretschmar

NAYS: Aas; Anderson, B.; Belter; Brokaw; Christman; Dalrymple; Enget; Gates; Gerhardt; Gerntholz; Goetz; Gorman; Gunsch; Halmrast; Hanson, O.; Haugen; Haugland; Hausauer, A.; Howard; Kaldor; Kingsbury; Kloubec; Knell; Kolbo; Kouba; Lang; Larson, D.; Laughlin; Marks; Martin; Martinson; Melby; Murphy; Myrdal; Nelson; Olsen, D.; Olson, A.; Olson, V.; Payne; Schatz; Schindler; Schmidt; Shide; Smette; Solberg; Sorensen; Soukup; Starke; Stenehjem; Thompson, K.; Tokach; Tollefson; Tomac; Trautman; Urlacher; Vander Vorst; Wald; Wentz; Whalen; Williams, A.

ABSENT AND NOT VOTING: Hanson, L.; Nowatzki

So the motion to reconsider the action whereby HB 1533 failed to pass, failed.

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 1036, HB 1123, HB 1124, HB 1275, HB 1404.

MOTION

REP. SCHATZ MOVED that the House reconsider its action whereby the amendments to HB 1625 were adopted and HB 1625 was placed on the Eleventh order of business on the calendar, which motion prevailed.

The question then was on the motion of Rep. Gates to adopt the amendments to HB 1625, as printed on page 647 of the House Journal.

REQUEST

REP. D. OLSEN REQUESTED a recorded roll call vote on the motion to adopt the amendments to HB 1625, which request was granted.

ROLL CALL

The question being on the motion to adopt the amendments to HB 1625, the roll was called and there were 45 YEAS, 59 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Berg, G.; Brokaw; DeMers, J.; DeMers, P.; Enget; Flaagan; Frey; Gates; Gerl; Gorman; Graba; Halmrast; Hanson, L.; Haugland; Hausauer, R.; Hoffner; Hokana; Huether; Jensen; Kaldor; Kelly; Kloubec; Kolbo; Larson, R.; Laughlin; Lindgren; Mertens; Ness; Oban; Payne; Ring; Scherber; Skjerven; Sorensen; Starke; Stenehjem; Stofferahn; Trautman; Ulmer; Watne; Wentz; Williams, A.; Speaker Kretschmar

NAYS: Aas; Anderson, R.; Belter; Berg, R.; Bernstein; Carlson; Christman; Clayburgh; Dalrymple; Dorso; Gerhardt; Gerntholz; Gilmore; Goetz; Gunsch; Hanson, O.; Haugen; Hausauer, A.; Howard; Kingsbury; Knell; Kouba; Lang; Larson, D.; Marks; Martin; Martinson; Melby; Murphy; Myrdal; Nelson; Nicholas; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Rydell; Schatz; Schindler; Schmidt; Schneider; Shaft; Shide; Shockman; Smette; Solberg; Soukup; Thompson, K.; Thompson, V.; Timm; Tokach; Tollefson; Tomac; Urlacher; Vander Vorst; Wald; Whalen; Wilkie; Williams, W.

ABSENT AND NOT VOTING: Nowatzki; Peterson

So the motion to adopt the amendments to HB 1625 failed.

MOTION

REP. KLOUBEC MOVED that HB 1625 be placed at the top of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILLS

HB 1625: A BILL for an Act to provide for instruction and testing of high school students in the principles of the founding of the United States' system of government.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 40 YEAS, 64 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Aas; Anderson, R.; Belter; Berg, R.; Bernstein; Clayburgh; Dalrymple; Dorso; Goetz; Gorman; Gunsch; Hanson, O.; Haugen; Howard; Kingsbury; Knell; Kouba; Lang; Larson, D.; Martin; Melby; Myrdal; Nicholas; Olsen, D.; Olson, A.; Schatz; Schindler; Schmidt; Shaft; Shide; Skjerven; Smette; Thompson, K.; Tokach; Tollefson; Tomac; Urlacher; Vander Vorst; Wald; Whalen

NAYS: Aarsvold; Anderson, B.; Berg, G.; Brokaw; Carlson; Christman; DeMers, J.; DeMers, P.; Enget; Flaagan; Frey; Gates; Gerhardt; Gerl; Gerntholz; Gilmore; Graba; Halmrast; Hanson, L.; Haugland; Hausauer, A.; Hausauer, R.; Hoffner; Hokana; Huether; Jensen; Kaldor; Kelly; Kloubec; Kolbo; Larson, R.; Laughlin; Lindgren; Marks; Martinson; Mertens; Murphy; Nelson; Ness; Oban; Olson, V.; O'Shea; Payne; Ring; Rydell; Scherber; Schneider; Shockman; Solberg; Sorensen; Soukup; Starke; Stenehjem; Stofferahn; Thompson, V.; Timm; Trautman; Ulmer; Watne; Wentz; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

ABSENT AND NOT VOTING: Nowatzki; Peterson

HB 1625 lost.

HB 1058: A BILL for an Act to establish a program of protective services for vulnerable adults; to repeal section 14-07.1-09 of the North Dakota Century Code, relating to immunity for making reports and penalties for making false reports; to provide a penalty; 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 97 YEAS, 5 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; Dorso; 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; Kloubec; Kolbo; Kouba; Lang; Larson, D.; Larson, R.; Laughlin; Lindgren; Marks; Martin; Martinson; Melby; Mertens; Murphy; Myrdal; Nelson; Ness; Nicholas; 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, V.; Timm; Tollefson; Tomac; Trautman; Ulmer; Urlacher; Vander Vorst; Wald; Watne; Wentz; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: Gunsch; Kingsbury; Knell; Thompson, K.; Tokach

ABSENT AND NOT VOTING: Gerl; Nowatzki; Peterson; Whalen

HB 1058 passed and the title was agreed to.

MOTION

REP. KLOUBEC MOVED that 500 copies of Reengrossed HB 1058 be reprinted, which motion prevailed.

SECOND READING OF HOUSE BILLS

HB 1132: A BILL for an Act to amend and reenact section 57-38-01.7 of the North Dakota Century Code, relating to tax credits for charitable contributions to nonprofit institutions of higher education.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 17 YEAS, 86 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Berg, R.; Carlson; Dalrymple; DeMers, J.; Dorso; Gerntholz; Gorman; Kelly; Kloubec; Kolbo; Larson, D.; Murphy; Payne; Ring; Shide; Timm

NAYS: Aas; Anderson, B.; Anderson, R.; Belter; Berg, G.; Bernstein; Brokaw; Christman; Clayburgh; DeMers, P.; Enget; Flaagan; Frey; Gates; Gerhardt; Gilmore; Goetz; Graba; Gunsch; Halmrast; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hoffner; Hokana; Howard; Huether; Jensen; Kaldor; Kingsbury; Knell; Kouba; Lang; Larson, R.; Laughlin; Lindgren; Marks; Martin; Martinson; Melby; Mertens; Myrdal; Nelson; Ness; Nicholas; Oban; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Rydell; Schatz; Scherber; Schindler; Schmidt; Schneider; Shaft; 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

ABSENT AND NOT VOTING: Gerl; Nowatzki; Peterson

HB 1132 lost.

HB 1292: A BILL for an Act to create and enact a new section to chapter 53-06.1 of the North Dakota Century Code, relating to calcuttas as allowable games of chance; and to amend and reenact sections 53-06.1-07 and 53-06.1-07.1 of the North Dakota Century Code, relating to calcuttas as allowable games of chance; 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 65 YEAS, 38 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Aas; Anderson, R.; Berg, G.; Berg, R.; Bernstein; Carlson; Christman; Clayburgh; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Flaagan; Frey; Gates; Gerhardt; Gerl; Gerntholz; Gorman; Gunsch; Halmrast; Hanson, L.; Haugen; Haugland; Hausauer, R.; Hokana; Huether; Jensen; Kelly; Kloubec; Knell; Kolbo; Kouba; Larson, R.; Laughlin; Lindgren;

Martinson; Mertens; Murphy; Nelson; Nicholas; Oban; Olson, V.; O'Shea; Payne; Ring; Schatz; Scherber; Schneider; Shaft; Shockman; Soukup; Starke; Stenehjelm; Thompson, V.; Timm; Tokach; Tomac; Ulmer; Urlacher; Wald; Watne; Wilkie; Williams, W.; Speaker Kretschmar

NAYS: Aarsvold; Anderson, B.; Belter; Brokaw; Enget; Gilmore; Goetz; Graba; Hanson, O.; Hausauer, A.; Hoffner; Howard; Kaldor; Kingsbury; Lang; Larson, D.; Marks; Martin; Melby; Myrdal; Ness; Olsen, D.; Olson, A.; Rydell; Schindler; Schmidt; Shide; Skjerven; Smette; Solberg; Sorensen; Stofferahn; Thompson, K.; Tollefson; Trautman; Vander Vorst; Wentz; Williams, A.

ABSENT AND NOT VOTING: Nowatzki; Peterson; Whalen

HB 1292 passed, the title was agreed to, but the emergency clause lost.

MOTION

REP. R. ANDERSON MOVED that HB 1332 and HB 1546 be laid over one legislative day, which motion prevailed.

SECOND READING OF HOUSE BILLS

HB 1410: A BILL for an Act to create and enact a new section to chapter 15-10 of the North Dakota Century Code, relating to college aptitude tests and remedial coursework.

ROLL CALL

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

YEAS: Melby; Whalen

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

ABSENT AND NOT VOTING: Nowatzki; Wald; Wentz

HB 1410 lost.

HB 1436: A BILL for an Act to provide for the use of optical storage processes by government agencies, departments, and offices, and adoption of rules by the state records administrator.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 43 YEAS, 60 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Brokaw; Carlson; Dalrymple; DeMers, J.; DeMers, P.; Flaagan; Frey; Gerhardt; Gerl; Gilmore; Gorman; Graba; Halmrast; Hanson, L.; Haugen; Hoffner; Hokana; Huether; Kaldor; Kelly; Kolbo; Laughlin; Mertens; Myrdal; Nelson; Ness; Oban; O'Shea; Peterson; Ring; Scherber; Schneider; Shockman; Sorensen; Starke; Stofferahn; Thompson, V.; Ulmer; Watne; Williams, A.; Williams, W.

NAYS: Aas; Anderson, R.; Belter; Berg, G.; Berg, R.; Bernstein; Christman; Clayburgh; Dorso; Enget; Gates; Gerntholz; Goetz; Gunsch; Hanson, O.; Haugland; Hausauer, A.; Hausauer, R.; Howard; Jensen; Kingsbury; Kloubec; Knell; Kouba; Lang; Larson, D.; Larson, R.; Lindgren; Marks; Martin; Martinson; Melby; Murphy; Olsen, D.; Olson, A.; Olson, V.; Payne; Rydell; Schatz; Schindler; Schmidt; Shaft; Skjerven; Smette; Solberg; Soukup; Stenehjem; Thompson, K.; Timm; Tokach; Tollefson; Tomac; Trautman; Urlacher; Vander Vorst; Wald; Wentz; Whalen; Wilkie; Speaker Kretschmar

ABSENT AND NOT VOTING: Nicholas; Nowatzki; Shide

HB 1436 lost.

HB 1513: A BILL for an Act to amend and reenact sections 57-39.2-12.1 and 57-40.2-07.1 of the North Dakota Century Code, relating to the deduction allowed retailers for administrative expenses incurred under sales and use tax laws; 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 40 YEAS, 65 NAYS, 1 ABSENT AND NOT VOTING.

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

NAYS: Aas; Anderson, R.; Belter; Berg, G.; Berg, R.; Bernstein; Christman; Clayburgh; Dalrymple; Dorso; Gates; Gerhardt; Gerntholz; Goetz; Gorman; Gunsch; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Howard; Jensen; Kingsbury; Kloubec; Knell; Kouba; Lang; Larson, D.; Larson, R.; Laughlin; Lindgren; Martin; Martinson; Melby; Murphy; Myrdal; Nicholas; Olsen, D.; Olson, A.; Olson, V.; Payne; Peterson; Rydell; Schatz; Schindler; Schmidt; Shaft; Shide; Skjerven; Smette; Solberg; Sorensen; Soukup; Stenehjem; Thompson, K.; Timm; Tokach;

Tollefson; Trautman; Urlacher; Vander Vorst; Wald; Whalen; Speaker Kretschmar

ABSENT AND NOT VOTING: Nowatzki

HB 1513 lost.

HB 1539: A BILL for an Act to create and enact a new section to chapter 57-36 of the North Dakota Century Code, relating to wholesale sales of unstamped cigarettes to enrolled tribal members; and to amend and reenact sections 57-36-02, 57-36-07, 57-36-08, 57-36-10, and 57-36-11 of the North Dakota Century Code, relating to the requirement that all cigarettes sold in North Dakota be stamped within the state and to allow licensed distributors to sell unstamped cigarettes to enrolled tribal members.

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, 2 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Aas; Anderson, B.; Anderson, R.; Belter; Berg, G.; Berg, R.; Bernstein; Brokaw; Carlson; Christman; Clayburgh; Dalrymple; DeMers, J.; 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; Oban; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Peterson; Ring; Rydell; Schatz; Scherber; Schindler; Schmidt; Schneider; Shaft; Shide; Shockman; Skjervan; Smette; Solberg; Sorensen; Soukup; Starke; 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: Aarsvold; DeMers, P.

ABSENT AND NOT VOTING: Nowatzki

HB 1539 passed and the title was agreed to.

HB 1558: A BILL for an Act relating to certification of community investment and development corporations and providing income tax credits for investments by individuals and corporations in certified community investment and development corporations; to create and enact a new section to chapter 57-38 of the North Dakota Century Code, relating to income tax credits; 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 91 YEAS, 14 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Anderson, R.; Belter; Berg, G.; Berg, R.; Bernstein; Carlson; Christman; Clayburgh; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Enget; Flaagan; Frey; Gates; Gerhardt; Gerntholz; Gilmore; Gorman; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, R.; Hokana; Howard; Huether; Jensen; Kaldor; Kelly; Kingsbury; Kloubec; Knell; Kolbo; Kouba; Larson, R.; Laughlin; Lindgren; Marks; Martin; Martinson; Melby; Mertens; Murphy; Myrdal; Nelson; Ness; Nicholas; 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; Ulmer; Urlacher; Vander Vorst; Watne; Wentz; Whalen; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: Aas; Brokaw; Gerl; Goetz; Graba; Gunsch; Halmrast; Hausauer, A.; Hoffner; Lang; Larson, D.; Oban; Ring; Wald

ABSENT AND NOT VOTING: Nowatzki

HB 1558 passed and the title was agreed to.

HB 1583: A BILL for an Act to amend and reenact section 27-11-22 of the North Dakota Century Code, relating to annual license fees to practice law.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 83 YEAS, 20 NAYS, 3 ABSENT AND NOT VOTING.

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

NAYS: Aarsvold; Brokaw; Clayburgh; Enget; Graba; Gunsch; Hanson, L.; Larson, D.; Marks; Melby; Murphy; Nelson; Shaft; Shockman; Stenehjem; Tokach; Tomac; Vander Vorst; Wentz; Wilkie

ABSENT AND NOT VOTING: Bernstein; Kingsbury; Nowatzki

HB 1583 passed and the title was agreed to.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

THE SPEAKER ANNOUNCED that the following resolution was delivered to the Secretary of State for his filing at the hour of 3:15 p.m., February 13, 1989: HCR 3030.

MOTIONS

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., Tuesday, February 14, 1989, which motion prevailed.

REPORTS OF STANDING COMMITTEES

MR. SPEAKER: Your Committee on Natural Resources (Rep. A. Olson, Chairman) to which was referred HB 1084 has had the same under consideration and recommends by a vote of 9 YEAS, 6 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

HB 1084 was placed on the Eleventh 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 1169 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 6, line 4, remove "Issue temporary licenses to persons who do not meet the educational"

Page 6, remove lines 5 through 12

Page 6, line 13, remove "20."

Page 6, line 16, replace "21." with "20."

Page 6, line 13, remove "Adopt rules under chapter 28-32 for the practice of persons"

Page 6, remove lines 14 and 15

Page 6, line 16, remove "21."

Page 6, line 15, after "care" insert ", but the rules may only implement the requirements of the Omnibus Budget Reconciliation Act of 1987 [Pub. L. 100-203; 101 Stat. 1330]"

Page 9, line 24, replace "duly" with "currently"

ReNUMBER accordingly

HB 1169 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 1170 has had the same under consideration and recommends by a vote of 9 YEAS, 6 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 1, remove "and"

Page 1, line 2, remove "paragraph 33 of subdivision a of subsection 3 of section 39-06.1-10"

Page 1, line 3, remove "and points"

Page 1, remove lines 4 through 6

Page 1, line 7, remove "assessments" and remove "on certain highways"

Page 2, remove lines 10 through 29

Page 3, remove lines 1 through 8

Re-number accordingly

HB 1170 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 1172 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 4, remove "subsection 2 of section"

Page 1, line 5, remove "39-06-37"

Page 2, line 7, remove ", who is a licensed operator under section 39-06-14,"

Page 2, line 9, remove "active"

Page 4, remove lines 8 through 26

Re-number accordingly

HB 1172 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 1178 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 PASS:

Page 1, remove the overstrike over lines 13 and 14

Page 1, line 15, remove the overstrike over "specifications"

Page 2, line 16, replace "may only demand" with "and the commissioner may negotiate a supplemental agreement for the claim items that are accepted by the commissioner, and the commissioner shall immediately pay the contractor for any additional compensation resulting from the supplemental agreement. The contractor may demand arbitration on the remaining claim items within ninety days"

Page 2, remove lines 17 and 18

Page 2, line 24, after the period insert "The department shall also make available to the contractor all of the department's records, documents, worksheets, and other data which are pertinent to the department's response to the claim."

Page 3, line 20, replace "in" with "and"

Page 3, line 21, replace "ten" with "thirty"

Page 3, line 24, replace "ten" with "thirty"

Re-number accordingly

HB 1178 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 1211 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 PASS:

Page 1, line 1, after the second comma insert "and"

Page 1, line 2, remove ", and 6-09.9-05" and remove the second "the"

Page 1, line 3, remove "buy down of interest rates on"

Page 2, line 14, after "~~plus~~" insert "one percent less than"

Page 3, remove lines 14 through 29

Page 4, remove lines 1 and 2

Re-number accordingly

HB 1211 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 1259 has had the same under consideration and recommends by a vote of 15 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

Page 1, line 3, after "fees" insert "; and to provide for allocation of the fees"

Page 1, line 9, overstrike "seven" and insert immediately thereafter "ten"

Page 2, after line 2, insert:

"SECTION 3. ALLOCATION OF FEES. Notwithstanding section 49-18-41.1, until July 1, 1991, seven dollars of the fee assessed per vehicle and collected before July 1, 1991, must be paid into the state treasury monthly and credited to the general fund for the purposes of defraying the general expenses of state government."

Renumber accordingly

HB 1259 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 1287 has had the same under consideration and recommends by a vote of 15 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

Page 1, line 12, remove the overstrike over "~~6-01-02~~" and insert immediately thereafter "or"

Renumber accordingly

HB 1287 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 1314 has had the same under consideration and recommends by a vote of 10 YEAS, 2 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 19, remove "and not exceeding two mills per dollar of"

Page 1, remove lines 20 and 21

Page 1, line 22, remove "department"

Renumber accordingly

HB 1314 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 1337 has had the same under consideration and recommends by a vote of 13 YEAS, 1 NAY, 2 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 5, replace "an appropriation" with "a statement of legislative intent"

Page 1, remove lines 15 through 20

Page 2, line 13, remove "1."

Page 2, after line 20 insert:

"SECTION 2. LEGISLATIVE INTENT REGARDING PUBLIC TRANSPORTATION. The legislative assembly supports public transportation, the

establishment of a public transportation fund, and the use of general fund moneys to establish and fund this special fund."

Page 2, remove lines 21 through 29

Page 3, remove lines 1 through 10

Re-number accordingly

HB 1337 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 1365 has had the same under consideration and recommends by a vote of 13 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 2, line 3, remove "or was convicted of a felony during the commission of"

Page 2, line 4, remove "which the defendant inflicted bodily injury upon another person"

Page 2, line 19, remove the second "or"

Page 2, remove line 20

Page 2, line 21, remove "defendant inflicted bodily injury upon another person"

Re-number accordingly

HB 1365 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 1366 has had the same under consideration and recommends by a vote of 10 YEAS, 1 NAY, 4 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

Page 1, line 16, replace "two mills" with "one mill"

Re-number accordingly

HB 1366 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 1420 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

Page 2, line 1, after "department" insert "or the department's designee"

Page 2, line 5, overstrike "a" and overstrike "member" and insert immediately thereafter "two members"

Page 2, line 7, remove ", and the member of the milk producers association"

Page 2, remove line 8

Page 2, line 9, remove "board of directors of the united dairy industry association"

Page 2, line 11, after "The" insert "milk producers"

Page 2, remove line 12

Page 2, line 13, remove "association", replace "a term" with "terms", and after "first" insert ", except that initially one producer shall serve a term of one year as designated by the milk producers association of North Dakota"

Renumber accordingly

HB 1420 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 1456 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 PASS:

Page 1, line 7, remove "and" and after "date" insert "; and to provide an expiration date"

Page 2, line 7, after "DATE" insert "- EXPIRATION DATE"

Page 2, line 8, after "1988" insert ", and is ineffective for taxable years beginning after December 31, 1998"

Renumber accordingly

HB 1456 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 1469 has had the same under consideration and recommends by a vote of 9 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 22, replace "may" with "must" and replace "ninety" with "thirty"

Renumber accordingly

HB 1469 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 1475 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

Page 1, line 1, after "A BILL" replace the remainder of the bill with: "for an Act to amend and reenact subdivision a of subsection 4 of section 4-35-05, subsection 3 of section 4-35-06, sections 4-35-08, 4-35-09, 4-35-10, 4-35-11, 4-35-12, 4-35-13, subsection 3 of section 4-35-14,

sections 4-35-15, 4-35-16, 4-35-17, 4-35-18, subsections 1 and 2 of section 4-35-19, section 4-35-22, subsection 7 of section 4-35-24, and section 4-35-28 of the North Dakota Century Code, relating to certification of pesticide applicators and distribution of funds; and to provide an effective date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Subdivision a of subsection 4 of section 4-35-05 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

- a. "Certified applicator" means any individual who is certified ~~or licensed~~ under this chapter as authorized to use or supervise the use of any restricted use pesticide covered by ~~his~~ the individual's certification.

SECTION 2. AMENDMENT. Subsection 3 of section 4-35-06 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

3. The board, in ~~promulgating regulations~~ adopting rules under this chapter, shall prescribe standards and requirements for the ~~licensing and~~ certification of applicators of restricted use pesticides. These standards ~~shall~~ must relate to the use and handling of pesticides. In determining these standards and requirements, the board shall take into consideration standards and requirements prescribed by the environmental protection agency.

SECTION 3. AMENDMENT. Section 4-35-08 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

4-35-08. Classification of ~~licenses~~ certificates. The board may classify commercial ~~licenses~~ certificates to be issued under this chapter. Such classifications may include, ~~but not be limited to,~~ pest control operators, wood treaters, ornamental or agricultural pesticide applicators, or right-of-way pesticide applicators. Separate classifications may be specified as to ground, aerial, or manual methods used by any ~~licensee~~ applicator to apply restricted use pesticides or to the use of restricted use pesticides to control insects and plant diseases, rodents, or weeds. Each classification of certification may be subject to separate testing procedures and training requirements; provided that ~~no~~ a person may be required to pay an additional ~~license~~ fee if such person desires to be ~~licensed~~ certified in one or more of the ~~license~~ classifications provided for by the board under the authority of this section.

SECTION 4. AMENDMENT. Section 4-35-09 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

4-35-09. Commercial applicator's ~~license~~ certification.

1. No person who would be a commercial applicator if certified may purchase, use, or supervise the use of a restricted use pesticide without ~~a commercial applicator's license issued by a county treasurer, unless exempted by this chapter, and~~ without first complying with the certification standards and

requirements of this chapter, or other restrictions as may be determined by the board. ~~The board shall require an annual fee of twenty dollars for each commercial applicator's license issued which is to be paid to the county treasurer, who shall deposit the fee in the county general fund. The license expires on December thirty-first of each year.~~

2. An individual may be certified as a commercial applicator within a classification if the individual successfully completes an examination for the classification as prescribed by the board and administered by the cooperative extension service or the service's designee. An application for certification must be on a form prescribed by the board and accompanied by a reasonable examination fee set by the board.
3. If the cooperative extension service, or its designee, finds the applicant qualified to apply pesticides in the classifications he has applied for after examination as the board requires ~~by regulation~~, and the applicant meets all other requirements of this chapter, ~~the county treasurer of the appropriate county cooperative extension service shall issue a commercial applicator's license certificate limited to the classifications the applicant is qualified in.~~
4. If certification is not to be issued as applied for, the cooperative extension service, or its designee, shall inform the applicant in writing of the reasons ~~therefor~~ for not issuing the certification. Individuals ~~licensed~~ certified pursuant to this section are deemed certified commercial applicators for the use of restricted use pesticides.

SECTION 5. AMENDMENT. Section 4-35-10 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

4-35-10. Expiration of certification - Renewal. Any A certificate issued under section 4-35-09 expires as of the first day of April following two years from the date of issuance. A certificate is renewable every three years on April first. A certificate may be renewed upon completion of a seminar approved by the board or upon successfully completing an examination required by the board, or both, if required by the board. The board shall require a person holding a current valid license may renew such license for the next year without taking another certificate to take an examination unless within the three-year period if the board determines additional knowledge related to classifications for which the applicant has applied makes a new examination necessary or that a new evaluation is necessary to assure a continuing level of competence and ability to use pesticides safely and properly.

SECTION 6. AMENDMENT. Section 4-35-11 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

4-35-11. Nonresident application - Designation of agent for service of process. Any nonresident applying for a license certification as an applicator or dealer under this chapter to operate in the this state of North Dakota shall file a written power of attorney designating the secretary of state as the agent of such nonresident upon whom service of process may be had in the event of any

suit against said nonresident person, and the power of attorney must be so prepared and in such form as to render effective the jurisdiction of the courts of ~~the this~~ state of North Dakota over the nonresident applicant; provided, however, that any nonresident who has a duly appointed resident agent upon whom process may be served as provided by law is not required to designate the secretary of state as such agent. The secretary of state is allowed such fees therefor as provided by law for designating resident agents. The nonresident must be furnished with a copy of the designation of the secretary of state or of a resident agent. The copy will be duly certified by the secretary of state.

SECTION 7. AMENDMENT. Section 4-35-12 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

4-35-12. Pesticide dealer ~~license certification.~~

1. It is unlawful for any person to distribute or sell restricted use pesticides or assume to act as a restricted use pesticide dealer, at any time, without first having obtained ~~an annual license certification from the county treasurer cooperative extension service, or the service's designee in each the county in which the applicant operates his principal place of business, which license expires on December thirty first of each year. A license is required for each location or outlet located within this state from which restricted use pesticides are distributed, provided that any manufacturer, registrant, or distributor who has no pesticide dealer outlet licensed within this state and who distributes such pesticides directly into this state shall obtain a pesticide dealer license from any county treasurer for his principal out-of-state location or outlet.~~
2. Application for a ~~license certificate~~ must be accompanied by ~~a ten dollar annual license examination fee set by the board~~ and must be on a form prescribed by the board. The board shall ~~promulgate regulations adopt rules governing service of process on members of corporations, partnerships, or associations, and governing the listing of membership in such organizations. The application shall also state the address of each outlet to be licensed, the principal business address of the applicant, the name of a person domiciled in this state authorized to receive and accept service of summons of legal notices of all kinds for the applicant, and any other necessary information prescribed by the board.~~
3. ~~The provisions of this section do not apply to any federal, state, county, or municipal agency or other political subdivision which provides pesticides only for its own programs.~~
4. The board shall require each pesticide dealer to demonstrate to the ~~county extension agent cooperative extension service or the service's designee~~ knowledge of pesticide laws and regulations; pesticide hazards to humans, animals, and the environment; and the safe distribution, disposal, and use and application of pesticides by satisfactorily passing an examination, ~~after which the county treasurer shall issue a~~

license of qualification or meeting other requirements within each classification for which certification is sought as prescribed by the board.

- 5- 4. Each restricted use pesticide dealer is responsible for the acts of each person employed by ~~him~~ the dealer in the solicitation and sale of restricted use pesticides and all claims and recommendations for use of such pesticides. The dealer's license certification is subject to denial, suspension, or revocation, after a hearing, for any violation of this chapter, whether committed by the dealer, or by the dealer's officer, agent, or employee.
- 6- 5. Any A certificate issued under this section expires as of the first day of April following two years from the date of issuance. A certificate is renewable every three years on April first. A certificate may be renewed upon completion of a seminar approved by the board or upon successfully completing an examination required by the board, or both, if required by the board. The board may require any person holding a current valid license may renew such license for the next year without taking another certificate to take an examination unless within the three-year period if the board determines additional knowledge related to pesticides makes a new an additional examination necessary or that a new evaluation is necessary to assure a continuing level of competence and ability to distribute pesticides safely and properly.

SECTION 8. AMENDMENT. Section 4-35-13 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

4-35-13. Application of act to governmental entities —Public operator's license required.

- 1- All federal agencies, state agencies, municipal corporations, and any other governmental agencies, or public utilities, are subject to the provisions of this chapter and rules adopted thereunder concerning the application of restricted use pesticides.
- 2- The county treasurer shall issue a limited license, without fee, to a public operator who has qualified by examination as prescribed by the board for such license. The public operator's license is valid only when the operator is acting as an operator applying or supervising application of restricted use pesticides used by the entities listed in subsection 1-.

SECTION 9. AMENDMENT. Subsection 3 of section 4-35-14 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

3. The board shall determine by regulation rule methods to evaluate the competence of private applicators and provisions for reevaluation as advances in technology warrant, or as necessary to assure a continuing level of competence and ability to use pesticides safely and properly. The

cooperative extension service, or its designee, in the county of the residence of the applicant shall issue a certificate, ~~without fee,~~ to any private applicator who has qualified as prescribed by the board. However, the cooperative extension service, or its designee, may require any applicant required to be ~~licensed or~~ certified under this chapter to pay a reasonable charge, not greater than the cost to the cooperative extension service, for materials provided to the applicant for training and education.

SECTION 10. AMENDMENT. Section 4-35-15 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

4-35-15. Unlawful acts - Grounds for denial, suspension, or revocation of a ~~license or~~ certification. The commissioner may, after opportunity for a hearing, deny, suspend, revoke, or modify any provision of any ~~license or~~ certification issued under this chapter, if the commissioner finds that the applicant or the holder of a ~~license of~~ certification has committed any of the acts enumerated in this section. Each of the following acts is a violation of this chapter, whether committed by an applicant, holder of a ~~license or~~ certification, or any other person applying or using pesticides, if the person:

1. Made false or fraudulent claims through any media, misrepresenting the effect of materials or methods to be utilized, or advertised a pesticide without reference to its classification.
2. Made a pesticide recommendation, application, or use inconsistent with the labeling or other restrictions prescribed by the board.
3. Applied materials known by ~~him~~ that person to be ineffective or improper.
4. Operated faulty or unsafe equipment.
5. Operated in a faulty, careless, or negligent manner.
6. Neglected, or, after notice, refused to comply with the provisions of this chapter, the rules adopted hereunder, or of any lawful order of the commissioner.
7. Refused or neglected to keep and maintain the records required by this chapter, or to make reports when and as required.
8. Made false or fraudulent records, invoices, or reports.
9. Operated unlicensed equipment in violation of section 4-35-17.
10. Used fraud or misrepresentation in making an application for, or for renewal of, a ~~license or~~ certification.
11. Refused or neglected to comply with any limitations or restrictions on or in a duly issued ~~license or~~ certification.

12. Aided or abetted a licensed certified or an unlicensed uncertified person to evade the provisions of this chapter, conspired with such a licensed certified or an unlicensed uncertified person to evade the provisions of this chapter, or allowed his license or the person's certification to be used by another person.
13. Knowingly made false statements during or after an inspection concerning any infestation of pests found on the land.
14. Impersonated any federal, state, county, or city inspector or official.
15. Distributed any restricted use pesticide to any person who is required by law or regulations promulgated under such law rule to be certified to use or purchase such restricted use pesticide unless such person or his agent to whom distribution is made is certified to use or purchase that kind of restricted use pesticide.
16. Bought, used, or supervised the use of any restricted use pesticide without first complying with the certification requirements of this chapter, unless otherwise exempted therefrom.
17. Applied any economic poison which is not registered pursuant to the provisions of chapter 19-18.

SECTION 11. AMENDMENT. Section 4-35-16 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

4-35-16. Licensees Commercial applicators to keep records - Duration - Submission to commissioner. The board shall require licensees the holders of certificates, except private applicators, to maintain records with respect to applications and sales of restricted use pesticides. Such relevant information as the board may deem necessary may be specified by regulation rule. The records must be kept for a period of three years from the date of the application or sale of the restricted use pesticide to which the records refer. Upon request, these records or pertinent parts thereof, must be submitted to the commissioner.

SECTION 12. AMENDMENT. Section 4-35-17 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

4-35-17. License plates for equipment. The board may require all motor vehicles, as defined in chapter 39-01, which are used for the application of restricted use pesticides to be identified by a license plate or decal furnished by the board. Such license plate or decal must be issued at no cost to the licensee certified applicator, and must be affixed to the vehicle as prescribed by the board. This section must not be interpreted to apply to aircraft engaged in aerial spraying which are licensed under section 2-05-18.

SECTION 13. AMENDMENT. Section 4-35-18 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

4-35-18. Reciprocal agreement. The cooperative extension service, or its designee, may issue a certification on a reciprocal basis, without examination, to a nonresident who is certified to use restricted-use pesticides under a plan substantially similar to this chapter. Such a certification may be suspended or revoked in the same manner and on the same grounds as ~~licenses and~~ certifications pursuant to this chapter, and must be suspended or revoked if the nonresident's home state certification is suspended or revoked.

SECTION 14. AMENDMENT. Subsections 1 and 2 of section 4-35-19 of the North Dakota Century Code are hereby amended and reenacted to read as follows:

1. The ~~licensing and~~ certification requirements of this chapter do not apply to any person applying pesticides ~~which that~~ are not classified for restricted use.
2. The provisions of this chapter relating to ~~licenses and~~ certification requirements do not apply to a competent person applying restricted use pesticides under the direct supervision of a certified applicator, unless the pesticide labeling requires that a certified applicator personally applies the particular pesticide. A pesticide is considered to be applied under the direct supervision of a certified applicator if it is applied by a competent person acting under the instructions and control of a trained certified applicator who is available if and when needed, even though such certified applicator is not physically present at the time and place that the pesticide is applied.

SECTION 15. AMENDMENT. Section 4-35-22 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

4-35-22. Subpoenas. The commissioner may issue subpoenas to compel the attendance of witnesses or production of books, documents, and records pertaining to pesticide applications and sales in the state in any hearing affecting the authority or privilege granted by a ~~license or~~ certification issued under the provisions of this chapter.

SECTION 16. AMENDMENT. Subsection 7 of section 4-35-24 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

7. If a civil penalty pursuant to section 4-35-23 is imposed by the commissioner of agriculture through an administrative hearing and the civil penalty is not paid, the commissioner may collect the civil penalty by a civil proceeding in any appropriate court. Additionally, the commissioner may suspend or revoke a ~~license or~~ certification issued pursuant to this chapter for failure to pay a civil penalty within thirty days after a final determination is made that the civil penalty is owed.

SECTION 17. AMENDMENT. Section 4-35-28 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

4-35-28. Disposition of funds. All moneys received by the board under the provisions of this chapter must be deposited ~~with the state~~

~~treasurer~~ to the credit of the ~~general~~ certification and training fund under the control of the board.

SECTION 18. EFFECTIVE DATE. This Act becomes effective on January 1, 1990."

Renumber accordingly

HB 1475 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 1476 has had the same under consideration and recommends by a vote of 11 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 1, line 15, remove "A transfer hose with"

Page 1, remove line 16

Page 1, line 17, remove "that date.", replace "Transfer" with "All transfer", and remove "without an expiration date"

Page 1, line 20, replace "manufacture" with "installation"

Page 2, line 2, replace "manufacture" with "installation"

Page 2, line 4, replace "manufacture" with "installation"

Page 2, after line 4, insert:

"A supplier of anhydrous ammonia shall keep a record of the installation date of all transfer hoses."

Renumber accordingly

HB 1476 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 1481 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 1, after "rights" insert "and responsibilities"

Page 1, line 5, after "right" insert "and the responsibility"

Page 1, line 9, after the comma insert "the"

Page 2, line 7, remove "The term does not include the"

Page 2, remove lines 8 through 10

Page 2, line 19, after the second "in" insert "imminent" and remove "within"

Page 2, line 20, remove "a relatively short time"

Page 2, line 23, remove "alone" and after "in" insert "imminent"

Page 3, line 9, replace ";" with "."

Page 3, remove lines 10 through 13

Page 4, line 7, replace "moment" with "process" and replace "death" with "dying"

Page 4, line 17, after "refusal" insert ", which is death"

Page 4, line 21, after "effective" insert "for five years or" and after "revoked" insert "or is extended under section 6 of this Act"

Page 5, line 5, remove "an employee of"

Page 5, remove lines 6 and 7

Page 5, line 8, remove "in which the declarant is a patient,"

Page 6, line 3, after "effective" insert "for five years or" and after "revoked" insert "or is extended under section 6 of this Act"

Page 6, line 15, remove "an employee of"

Page 6, remove lines 16 and 17

Page 6, line 18, remove "in which the declarant is a patient,"

Page 7, line 11, replace "without regard to the declarant's mental or physical" with "provided the declarant is of sound mind"

Page 7, line 12, remove "condition"

Page 8, line 10, replace "able to do so" with "of sound mind"

Page 8, line 14, replace "This Act does not relieve a person, whether or not the person has a" with "Sections 2 through 15 of this Act do not affect the responsibility of the attending physician or other health care provider to provide nutrition and hydration"

Page 8, remove lines 15 and 16

Page 8, line 17, remove "obligation to provide, nutrition and hydration"

Page 8, line 21, remove "This Act does not relieve the physician,"

Page 8, remove lines 22 through 25

Page 9, line 10, after "provider" insert "who is willing to comply with sections 2 through 15 of this Act"

Page 9, line 16, replace "under" with "are authorized by"

Page 9, line 17, remove "are in accord with reasonable"

Page 9, line 18, remove "medical standards"

Page 9, line 20, after "actions" insert "unless done in a grossly negligent manner"

Page 11, line 3, after "the" insert "provision," and after "withholding" insert a comma

Page 11, line 12, after "state" insert "by a resident of that state"

Page 11, line 16, replace "substantially" with "basically" and after "with" insert "the intent of"

Page 11, line 18, after the period insert "A previously executed instrument that purports to comply with the intent of this Act is valid."

Renumber accordingly

HB 1481 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 rereferred HB 1525 has had the same under consideration and recommends by a vote of 9 YEAS, 5 NAYS, 2 ABSENT AND NOT VOTING that the same DO NOT PASS.

HB 1525 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 1549 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

Page 1, line 9, overstrike "Any" and insert immediately thereafter "The" and after "a" insert "passenger"

Page 1, line 10, overstrike ", if", remove "the", and overstrike "motor vehicle is"

Page 1, line 11, replace "vehicle is" with "owner of", remove "used", and after "vehicle" insert ", as defined under section 57-40.3-01,"

Page 1, line 12, replace "and" with "when"

Page 1, line 15, remove "used"

Renumber accordingly

HB 1549 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 1574 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 3, after "years" insert "; and to provide for transition"

Page 3, after line 11, insert:

"SECTION 4. TRANSITION. Notwithstanding subsection 2 of section 54-03-02, when the legislative assembly convenes in 1991, in addition to receiving the messages by the governor and the chief justice, the legislative assembly shall approve appropriations for the fiscal year beginning July 1, 1991, and ending June 30, 1992. Notwithstanding section 54-44.1-04, the head of each budget unit, not later than July 15, 1990, shall submit to the office of the budget, estimates of financial requirements of the budget unit for the fiscal year beginning July 1, 1991, and ending June 30, 1992."

Renumber accordingly

HB 1574 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 1591 has had the same under consideration and recommends by a vote of 14 YEAS, 0 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 14, after the period insert "Ice manufactured and sold for human consumption may be handled only with scoops, tongs, or other sanitary ice dispensing utensils, and not with the hands. The ice must be packaged at the point of manufacture in sealed bags and stored in a manner to prevent its pollution or contamination."

Renumber accordingly

HB 1591 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 1592 has had the same under consideration and recommends by a vote of 11 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING that the same DO NOT PASS.

HB 1592 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 1595 has had the same under consideration and recommends by a vote of 15 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

Page 4, line 4, replace "will" with "must"

Page 4, line 5, after "suspended" insert "as provided"

Page 4, line 20, after "plea" insert "and a notice of that fact is mailed to the commissioner within twenty-five days after the temporary operator's permit is issued"

Page 4, line 22, replace "mailed to" with "received by"

Page 4, line 23, replace "within twenty-five days after the temporary" with "prior to the return or reinstatement of the person's driving privileges"

Page 4, line 24, remove "operator's permit is issued"

Renumber accordingly

HB 1595 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 1602 has had the same under consideration and recommends by a vote of 13 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 8, replace "twelve" with "eight"

Page 1, line 9, replace "five" with "two"

Renumber accordingly

HB 1602 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 1656 has had the same under consideration and recommends by a vote of 7 YEAS, 6 NAYS, 4 ABSENT AND NOT VOTING that the same DO NOT PASS.

HB 1656 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 HCR 3020 has had the same under consideration and recommends by a vote of 9 YEAS, 3 NAYS, 5 ABSENT AND NOT VOTING that the same DO NOT PASS.

HCR 3020 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on State and Federal Government (Rep. Martinson, Chairman) to which was referred SB 2041 has had the same under consideration and recommends by a vote of 11 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING that the same DO PASS.

SB 2041 was placed on the Fourteenth 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 SB 2065 has had the same under consideration and recommends by a vote of 12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

SB 2065 was placed on the Fourteenth 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 SB 2066 has had the same under consideration and recommends by a vote of 8 YEAS, 4 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

SB 2066 was placed on the Fourteenth 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 SB 2112 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

SB 2112 was placed on the Fourteenth 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 SB 2127 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

SB 2127 was placed on the Fourteenth 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 SB 2149 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

SB 2149 was placed on the Fourteenth 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 SB 2179 has had the same under consideration and recommends by a vote of 13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

SB 2179 was placed on the Fourteenth 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 SB 2185 has had the same under consideration and recommends by a vote of 13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

SB 2185 was placed on the Fourteenth 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 SB 2228 has had the same under consideration and recommends by a vote of 13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

SB 2228 was placed on the Fourteenth 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 SCR 4006 has had the same under consideration and recommends by a vote of 13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS and BE PLACED ON THE CONSENT CALENDAR.

SCR 4006 was placed on the Tenth order of business on the calendar for the succeeding legislative day.

FIRST READING OF HOUSE CONCURRENT RESOLUTIONS

Reps. Marks, Wentz, Skjerven introduced:

HCR 3057: A concurrent resolution directing the Legislative Council to study the laws relating to state and local filing of liens, security interests, financing statements, and continuation statements relating to farm products.

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

Reps. Oban, Kretschmar, Hoffner and Sens. Heinrich, Holmberg, Maixner introduced:

HCR 3058: A concurrent resolution directing the Legislative Council to study the uses to which the proceeds of charitable gaming are devoted.

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

FIRST READING OF SENATE BILLS

SB 2200: A BILL for an Act to create and enact a new section to chapter 23-03, a new section to chapter 23-04, and a new section to chapter 23-14 of the North Dakota Century Code, relating to the county health officer, city health officer, and withdrawal from health districts; to amend and reenact sections 23-03-01, 23-03-02, 23-03-03, 23-03-05, 23-03-07, 23-03-08, 23-03-10, 23-04-01, 23-04-02, 23-04-03, 23-04-04, 23-04-05, 23-04-06, 23-04-08, 23-05-01, 23-05-02, 23-05-03, 23-05-04, 23-05-07, 23-05-12, 23-14-01, 23-14-01.1, 23-14-03, 23-14-04, 23-14-05, 23-14-07, 23-14-08, 23-14-09, 23-14-10, 23-14-13, and 23-14-14 of the North Dakota Century Code, relating to local boards of health; and to repeal sections 23-03-04, 23-03-06, 23-03-09, 23-03-11, 23-04-07, 23-04-09, 23-05-08, and 23-05-09 of the North Dakota Century Code, relating to local boards of health.

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

SB 2219: A BILL for an Act to create and enact a new section to chapter 43-41 of the North Dakota Century Code, relating to the inactive status of nonresident social workers; and to amend and reenact section 43-41-05, subsection 6 of section 43-41-09, sections 43-41-10, and 43-41-11 of the North Dakota Century Code, relating to registration with the board of social work examiners, licensure fees for social workers, authority of the board of social work examiners to issue probationary licenses, and disciplinary hearings by the board of social work examiners.

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

SB 2232: A BILL for an Act to amend and reenact subsections 3 and 5 of section 19-03.1-05, subdivision d of subsection 3 of section 19-03.1-07, subsections 4 and 8 of section 19-03.1-07, subsections 4 and 6 of section 19-03.1-09, subsections 4 and 6 of section 19-03.1-11, section 19-03.1-13, and subsection 4 of section 19-03.1-37 of the North Dakota Century Code, relating to controlled substances.

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

SB 2246: A BILL for an Act to create and enact section 10-04-10.3 of the North Dakota Century Code, relating to postregistration requirements for registered dealers, salesmen, investment advisers, and investment adviser representatives; and to amend and reenact section 10-04-02, subsection 1 of section 10-04-03, sections 10-04-10, 10-04-10.1, 10-04-10.2, 10-04-11, and 10-04-12 of the North Dakota Century Code, relating to registration requirements for investment advisers and

investment adviser representatives, and suspension or revocation of dealer's, salesman's, investment adviser's, and investment adviser representative's registration.

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

SB 2295: A BILL for an Act to amend and reenact section 27-20-36 of the North Dakota Century Code, relating to limitations of time on orders of disposition for placement of minors in foster care under the Uniform Juvenile Court Act.

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

SB 2299: A BILL for an Act to create and enact a new section to chapter 26.1-05 of the North Dakota Century Code, relating to call options and financial futures contracts.

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

SB 2316: A BILL for an Act to create and enact a new subsection to section 39-06.1-06 and a new section to chapter 39-21 of the North Dakota Century Code, relating to the required use of safety belts in certain motor vehicles; and to provide a penalty.

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

SB 2317: A BILL for an Act to create and enact a new section to chapter 6-03, a new subdivision to subsection 1 of section 6-09-15, and a new section to chapter 54-17 of the North Dakota Century Code, relating to bank investment in federal agricultural mortgage corporation stock, Bank of North Dakota authority to make agricultural real estate loans, and a trust fund to participate in the federal agricultural mortgage secondary market program.

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

SB 2419: A BILL for an Act to create and enact a new section to chapter 61-01, a new section to chapter 61-20, and a new subsection to section 61-20-06 of the North Dakota Century Code, relating to the plugging of abandoned water wells.

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

SB 2501: A BILL for an Act to create and enact a new section to chapter 6-09 of the North Dakota Century Code, relating to transfers from the Bank of North Dakota profits to the beginning farmer revolving loan fund.

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

SB 2510: A BILL for an Act to amend and reenact section 16.1-10-04 of the North Dakota Century Code, relating to false publication in political advertising.

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

SB 2514: A BILL for an Act relating to pen registers and trap and trace devices.

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

FIRST READING OF SENATE CONCURRENT RESOLUTIONS

SCR 4014: A concurrent resolution directing the Legislative Council to carry out a comprehensive study, with additional public and private sector involvement, of the governmental and societal impact of the incidence

and cost of organ and tissue transplants, and the appropriate statutory and regulatory policy to address those impacts.

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

SCR 4029: A concurrent resolution urging the State Engineer to adopt measures to require the plugging of abandoned water wells.

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

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

ROY GILBREATH, Chief Clerk