

JOURNAL OF THE HOUSE

Fifty-first Legislative Assembly

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Bismarck, February 14, 1989

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

The prayer was offered by Rev. Ronald Gough, First United Methodist Church, Mandan.

The roll was called and all Representatives were present, except Representatives Brokaw, Christman, Gerl, and Graba.

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-ninth Day and finds it to be correct.

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

HOUSE ENGROSSING REPORT

The following bills were engrossed: HB 1016, HB 1018, HB 1213, HB 1296, HB 1300, HB 1324, HB 1459, HB 1515, HB 1535, HB 1565, HB 1608, HCR 3045.

HOUSE ENGROSSING REPORT

The following bill was reengrossed: HB 1292.

MOTION

REP. KLOUBEC MOVED that the rules be suspended and that the committee reports on HB 1170, HB 1172, HB 1178, HB 1211, HB 1259, HB 1287, HB 1314, HB 1365, HB 1366, HB 1420, HB 1456, HB 1469, HB 1475, HB 1476, HB 1481, HB 1549, HB 1574, HB 1591, HB 1595, and HB 1602 recommending amendments on the Sixth order of business on the legislative calendar of the Thirtieth Day be adopted, which motion prevailed.

SIXTH ORDER OF BUSINESS

REP. TIMM MOVED that the amendments to HB 1170 as recommended by the Committee on Transportation as printed on page 698 of the House Journal be adopted, and when so adopted, recommends the same DO NOT PASS.

HB 1170 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. TIMM MOVED that the amendments to HB 1172 as recommended by the Committee on Transportation as printed on page 698 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

HB 1172 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. TIMM MOVED that the amendments to HB 1178 as recommended by the Committee on Transportation as printed on pages 698-699 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

HB 1178 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. NICHOLAS MOVED that the amendments to HB 1211 as recommended by the Committee on Agriculture as printed on page 699 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

HB 1211 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. TIMM MOVED that the amendments to HB 1259 as recommended by the Committee on Transportation as printed on pages 699-700 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

HB 1259 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. NICHOLAS MOVED that the amendments to HB 1287 as recommended by the Committee on Agriculture as printed on page 700 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

HB 1287 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. LINDGREN MOVED that the amendments to HB 1314 as recommended by the Committee on Political Subdivisions as printed on page 700 of the House Journal be adopted, and when so adopted, recommends the same DO NOT PASS.

HB 1314 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. WENTZ MOVED that the amendments to HB 1365 as recommended by the Committee on Judiciary as printed on page 701 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

HB 1365 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. LINDGREN MOVED that the amendments to HB 1366 as recommended by the Committee on Political Subdivisions as printed on page 701 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

HB 1366 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. NICHOLAS MOVED that the amendments to HB 1420 as recommended by the Committee on Agriculture as printed on pages 701-702 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

HB 1420 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. NICHOLAS MOVED that the amendments to HB 1456 as recommended by the Committee on Agriculture as printed on page 702 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

HB 1456 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. TIMM MOVED that the amendments to HB 1469 as recommended by the Committee on Transportation as printed on page 702 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

HB 1469 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. NICHOLAS MOVED that the amendments to HB 1475 as recommended by the Committee on Agriculture as printed on pages 702-710 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

HB 1475 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. NICHOLAS MOVED that the amendments to HB 1476 as recommended by the Committee on Agriculture as printed on page 710 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

HB 1476 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. HAUGLAND MOVED that the amendments to HB 1481 as recommended by the Committee on Human Services and Veterans Affairs as printed on pages 710-712 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

HB 1481 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. TIMM MOVED that the amendments to HB 1549 as recommended by the Committee on Transportation as printed on page 712 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

HB 1549 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. MARTINSON MOVED that the amendments to HB 1574 as recommended by the Committee on State and Federal Government as printed on pages 712-713 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

HB 1574 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. LINDGREN MOVED that the amendments to HB 1591 as recommended by the Committee on Political Subdivisions as printed on page 713 of the House Journal be adopted, and when so adopted, recommends the same DO NOT PASS.

HB 1591 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. TIMM MOVED that the amendments to HB 1595 as recommended by the Committee on Transportation as printed on pages 713-714 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

HB 1595 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. LINDGREN MOVED that the amendments to HB 1602 as recommended by the Committee on Political Subdivisions as printed on page 714 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

HB 1602 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. HAUGLAND MOVED that the amendments to HB 1169 as recommended by the Committee on Human Services and Veterans Affairs as printed on pages 697-698 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

REQUEST

REP. J. DEMERS REQUESTED that the question of the adoption of the amendments to HB 1169 be divided to have the sections voted on separately in the following manner:

DIVISION A

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."

DIVISION B

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."

DIVISION C

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]"

DIVISION D

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

Renumber accordingly

RULING BY THE SPEAKER

SPEAKER KRETSCHMAR RULED that House Rule 316 states that the Division of the Question must be supported by twelve or more Representatives, and that eleven or more Representatives joined in the request of Rep. J. DeMers to divide the amendments to HB 1169, therefore, the request was granted.

REQUEST

REP. J. DEMERS REQUESTED a recorded roll call vote on the adoption of Division A of the proposed amendments to HB 1169, which request was granted.

ROLL CALL

The question being on the adoption of Division A of the proposed amendments to HB 1169, the roll was called and there were 31 YEAS, 72 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Berg, R.; Bernstein; Christman; Gates; Hanson, O.; Haugen; Haugland; Hausauer, R.; Howard; Kouba; Lang; Larson, D.; Martin; Melby; Murphy; Peterson; Rydell; Schatz; Scherber; Schmidt; Shockman; Sorensen; Stenehjem; Thompson, K.; Timm; Tokach; Urlacher; Wentz; Whalen; Williams, A.; Speaker Kretschmar

NAYS: Aarsvold; Aas; Anderson, B.; Anderson, R.; Belter; Berg, G.; Carlson; Clayburgh; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Enget; Flaagan; Frey; Gerhardt; Gerl; Gerntholz; Gilmore; Goetz; Gorman; Graba; Halmrast; Hanson, L.; Hausauer, A.; Hoffner; Hokana; Huether; Jensen; Kaldor; Kelly; Kingsbury; Knell; Kolbo; Larson, R.; Laughlin; Lindgren; Marks; Martinson; Mertens; Myrdal; Nelson; Ness; Nicholas; Nowatzki; Oban; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Ring; Schindler; Schneider; Shaft; Shide; Skjerven; Smette; Solberg; Soukup; Starke; Stofferahn; Thompson, V.; Tollefson; Tomac; Trautman; Ulmer; Vander Vorst; Wald; Watne; Wilkie; Williams, W.

ABSENT AND NOT VOTING: Brokaw; Gunsch; Kloubec

Division A of the proposed amendments to HB 1169 lost.

The question then was on the motion to adopt Division B of the proposed amendments to HB 1169, which motion prevailed on a verification vote.

Division B of the proposed amendments to HB 1169 passed.

The question then was on the motion to adopt Division C of the proposed amendments to HB 1169, which motion failed on a voice vote.

Division C of the proposed amendments to HB 1169 lost.

The question then was on the motion to adopt Division D of the proposed amendments to HB 1169, which motion prevailed on a voice vote.

Division D of the proposed amendments to HB 1169 passed.

The question then was on the adoption of the proposed amendments to HB 1169, including Divisions B and D, and excluding Divisions A and C, with the title amended appropriately, and lines, sections, and pages renumbered accordingly.

The proposed amendments to HB 1169, including Divisions B and D, and excluding Divisions A and C, were adopted on a verification vote.

MOTION

REP. KLOUBEC MOVED that the rules be suspended and that HB 1169 be placed on the Eleventh order, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1169: A BILL for an Act to amend and reenact section 43-12.1-02, 43-12.1-05, 43-12.1-07, 43-12.1-08, 43-12.1-10, 43-12.1-11, 43-12.1-13, and 43-12.1-14 of the North Dakota Century Code, relating to the definitions of licensee, the practice of nursing as a licensed

practical nurse, the practice of nursing as a registered nurse, the terms of office of board of nursing members, the compensation of board members, the powers and duties of the board, requirements for licensure by examination, a license and when issued, and grounds for discipline; to provide an effective date; 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 100 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Aas; Anderson, B.; Anderson, R.; Belter; Berg, G.; Berg, R.; Bernstein; Carlson; Christman; Clayburgh; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Enget; Frey; Gates; Gerhardt; Gerl; Gertholz; 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.; Lindgren; Marks; Martin; Martinson; Mertens; Murphy; Myrdal; Nelson; Ness; Nicholas; Nowatzki; Oban; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Peterson; Ring; Rydell; Schatz; Scherber; Schindler; Schmidt; Schneider; 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: Flaagan; Hanson, O.; Laughlin; Melby; Whalen

ABSENT AND NOT VOTING: Brokaw

HB 1169 passed, the title was agreed to, and the emergency clause carried.

MOTION

REP. KLOUBEC MOVED that House Rule 326 and House Rule 507, concerning bills in committee, be suspended until Friday, February 17, 1989, which motion prevailed.

SIXTH ORDER OF BUSINESS

REP. TIMM MOVED that the amendments to HB 1337 as recommended by the Committee on Transportation as printed on pages 700-701 of the House Journal be adopted, and when so adopted, recommends the same DO PASS and be referred to the Committee on Appropriations.

REQUEST

REP. KOLBO REQUESTED a recorded roll call vote on the motion to adopt the proposed amendments to HB 1337, which request was granted.

ROLL CALL

The question being on the motion to adopt the amendments to HB 1337, the roll was called and there were 41 YEAS, 62 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Aas; Anderson, R.; Belter; Berg, R.; Bernstein; Christman; Clayburgh; Dalrymple; Dorso; Gerhardt; Goetz; Gunsch; Haugen; Howard; Jensen; Kingsbury; Kloubec; Knell; Larson, R.; Laughlin; Lindgren; Marks; Martinson; Melby; Murphy; Myrdal; Myrdal; Olsen, D.; Olson, A.; Olson, V.;

Payne; Rydell; Schmidt; Shaft; Shide; Smette; Sorensen; Thompson, K.; Timm; Tokach; Wald; Whalen

NAYS: Aarsvold; Anderson, B.; Berg, G.; Carlson; DeMers, J.; DeMers, P.; Enget; Flaagan; Frey; Gerl; Gerntholz; Gilmore; Gorman; Graba; Halmrast; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hausauer, R.; Hoffner; Hokana; Huether; Kaldor; Kelly; Kolbo; Kouba; Lang; Larson, D.; Martin; Mertens; Nelson; Ness; Nowatzki; Oban; O'Shea; Peterson; Ring; Schatz; Scherber; Schindler; Schneider; Shockman; Skjerven; Solberg; Soukup; Starke; Stenehjem; Stofferahn; Thompson, V.; Tollefson; Tomac; Trautman; Ulmer; Urlacher; Vander Vorst; Watne; Wentz; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

ABSENT AND NOT VOTING: Brokaw; Gates; Nicholas

The motion to adopt the amendments to HB 1337 lost.

ANNOUNCEMENT

THE SPEAKER ANNOUNCED that HB 1337 was rereferred to the Committee on Appropriations.

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 1029, HB 1049, HB 1126, HB 1186, HB 1276, HB 1352, HB 1471, HB 1499, HB 1505, HB 1532, HB 1564, HB 1613, HB 1638, HB 1644.

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

MR. SPEAKER: The Senate has passed and your favorable consideration is requested on: SB 2289, SB 2302, SB 2400, SB 2402, SB 2441, SB 2449, SB 2497, SCR 4003, SCR 4028, SCR 4030, SCR 4036, SCR 4038.

SECOND READING OF HOUSE BILLS

HB 1611: A BILL for an Act to amend and reenact sections 54-34-02 and 54-34-04 of the North Dakota Century Code, relating to the qualifications of the director of the economic development commission and duties of the economic development commission.

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: Aas; Anderson, R.; Belter; Berg, R.; Clayburgh; Dalrymple; Dorso; Frey; Gates; Gerntholz; Goetz; Gorman; Hanson, O.; Haugen; Kingsbury; Kloubec; Larson, R.; Lindgren; Martin; Myrdal; Nicholas; Olsen, D.; Olson, A.; Olson, V.; Payne; Rydell; Schatz; Schindler; Schmidt; Shaft; Shide; Shockman; Smette; Soukup; Stenehjem; Thompson, K.; Timm; Tokach; Tollefson; Trautman; Vander Vorst; Wentz; Whalen

NAYS: Aarsvold; Anderson, B.; Berg, G.; Bernstein; Carlson; Christman; DeMers, J.; DeMers, P.; Enget; Flaagan; Gerhardt; Gerl; Gilmore; Graba; Gunsch; Halmrast; Hanson, L.; Haugland; Hausauer, A.; Hausauer, R.; Hoffner; Hokana; Huether; Jensen; Kaldor; Kelly; Kneil; Kolbo; Kouba; Lang; Larson, D.; Laughlin; Marks; Martinson; Melby; Mertens; Murphy; Nelson; Ness; Nowatzki; Oban; O'Shea; Peterson; Ring; Scherber; Schneider; Skjerven; Solberg; Sorensen; Starke; Stofferahn; Thompson, V.; Tomac; Ulmer; Wald; Watne; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

ABSENT AND NOT VOTING: Brokaw; Howard; Urlacher

HB 1611 lost.

HB 1627: A BILL for an Act to amend and reenact subsections 7, 8, and 9 of section 57-39.2-01, subsection 1 of section 57-39.2-02.1, and subsections 5 and 8 of section 57-40.2-01 of the North Dakota Century Code, relating to removal of sales and use tax exemptions for sales of magazine subscriptions.

ROLL CALL

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

YEAS: Aarsvold; Aas; Anderson, B.; Berg, G.; Carlson; Christman; DeMers, J.; DeMers, P.; Flaagan; Frey; Gerhardt; Gerl; Gilmore; Graba; Hanson, L.; Hoffner; Hokana; Kaldor; Kelly; Kloubec; Kolbo; Kouba; Larson, D.; Laughlin; Marks; Martin; Nicholas; Oban; Peterson; Ring; Schatz; Scherber; Schneider; Shockman; Skjerven; Starke; Stofferahn; Thompson, V.; Tokach; Tomac; Ulmer; Urlacher; Vander Vorst; Watne; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: Anderson, R.; Belter; Berg, R.; Bernstein; Clayburgh; Dalrymple; Dorso; Enget; Gates; Gerntholz; Goetz; Gorman; Gunsch; Halmrast; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Huether; Jensen; Kingsbury; Knell; Lang; Larson, R.; Lindgren; Martinson; Melby; Mertens; Murphy; Myrdal; Nelson; Ness; Nowatzki; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Rydell; Schindler; Schmidt; Shaft; Shide; Smette; Solberg; Sorensen; Soukup; Stenehjelm; Thompson, K.; Timm; Tollefson; Trautman; Wald; Wentz; Whalen

ABSENT AND NOT VOTING: Brokaw; Howard

HB 1627 lost.

HB 1651: A BILL for an Act to amend and reenact sections 11-28.3-04, 11-28.3-13, and 57-15-50 of the North Dakota Century Code, relating to the vote requirements for establishment or dissolution of a rural ambulance service district and the levy for county ambulance service within districts which otherwise levy for ambulance service; 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 101 YEAS, 0 NAYS, 5 ABSENT AND NOT VOTING.

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

Kolbo; Kouba; Lang; Larson, D.; Larson, R.; Laughlin; Lindgren; Marks; Martin; Martinson; Melby; Mertens; Murphy; Myrdal; 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; Whalen; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: None

ABSENT AND NOT VOTING: Brokaw; Gerl; Howard; Nelson; Wentz

HB 1651 passed and the title was agreed to.

HB 1016: A BILL for an Act making an appropriation for insurance premium tax payments distribution to fire departments; and to amend and reenact section 18-04-05 of the North Dakota Century Code, relating to payments by the commissioner of insurance to cities, rural fire protection districts, and rural fire departments.

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, 22 NAYS, 1 ABSENT AND NOT VOTING.

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

NAYS: Aarsvold; Aas; Belter; Dorso; Enget; Gorman; Haugen; Hausauer, A.; Howard; Kouba; Larson, D.; Larson, R.; Lindgren; Melby; Murphy; Myrdal; Olson, A.; Skjerven; Timm; Tollefson; Tomac; Trautman

ABSENT AND NOT VOTING: Brokaw

HB 1016 passed and the title was agreed to.

HB 1018: A BILL for an Act making an appropriation for the distribution of state aid distribution fund revenue to local political subdivisions of the state of North Dakota; to amend and reenact section 57-58-01 of the North Dakota Century Code as amended by section 2 of chapter 35 of the 1987 Session Laws of North Dakota, relating to the distribution of

personal property tax replacement funds to political subdivisions; and to provide a statement of legislative intent.

ROLL CALL

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

YEAS: Aarsvold; Aas; Anderson, B.; Anderson, R.; Belter; Berg, G.; Berg, R.; Bernstein; 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; Myrda; Nelson; Ness; Nowatzki; Oban; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Peterson; Ring; Rydell; Schatz; Scherber; Schindler; Schmidt; Schneider; Shaft; Shide; Shockman; Skjerven; Smette; 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: Brokaw; Nicholas

HB 1018 passed and the title was agreed to.

HB 1213: A BILL for an Act to create and enact chapter 51-23 of the North Dakota Century Code, relating to the regulation of certain commodities transactions; and to provide a penalty.

ROLL CALL

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

YEAS: Aarsvold; Aas; Anderson, B.; Anderson, R.; Belter; Berg, G.; Berg, R.; Bernstein; Carlson; Christman; Clayburgh; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Enget; Flaagan; Frey; Gates; Gerhardt; 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; Myrda; Nelson; Ness; Nowatzki; Oban; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Peterson; Ring; Rydell; Schatz; Scherber; Schindler; Schmidt; Schneider; Shaft; Shide; Shockman; Skjerven; Smette; Solberg; 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: Brokaw; Nicholas; Sorensen

HB 1213 passed and the title was agreed to.

MOTIONS

REP. KLOUBEC MOVED that 300 copies of Engrossed HB 1018 be reprinted, which motion prevailed.

REP. PETERSON MOVED that HB 1020 and HB 1021 be moved to the bottom of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILLS

HB 1296: A BILL for an Act to create and enact a new section to chapter 20.1-02 and a new subsection to section 20.1-03-04 of the North Dakota Century Code, relating to control of migratory waterfowl predators; and to amend and reenact sections 20.1-03-03, 20.1-07-03, and 20.1-07-03.1 of the North Dakota Century Code, relating to control of migratory waterfowl predators.

ROLL CALL

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

YEAS: Berg, G.; Flaagan; Gerl; Graba; Haugen; Lang; Larson, D.; Laughlin; Schindler; Schmidt; Shockman; Skjerven; Sorensen; Stenehjelm; Tokach; Trautman; Vander Vorst; Williams, A.

NAYS: Aarsvold; Aas; Anderson, B.; Anderson, R.; Belter; Berg, R.; Bernstein; Carlson; Christman; Clayburgh; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Enget; Frey; Gates; Gerhard; Gerntholz; Goetz; Gorman; Gunsch; Halmrast; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hausauer, R.; Hoffner; Hokana; Howard; Huether; Jensen; Kaldor; Kelly; Kingsbury; Kloubec; Knell; Kolbo; Kouba; Larson, R.; 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; Schneider; Shaft; Shide; Smette; Solberg; Soukup; Starke; Stofferahn; Thompson, K.; Thompson, V.; Timm; Tollefson; Tomac; Ulmer; Urlacher; Watne; Wentz; Whalen; Wilkie; Williams, W.; Speaker Kretschmar

ABSENT AND NOT VOTING: Brokaw; Gilmore; Peterson; Wald

HB 1296 lost.

HB 1300: A BILL for an Act to amend and reenact section 61-16.1-38 of the North Dakota Century Code, relating to permits for construction of dams, dikes, and other devices.

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, 0 NAYS, 4 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Brokaw; Kingsbury; Peterson; Whalen

HB 1300 passed and the title was agreed to.

HB 1324: A BILL for an Act to amend and reenact section 55-08-05 of the North Dakota Century Code, relating to fees charged for services by the director of the North Dakota parks and recreation department.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 98 YEAS, 3 NAYS, 5 ABSENT AND NOT VOTING.

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

NAYS: Berg, R.; Gunsch; Williams, W.

ABSENT AND NOT VOTING: Brokaw; Kingsbury; Nicholas; Peterson; Whalen

HB 1324 passed and the title was agreed to.

HB 1332: A BILL for an Act to amend and reenact subsection 3 of section 18-12-25 and subsection 1 of section 54-21.3-03 of the North Dakota Century Code, relating to the state building code.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 77 YEAS, 26 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Aas; Anderson, R.; Belter; Berg, G.; Berg, R.; Christman; Clayburgh; Dalrymple; DeMers, J.; DeMers, P.; Enget; Flaagan; Frey; Gerntholz; Goetz; Gorman; Graba; Hanson, O.; Haugen; Hausauer, A.; Hausauer, R.; Hoffner; Hokana; Howard; Jensen; Kaldor; Kelly; Kingsbury; Kloubec; Knell; Kolbo; Kouba; Lang; Larson, R.; Laughlin; Lindgren; Martin; Melby; Murphy; Myrdal; Ness; Nicholas; Nowatzki; Oban; Olsen, D.; Olson, A.; Olson, V.; Payne; Rydell; Schindler; Schmidt; Shaft; Shide; Shockman; Skjerven; Smette; Solberg; Sorensen; Soukup; Starke; Stenehjem; Stofferahn; Thompson, K.; Thompson, V.; Timm; Tokach; Tollefson; Tomac; Trautman; Vander Vorst; Wald; Wentz; Whalen; Wilkie; Williams, A.; Speaker Kretschmar

NAYS: Anderson, B.; Bernstein; Carlson; Dorso; Gates; Gerhardt; Gerl; Gilmore; Gunsch; Halmrast; Hanson, L.; Haugland; Huether; Larson, D.; Marks; Martinson; Mertens; Nelson; O'Shea; Ring; Schatz; Scherber; Schneider; Urlacher; Watne; Williams, W.

ABSENT AND NOT VOTING: Brokaw; Peterson; Ulmer

HB 1332 passed and the title was agreed to.

HB 1459: A BILL for an Act relating to a right of entry for land surveyors.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 9 YEAS, 91 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Berg, G.; DeMers, J.; Huether; Kingsbury; Ring; Shaft; Shockman; Ulmer; Wentz

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

ABSENT AND NOT VOTING: Anderson, R.; Brokaw; Lang; Peterson; Schneider; Whalen

HB 1459 lost.

HB 1515: A BILL for an Act to amend and reenact subsection 6 of section 52-06-02 of the North Dakota Century Code, relating to student disqualification from unemployment compensation benefits.

ROLL CALL

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

YEAS: Aarsvold; Aas; Anderson, B.; Belter; Berg, G.; Berg, R.; Bernstein; 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; Olson, D.; Olson, A.; Olson, V.; O'Shea; Payne; Ring; Rydell; Schatz; Scherber; Schindler; Schmidt; Schneider; Shaft; 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: None

ABSENT AND NOT VOTING: Anderson, R.; Brokaw; Peterson; Shide; Whalen

HB 1515 passed and the title was agreed to.

HB 1535: A BILL for an Act to prohibit any entity or employee of an entity that receives public funds from providing or referring a child to family health planning services and to prohibit school employees from providing transportation to aid school children in obtaining family health planning services; and to provide a penalty.

ROLL CALL

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

YEAS: Belter; Dorso; Gerntholz; Gilmore; Goetz; Gorman; Gunsch; Haugen; Hausauer, A.; Hausauer, R.; Howard; Huether; Kingsbury; Knell; Kouba; Larson, D.; Marks; Martin; Melby; Murphy; Myrdal; Nelson; Nicholas; Olson, D.; Olson, A.; Schatz; Shide; Shockman; Skjerven; Smette; Sorensen; Stenehjem; Thompson, K.; Tokach; Tomac; Urlacher; Vander Vorst; Wald; Whalen; Williams, A.; Speaker Kretschmar

NAYS: Aarsvold; Aas; Anderson, B.; Anderson, R.; Berg, G.; Berg, R.; Bernstein; Carlson; Christman; Clayburgh; Dalrymple; DeMers, J.; DeMers, P.; Enget; Flaagan; Frey; Gates; Gerhardt; Gerl; Graba; Halmrast; Hanson, L.; Hanson, O.; Haugland; Hoffner; Hokana; Jensen; Kaldor; Kelly; Kloubec; Kolbo; Lang; Larson, R.; Laughlin; Lindgren; Martinson; Mertens; Nelson; Ness; Nowatzki; Oban; Olson, V.; O'Shea; Payne; Peterson; Ring; Rydell; Scherber; Schindler; Schmidt; Schneider;

Solberg; Soukup; Starke; Stofferahn; Thompson, V.; Timm; Tollefson; Trautman; Ulmer; Watne; Wentz; Wilkie; Williams, W.

ABSENT AND NOT VOTING: Brokaw; Shaft

HB 1535 lost.

HB 1546: A BILL for an Act to create and enact chapter 57-40.7 of the North Dakota Century Code, relating to imposition of an excise tax on telecommunications services; to amend and reenact subsections 7, 8, and 9 of section 57-39.2-01, subdivision b of subsection 1 of section 57-39.2-02.1, and subsection 2 of section 57-39.2-18 of the North Dakota Century Code, relating to sales tax definitions and removal of references to communications from the sales 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 21 YEAS, 81 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Carlson; DeMers, J.; DeMers, P.; Flaagan; Gerhardt; Gerl; Graba; Hoffner; Hokana; Huether; Kaldor; Kolbo; Laughlin; Marks; Murphy; Oban; Ring; Scherber; Thompson, V.; Williams, A.; Williams, W.

NAYS: Aarsvold; Aas; Anderson, B.; Anderson, R.; Belter; Berg, G.; Berg, R.; Bernstein; Christman; Clayburgh; Dalrymple; Dorso; Enget; Frey; Gates; Gertholz; Gilmore; Goetz; Gorman; Gunsch; Halmrast; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Howard; Jensen; Kelly; Kingsbury; Kloubec; Knell; Kouba; Lang; Larson, D.; Larson, R.; Lindgren; Martin; Martinson; Melby; Mertens; Myrdal; Nelson; Ness; Nicholas; Nowatzki; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Peterson; Rydell; Schatz; Schindler; Schmidt; Schneider; Shide; Shockman; Skjervan; Smette; Solberg; Sorensen; Soukup; Starke; Stenehjerm; Thompson, K.; Timm; Tokach; Tollefson; Tomac; Trautman; Ulmer; Urlacher; Vander Vorst; Wald; Watne; Wentz; Wilkie; Speaker Kretschmar

ABSENT AND NOT VOTING: Brokaw; Shaft; Stofferahn; Whalen

HB 1546 lost.

HB 1565: A BILL for an Act to amend and reenact section 58-05-12 of the North Dakota Century Code, relating to instances in which a township officer may be a party to a contract with the township; 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 103 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Aas; Anderson, B.; Anderson, R.; Belter; Berg, G.; Berg, R.; Bernstein; Carlson; Christman; Clayburgh; Dalrymple; DeMers, J.;

DeMers, P.; Dorso; Enget; Flaagan; Frey; Gates; Gerhardt; Gerl; Gerntholz; Gilmore; Goetz; Gorman; Graba; Gunsch; Halmrast; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hoffner; Hokana; Howard; Huether; Jensen; Kaldor; Kelly; Kingsbury; Kloubec; Knell; Kolbo; Kouba; Lang; Larson, D.; Larson, R.; Laughlin; Lindgren; Marks; Martin; Martinson; Melby; Mertens; Murphy; Myrdal; Nelson; Ness; Nicholas; Nowatzki; Oban; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Peterson; Ring; Rydell; Schatz; Scherber; Schindler; Schmidt; Schneider; Shide; Shockman; Skjerven; Smette; Solberg; Sorensen; Soukup; Starke; 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: None

ABSENT AND NOT VOTING: Brokaw; Shaft; Whalen

HB 1565 passed, the title was agreed to, and the emergency clause carried.

HB 1608: A BILL for an Act to amend and reenact subsection 1 of section 34-14-09.1 of the North Dakota Century Code, relating to interest on unpaid wages.

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, 0 NAYS, 4 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Brokaw; Kouba; Shaft; Whalen

HB 1608 passed and the title was agreed to.

MOTION

REP. R. ANDERSON MOVED that HCR 3045 be placed at the bottom of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILLS

HB 1173: A BILL for an Act to create and enact a new chapter to title 39 of the North Dakota Century Code, relating to driver safety education and training programs assisted by additional fees on driving offenses and administered by the state highway commissioner; and to provide an appropriation.

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, 91 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Graba; Halmrast; Hoffner; Hokana; Huether; Kolbo; Laughlin; Oban; Wentz; Williams, A.

NAYS: Aarsvold; Aas; Anderson, B.; Anderson, R.; Belter; Berg, G.; Berg, R.; Bernstein; Carlson; Christman; Clayburgh; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Enget; Flaagan; Frey; Gates; Gerhardt; Gerntholz; Gilmore; Goetz; Gorman; Gunsch; Hanson, L.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Howard; Jensen; Kaldor; Kingsbury; Kloubec; Knell; Kouba; Lang; Larson, D.; Larson, R.; Lindgren; Marks; Martin; Martinson; Melby; Mertens; Murphy; Myrdal; Nelson; Ness; Nicholas; Nowatzki; 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; Wilkie; Williams, W.; Speaker Kretschmar

ABSENT AND NOT VOTING: Brokaw; Gerl; Hanson, O.; Kelly; Whalen

HB 1173 lost.

HB 1189: A BILL for an Act to create and enact a new section to chapter 50-06 of the North Dakota Century Code, relating to the eligibility of certain trust beneficiaries for assistance based on economic need.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 1 YEA, 98 NAYS, 7 ABSENT AND NOT VOTING.

YEAS: Laughlin

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

ABSENT AND NOT VOTING: Brokaw; Gerl; Hausauer, R.; Kelly; Peterson; Wald; Whalen

HB 1189 lost.

REQUEST

REP. NOWATZKI REQUESTED that the record show that he intended to vote "yea" on HB 1535, which request was granted.

SECOND READING OF HOUSE BILL

HB 1215: A BILL for an Act to amend and reenact section 18-04-05 of the North Dakota Century Code, relating to the date appropriation payments are made by the commissioner of insurance to cities, rural fire protection districts, and rural fire departments.

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, 102 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: None

NAYS: Aarsvold; Aas; Anderson, B.; Anderson, R.; Belter; Berg, G.; Berg, R.; Bernstein; Carlson; Christman; Clayburgh; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Enget; Flaagan; Frey; Gates; Gerhardt; Gerl; Gertholz; 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; 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; Watne; Wentz; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

ABSENT AND NOT VOTING: Brokaw; Nicholas; Wald; Whalen

HB 1215 lost.

MOTIONS

REP. R. ANDERSON MOVED that HB 1217 be laid over one legislative day and placed immediately following HB 1259 on the calendar, which motion prevailed.

REP. R. ANDERSON MOVED that HB 1402 be placed immediately following HB 1235 on the calendar, which motion prevailed.

SECOND READING OF HOUSE BILLS

HB 1235: A BILL for an Act to create and enact a new section to chapter 19-02, a new section to chapter 19-02.1, a new section to chapter 19-08, and a new section to chapter 19-17 of the North Dakota Century Code, relating to the sale and use of certain home-prepared foods.

MOTION

REP. GUNSCH 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 79 YEAS, 23 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Aas; Anderson, B.; Anderson, R.; Belter; Bernstein; Carlson; Christman; Dalrymple; Enget; Flaagan; Frey; Gerhardt; Gerntholz; Gilmore; Goetz; Gorman; Graba; Gunsch; Hanson, L.; Hanson, O.; Haugen; Hausauer, A.; Hokana; Howard; Huether; Kaldor; Kelly; Kingsbury; Kloubec; Knell; Kolbo; Kouba; Lang; Larson, D.; Laughlin; Marks; Martin; Martinson; Murphy; Myrdal; Nelson; Ness; Nicholas; Nowatzki; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Peterson; Ring; Schatz; Schindler; Schmidt; Schneider; Shaft; Shide; Shockman; Skjerven; Smette; Sorensen; Soukup; Starke; Stofferahn; Thompson, K.; Thompson, V.; Timm; Tokach; Tollefson; Tomac; Urlacher; Vander Vorst; Watne; Whalen; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: Berg, R.; Clayburgh; DeMers, J.; DeMers, P.; Dorso; Gates; Gerl; Halmrast; Haugland; Hoffner; Jensen; Larson, R.; Lindgren; Melby; Mertens; Oban; Rydell; Scherber; Solberg; Stenehjem; Trautman; Ulmer; Wentz

ABSENT AND NOT VOTING: Berg, G.; Brokaw; Hausauer, R.; Wald

HB 1235 passed and the title was agreed to.

HB 1402: A BILL for an Act to create and enact a new section to chapter 19-02, a new section to chapter 19-02.1, a new section to chapter 19-08, and a new section to chapter 19-17 of the North Dakota Century Code, relating to the sale and use of home-prepared foods.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 70 YEAS, 32 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Aas; Anderson, R.; Belter; Berg, G.; Bernstein; Christman; Dalrymple; Dorso; Enget; Flaagan; Frey; Gerhardt; Gerntholz; Gilmore; Gorman; Graba; Gunsch; Hanson, O.; Haugen; Hausauer, A.; Hokana; Howard; Jensen; Kaldor; Kingsbury; Kloubec; Knell; Kolbo; Kouba; Lang; Larson, D.; Laughlin; Marks; Martin; Martinson; Melby; Murphy; Myrdal; Nelson; Ness; Nicholas; Nowatzki; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Rydell; Schatz; Schindler; Schmidt; Shaft; Shide; Skjerven; Smette; Sorensen; Starke; Thompson, K.; Thompson, V.; Timm; Tokach; Tollefson; Tomac; Urlacher; Vander Vorst; Wald; Wentz; Whalen; Speaker Kretschmar

NAYS: Anderson, B.; Berg, R.; Carlson; Clayburgh; DeMers, J.; DeMers, P.; Gates; Gerl; Goetz; Halmrast; Hanson, L.; Haugland; Hoffner; Huether; Kelly; Larson, R.; Lindgren; Oban; Peterson; Ring; Scherber; Schneider; Shockman; Solberg; Stenehjem; Stofferahn; Trautman; Ulmer; Watne; Wilkie; Williams, A.; Williams, W.

ABSENT AND NOT VOTING: Brokaw; Hausauer, R.; Mertens; Soukup

HB 1402 passed and the title was agreed to.

REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER: Your procedural Committee on Delayed Bills (Rep. Kloubec, Chairman) has examined a bill to amend and reenact section 54-52.1-06 of the North Dakota Century Code, relating to the state contribution for coverage under the uniform group insurance program; and to declare an emergency.

It shall be numbered HB 1662.

Your Committee on Delayed Bills cast a unanimous ballot in favor of this bill.

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

REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER: Your procedural Committee on Delayed Bills (Rep. Kloubec, Chairman) has examined a bill to provide for the establishment of cooperative education districts; to amend and reenact paragraph 2 of subdivision a of subsection 11 of section 15-39.1-04 of the North Dakota Century Code, relating to the members of the teachers' fund for retirement; and to provide an appropriation.

It shall be numbered HB 1663.

Your Committee on Delayed Bills cast a unanimous ballot in favor of this bill.

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

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., Wednesday, February 15, 1989, which motion prevailed.

REPORTS OF STANDING COMMITTEES

MR. SPEAKER: Your Committee on Political Subdivisions (Rep. Lindgren, Chairman) to which was referred HB 1075 has had the same under consideration and recommends by a vote of 8 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 2, replace "Bank of North Dakota" with "board of university and school lands"

Page 1, line 8, replace "Bank of North Dakota" with "board of university and school lands"

Page 1, line 12, replace "Bank of North" with "board of university and school lands"

Page 1, line 13, remove "Dakota"

Page 2, line 3, replace "president of the Bank of North Dakota" with "board of university and school lands"

Page 2, line 8, replace "Bank of North Dakota" with "board of university and school lands"

Page 2, line 16, replace "Bank of North" with "board of university and school lands"

Page 2, line 17, remove "Dakota"

Page 2, line 21, replace "Bank of" with "board of university and school lands"

Page 2, line 22, remove "North Dakota"

Renumber accordingly

HB 1075 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Appropriations (Rep. Peterson, Chairman) to which was rereferred HB 1228 has had the same under consideration and recommends by a vote of 19 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 3, after "education" insert "; to provide an appropriation; and to provide legislative intent regarding the funding of handicapped access projects in future bienniums"

Page 1, line 17, replace "1990" with "1996"

Page 2, after line 11, insert:

"SECTION 2. APPROPRIATION. There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$1,600,000, or so much thereof as may be necessary, to the North Dakota state board of higher education for completion of selected handicapped access projects at the institutions of higher education for the biennium beginning July 1, 1989, and ending June 30, 1991.

SECTION 3. LEGISLATIVE INTENT - FUTURE FUNDING OF HANDICAPPED ACCESS PROJECTS. It is the intent of the legislative assembly that the funding provided in section 2 of this Act be the first phase of a total of \$4,692,550 to be provided for handicapped access projects at the institutions of higher education and that only projects which can be completed within the appropriated amount be undertaken during the biennium. In addition, it is the intent of the legislative assembly that the institutions of higher education and the executive budget office request funds in subsequent biennial budgets sufficient to complete the remaining handicapped access projects by July 1, 1996."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment changes the required date from July 1, 1990, to July 1, 1996, for remodeling of facilities at the institutions of higher education to make programs handicapped accessible. In addition a general fund appropriation of \$1.6 million is added for handicapped access projects during the 1989-91 biennium. Legislative intent is added stating that the \$1.6 million appropriated is the first phase of the full funding of the \$4,692,550 of identified projects that are to be completed by July 1, 1996, and the balance is to be requested in future budget requests.

HB 1228 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 rereferred HB 1262 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, replace "and" with a comma

Page 1, line 2, after "degradable" insert ", and to provide for standards for rates of degradation"

Page 1, after line 7, insert:

1. "Biodegradation" means the conversion of all constituents of a plastic or hybrid material containing plastic as a major component into miscellaneous component parts by microbial digestion and breakdown of natural materials.
2. "Chemical degradation" means the conversion of all constituents of a plastic of hybrid material containing plastic as a major component into miscellaneous component parts through the physical breakdown of the plastic product upon exposure to the natural elements that initiate the desired chemical reaction."

Page 1, after line 13, insert:

6. "Photodegradation" means the conversion of all constituents of a plastic or hybrid material containing plastic as a major component into miscellaneous component parts through the physical breakdown of the plastic product upon sufficient exposure to ultraviolet radiation."

Page 1, after line 19, insert:

"SECTION 2. Degradation rates - Byproducts of degradation. The department, in cooperation with the American society for testing and materials, the United States environmental protection agency, and the national institute of standards and technology, shall adopt rules regarding the required rates of degradation and allowable byproducts of degradation."

Page 2, line 6, replace "PETt" with "PETE"

Page 3, line 3, replace "By July 1, 1991, at least" with "The office of management and budget, the institutions of higher education, and any other state agency or institution that has authority to purchase

products, are encouraged, whenever possible, when purchasing newsprint printing services, to specify the use of soybean-based ink."

Page 3, remove lines 4 through 6

Page 3, line 7, remove "delegated, must be soybean based."

Page 3, line 16, after the period insert "The North Dakota corn growers association and the commissioner of agriculture shall assist the office of management and budget in locating suppliers of starch-based plastics and in collecting data on the purchase of starch-based plastics."

Page 3, line 18, remove "starch-based"

Page 3, line 19, remove "plastics and"

Page 3, line 20, remove "starch-based plastics and"

Renumber accordingly

HB 1262 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 1272 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 9, remove "or other organization"

Renumber accordingly.

HB 1272 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 1283 has had the same under consideration and recommends by a vote of 17 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

HB 1283 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 1284 has had the same under consideration and recommends by a vote of 16 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 2, line 15, replace "sent by certified mail" with "mailed"

Page 2, line 17, after "located" insert ". The board may send the material by certified mail or by regular mail attested by an affidavit of mailing signed by the attorney or secretary of the board"

Page 3, line 8, remove ", as"

Page 3, line 9, remove "determined by section 61-16.1-20, have been" and after "filed" insert "are"

Page 4, line 22, remove the overstrike over "~~published once a week for~~"

Page 4, remove the overstrike over lines 23 and 24

Page 4, line 25, remove the overstrike over "~~county newspaper of each county in which the benefited lands are located~~" and remove "sent"

Page 4, remove lines 26 and 27

Page 4, line 28, remove "located"

Page 5, line 27, overstrike ", as determined by section"

Page 5, line 28, overstrike "61-16.1-20, have" and replace "been filed" with "filed are"

Page 6, line 3, remove "total" and after "votes" insert "filed,"

Page 6, line 14, remove the overstrike over "publish"

Page 6, remove the overstrike over lines 15 and 16

Page 6, line 17, remove the overstrike over "~~each county in which the benefited lands are located~~" and remove "send notice of the order"

Page 6, remove lines 18 and 19

Page 6, line 20, remove "county in which the affected property is located"

Page 6, line 21, remove the overstrike over "publication" and remove "mailing"

Renumber accordingly

HB 1284 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 1302 has had the same under consideration and recommends by a vote of 11 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

Page 1, line 8, remove "and" and after "appropriation" insert "; and to provide an effective date"

Page 1, line 16, replace "forty-five" with "thirty-three and one-third"

Page 2, after line 25, insert:

"SECTION 4. EFFECTIVE DATE. Section 3 of this Act becomes effective on July 1, 1991."

Renumber accordingly

HB 1302 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 1313 has had the same under consideration and recommends by a vote of 11 YEAS, 2 NAYS, 3 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

Page 2, line 1, replace "ninety" with "thirty" and remove "or until the person reaches twenty-one years of age,"

Page 2, line 2, remove "whichever is longer"

Page 2, line 18, replace "as provided under" with "for thirty days by the highway commissioner."

Page 2, remove lines 19 through 21

Page 2, line 29, after "Act" insert "if the offense resulting in the suspension or denial did not occur while in a motor vehicle"

Page 3, line 21, after "shall" insert ", if the offense occurred while in a motor vehicle, and may, if the offense did not occur while in a motor vehicle,"

Page 3, line 26, replace "ninety" with "thirty"

Page 4, line 11, replace "ninety" with "thirty" and remove "or"

Page 4, remove line 12

Page 4, line 13, remove "longer"

Page 4, line 15, after "one" insert "hundred eighty days."

Page 4, remove lines 16 and 17

Page 4, after line 24, insert:

"4. The fact that a suspension or denial of driving privileges has been imposed under this section may not be included in the person's operating record abstract if the offense resulting in the suspension or denial did not occur while in a motor vehicle."

Renumber accordingly

HB 1313 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Education (Rep. Gates, Chairman) to which was referred HB 1350 has had the same under consideration and recommends by a vote of 8 YEAS, 6 NAYS, 2 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO NOT PASS:

Page 2, line 12, after "15-27.1-11" insert ",15-27.2-01,"

Page 2, line 14, overstrike "the nonoperating district is attached to" and insert immediately thereafter "annexed, reorganized, or dissolved pursuant to this section or section 15-27.2-01. Any school district

affected by this Act is entitled to school board representation as provided for in section 15-28-02"

Renumber accordingly

HB 1350 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 1408 has had the same under consideration and recommends by a vote of 17 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

HB 1408 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 1413 has had the same under consideration and recommends by a vote of 11 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

Page 1, line 7, after "required" insert "- Exception"

Page 1, line 9, after the period insert "This section does not apply to an inspector employed by the electrical board or a political subdivision as of the effective date of this Act."

Page 1, line 12, after "required" insert "- Exception"

Page 1, line 14, after the period insert "This section does not apply to an inspector employed by the board of plumbing or a political subdivision as of the effective date of this Act."

Renumber accordingly

HB 1413 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 1453 has had the same under consideration and recommends by a vote of 10 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, line 2, after "requirements" insert "; and to provide an effective date"

Page 2, after line 5, insert:

"SECTION 2. EFFECTIVE DATE. This Act becomes effective on the date the legislative council receives the 1990 census data for legislative assembly reapportionment purposes."

Renumber accordingly

HB 1453 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Education (Rep. Gates, Chairman) to which was referred HB 1478 has had the same under consideration and recommends by a vote of 16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same DO NOT PASS.

HB 1478 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 1482 has had the same under consideration and recommends by a vote of 10 YEAS, 7 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO NOT PASS:

Page 1, line 3, remove "; and to provide an appropriation"

Page 1, line 19, replace "one" with "five"

Page 1, line 21, replace "one" with "five"

Page 2, remove lines 3 through 8

Re-number accordingly

HB 1482 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 1509 has had the same under consideration and recommends by a vote of 11 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

Page 1, line 3, remove "; and to provide a penalty"

Page 1, line 7, remove "- Civil penalty"

Page 1, line 11, replace "prescribed and approved" with "provided"

Page 1, line 14, remove "Any person who,"

Page 1, remove lines 15 through 21

Re-number accordingly

HB 1509 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 1527 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 7, replace the second "A" with "B" and remove "enters"

Page 1, line 8, remove "and" and after "another" insert "after being requested to leave the agricultural property by a duly authorized person"

Re-number accordingly

HB 1527 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 1552 has had the same under consideration and recommends by a vote of 15 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO NOT PASS.

HB 1552 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 1563 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same DO PASS.

HB 1563 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 1570 has had the same under consideration and recommends by a vote of 15 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING that the same DO NOT PASS.

HB 1570 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 1576 has had the same under consideration and recommends by a vote of 15 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING that the same DO PASS.

HB 1576 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 1577 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same DO PASS.

HB 1577 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 1582 has had the same under consideration and recommends by a vote of 15 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO NOT PASS.

HB 1582 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 1585 has had the same under consideration and recommends by a vote of 15 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

HB 1585 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Finance and Taxation (Rep. A. Hausauer, Chairman) to which was referred HB 1589 has had the same under consideration and recommends by a vote of 14 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING that the same DO NOT PASS.

HB 1589 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 1597 has had the same under consideration and recommends by a vote of 12 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 7, replace "No" with "Except as provided in this section, title, or by rule adopted by the commissioner, no"

Page 1, line 16, remove the first "and" and after "antlers" insert ", and horns"

Page 1, line 17, remove "to licensed fur buyers"

Page 1, line 19, replace "to licensed fur buyers and legal" with ", legs, antlers, and horns."

Page 1, remove line 20

Page 2, after line 2, insert:

"6. Subject to rules adopted by the commissioner, civic and service clubs, public-spirited organizations, and nonprofit educational, charitable, patriotic, fraternal, or religious organizations are permitted to host game or fish feeds in conjunction with fundraisers or membership drives."

Re-number accordingly

HB 1597 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 1599 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 2, line 3, after "physician" insert "who is a psychiatrist"

Page 2, line 16, after "a" insert "publicly or privately operated"

Page 2, line 17, after "shall" insert "meet the requirements for licensure and shall"

Page 4, line 1, replace "professional" with "professionals"

Page 4, line 28, after "licensed" insert "or approved"

Re-number accordingly

HB 1599 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Education (Rep. Gates, Chairman) to which was referred HB 1614 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 1, line 4, after "payments" insert "; and to provide an effective date"

Page 1, line 16, replace "January first" with "June thirtieth"

Page 7, after line 13, insert:

"SECTION 5. EFFECTIVE DATE. This Act becomes effective on June 30, 1991."

Renumber accordingly

HB 1614 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 1616 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 1616 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Education (Rep. Gates, Chairman) to which was referred HB 1635 has had the same under consideration and recommends by a vote of 10 YEAS, 4 NAYS, 2 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO NOT PASS:

Page 1, line 21, replace "net assessed" with "taxable"

Renumber accordingly

HB 1635 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Education (Rep. Gates, Chairman) to which was referred HB 1640 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:

Page 1, line 4, after the third comma insert "subsection 4 of section 11-10-10, sections"

Page 2, after line 23, insert:

"SECTION 5. AMENDMENT. Subsection 4 of section 11-10-10 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

4. The salaries of the judges of county courts shall be as provided in section 27-07.1-04. The county superintendent of

schools shall receive for any trips necessarily made within his county in the performance of school district reorganization duties the same mileage as he receives under the provisions of section 11-10-15. The board of county commissioners of any county may, by resolution, increase the salary of any full-time county official provided in this section, if, in the judgment of such board, by reason of duties performed, the official merits the increase. The salary of a county official shall not be reduced during the official's term of office. Any Except as provided in sections 15-22-04 and 15-22-25, any county official performing duties on less than a full-time basis may be paid a reduced salary set by the board of county commissioners. In the event the county has for its employees, a group insurance program for hospital benefits, medical benefits, or life insurance, or a group retirement program, financed in part or entirely by the county, such benefits may be in addition to the salaries payable to county officials."

Page 3, line 9, after "~~qualified~~" insert ".". The candidate selected shall serve as county superintendent of schools until the candidate resigns or is discharged by the board of county commissioners at the request of a majority of the presidents of the school boards within the county in the manner provided for discharge of superintendents pursuant to section 15-47-38.1. The presidents of the school boards in the county shall perform the same functions as the school board in section 15-47-38.1 with regard to evaluations, renewals, or discharges of county superintendents of schools""

Page 3, line 28, after the underscored period insert "Each county superintendent of schools, whether employed by one county or a combination of counties, must be considered at a minimum a half-time employee.""

Page 4, line 14, replace "special" with "all"

Page 4, line 20, after "districts" insert "and the multidistrict special education units"

Page 4, line 23, after "for" insert "all"

Page 7, line 12, remove "an enrollment in the schools"

Page 7, line 13, remove "located in the county of" and replace "pupils in average daily" with "persons over five and under eighteen years of age"

Page 7, line 14, remove "membership in grades kindergarten through twelve"

Page 7, line 19, replace "The" with "Any" and after "plan" insert "to share a county superintendent of schools"

Page 7, line 24, after the period insert "The superintendent of public instruction may exempt a county from jointly employing a county superintendent of schools if the superintendent determines that, due to the geographic size of the county or the duties required of the county superintendent of schools in that county, sharing a county superintendent of schools would not be feasible.""

Page 7, line 28, replace "average daily membership of the students in grades kindergarten" with "number of persons over five and under eighteen years of age"

Page 7, line 29, remove "through twelve"

Page 8, line 8, replace the first "5" with "6", replace the second "5" with "6", and replace "6" with "7"

Page 8, line 9, replace "7, 9" with "5, 8, 10" and replace "10" with "11"

Re-number accordingly

HB 1640 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 1641 has had the same under consideration and recommends by a vote of 8 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, after "A BILL" replace the remainder of the bill with "for an Act to create and enact a new subsection to section 53-06.1-01, a new subsection to section 53-06.1-07, and two new sections to chapter 53-06.1 of the North Dakota Century Code, relating to electronic video gaming devices and commingling of pull tab and jar games of chance; to amend and reenact sections 53-06.1-07, 53-06.1-07.1, 53-06.1-14, 53-06.1-16.1, and 53-06.1-17 of the North Dakota Century Code, relating to pull tabs, jars, punchboards, and electronic video gaming devices; to provide a penalty; and to provide an effective date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new subsection to section 53-06.1-01 of the 1987 Supplement to the North Dakota Century Code is hereby created and enacted to read as follows:

"Electronic video gaming device" means an electronic video machine or device that simulates the play of a game of chance, in the manner provided in this chapter or by rules adopted by the attorney general. The device may not directly dispense coins, cash, tokens, or anything of value other than a credit voucher.

SECTION 2. A new section to chapter 53-06.1 of the North Dakota Century Code is hereby created and enacted to read as follows:

Electronic video gaming devices - Limit on rent. For all purposes associated with the privilege of conducting games of chance utilizing the electronic video gaming devices, the monthly rent may not exceed fifty dollars per device.

SECTION 3. A new subsection to section 53-06.1-07 of the 1987 Supplement to the North Dakota Century Code is hereby created and enacted to read as follows:

The games of pull tabs and jars may be conducted only through use of commingled games.

SECTION 4. AMENDMENT. Section 53-06.1-07 of the 1987 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

53-06.1-07. Games of chance allowed. Eligible organizations shall be permitted to conduct the following games of chance:

1. Eligible organizations licensed by the attorney general shall be permitted to conduct bingo, raffles, pull tabs, jars, punchboards, twenty-one, ~~and~~ sports pools for professional sports only, draw poker, stud poker, and electronic video gaming device play of any of these games of chance.
2. College fraternities or sororities may conduct raffles and bingo.
3. Draw poker and stud poker in accordance with section 53-06.1-07.2. Any game of chance permitted in this section and played by the use of an electronic video gaming device must be played in the same manner and is subject to the same laws and rules applicable to the game of chance conducted, except:
 - a. In electronic video gaming device play of bingo, raffles, pull tabs, jars, or punchboards, no ticket need be sold and only electronic display of the results is required.
 - b. In electronic video gaming device play of twenty-one, no chips need be used, no playing cards need be dealt, and the electronic video gaming device is considered the dealer.
 - c. In electronic video gaming device play of draw poker or stud poker, the limitation as to the number of occasions of play per year does not apply.

SECTION 5. AMENDMENT. Section 53-06.1-07.1 of the 1987 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

53-06.1-07.1. Limitations on hours and participation in games of chance. A person under twenty-one years of age may not participate in the games of pull tabs, jars, punchboards, twenty-one, ~~or~~ sports pools or in any game conducted by use of an electronic video gaming device. The games of pull tabs, jars, punchboards, twenty-one, or sports pools and any game conducted by use of an electronic video gaming device may be conducted only during the hours when alcoholic beverages may be dispensed in accordance with applicable regulations of the state or the political subdivision.

SECTION 6. A new section to chapter 53-06.1 of the North Dakota Century Code is hereby created and enacted to read as follows:

Licensing of electronic video gaming devices. A licensed organization desiring to conduct games of chance by utilizing electronic video gaming devices shall apply for an annual license for each machine from the attorney general before July first of each year

on a form provided by the attorney general and shall include with the application a one hundred dollar fee.

SECTION 7. AMENDMENT. Section 53-06.1-14 of the 1987 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

53-06.1-14. Distributors and manufacturers - Licensure.

1. Every manufacturer of charitable gaming tickets and every distributor shall ~~annually~~ apply before the first day of April in each year for ~~a~~ an annual license upon a form prescribed by the attorney general ~~before the first day of April in each year~~ and shall submit the appropriate license fee. Each applicant shall provide such necessary and reasonable information as the attorney general may require. The license fee for a distributor is one thousand dollars, and the license fee for a manufacturer of charitable gaming tickets is two hundred fifty dollars.
2. Every nonresident manufacturer or distributor of bingo paper or supplies doing business in this state shall appoint a North Dakota agent who is licensed as a distributor. No distributor may sell, market, or otherwise distribute raffle tickets or equipment for games of chance except to eligible organizations. A manufacturer of charitable gaming tickets may not sell, market, or otherwise distribute charitable gaming tickets, other than to a licensed distributor.
3. Every eligible organization shall acquire all raffle tickets or equipment for games of chance from a distributor licensed under this chapter, unless the raffle tickets or equipment for games of chance are printed, manufactured, or constructed by the eligible organization or unless the raffle tickets are obtained from a resident printer who has printed the raffle tickets at the request of the organization. At no time shall any eligible organization print, manufacture, or construct any raffle tickets or equipment for games of chance for sale to any other eligible organization.
4. Every manufacturer or distributor of electronic video gaming devices through which games of chance are conducted under this chapter shall apply before the first day of April of each year for an annual license upon a form prescribed by the attorney general and shall submit the appropriate license fee. Each applicant shall provide such necessary and reasonable information as the attorney general requires. The license fee for a manufacturer or distributor is one thousand dollars. Every eligible organization shall purchase or lease all electronic video gaming devices from a manufacturer or distributor licensed under this chapter.
5. No licensed or authorized eligible organization may be a distributor. No wholesaler of liquor or alcoholic beverages may be a distributor.
- ~~5-~~ 6. The attorney general may, by motion based on reasonable grounds or on written complaint, suspend or revoke a

distributor's or manufacturer's license in accordance with chapter 28-32 for violation, by the licensee or any officer, director, agent, member, or employee of the licensee, of this chapter or any rule adopted under this chapter.

SECTION 8. AMENDMENT. Section 53-06.1-16.1 of the 1987 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

53-06.1-16.1. Bogus chips, marked cards, cheating devices, or fraudulent schemes unlawful - Penalty. It is unlawful for any person playing or conducting any authorized game of chance conducted by a licensed organization:

1. To use bogus or counterfeit chips or charitable gaming tickets, or to substitute or use any game, cards, or charitable gaming tickets that have been marked or tampered with.
2. To employ or have on one's person any cheating device to facilitate cheating in any game of chance.
3. To use any fraudulent scheme or technique.
4. To tamper with an electronic video gaming device, attempt or conspire to manipulate the outcome or the payoff of a video gaming device, or manipulate the outcome or payoff of a video gaming device by physical tampering or other interference with the proper functioning of the machine.

A person violating this section is guilty of a class A misdemeanor unless the violation is of subsection 4 or the amount gained through the use of these items, schemes, or techniques resulted in a person obtaining over five hundred dollars, then the offense is a class C felony.

SECTION 9. AMENDMENT. Section 53-06.1-17 of the 1987 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

53-06.1-17. Rules. The licensing authority shall adopt rules in accordance with chapter 28-32, relating to, but not limited to, methods of play, conduct, and promotion of games of chance; methods, procedures, and minimum standards for accounting and recordkeeping; requiring reports by licensees and authorized organizations; methods of competition and doing business by distributors; ~~and~~ marking or identification of raffle tickets, charitable gaming tickets, bingo equipment, jars, punchboards, or any other implements of gambling used or distributed in this state to implement or effectuate the provisions and purpose of this chapter; quality standards for the manufacture of charitable gaming tickets; regulation of electronic video gaming devices including licensing of machines, manufacturers, and distributors; testing, approval, and establishment of specifications for electronic video gaming devices; establishment of methods and rules of play of electronic video gaming devices; regulation of sales or lease agreements for electronic video gaming devices; to ensure that the entire net proceeds of games of chance are devoted to educational, charitable, patriotic, fraternal, religious, or other public-spirited

uses as defined by this chapter; to define capital improvements and furnishings; to protect and promote the public interest; to ensure fair and honest games of chance; to ensure that fees and taxes are paid; and to seek to prevent or detect unlawful gambling activity.

SECTION 10. EFFECTIVE DATE. Section 3 of this Act becomes effective on July 1, 1990."

Renumber accordingly

HB 1641 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 1647 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 create and enact a new section to chapter 64-03 of the North Dakota Century Code, relating to the requirement that certain petroleum delivery vehicles be equipped with approved meters; and to provide an effective date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new section to chapter 64-03 of the North Dakota Century Code is hereby created and enacted to read as follows:

Bulk petroleum delivery vehicles - Meters required. Every retail bulk petroleum delivery vehicle having a capacity of not more than five thousand gallons must be equipped with and dispensed through a meter approved by the public service commission and be capable of printing delivery receipts. In all instances of retail bulk petroleum sales, the customer must be provided with a metered delivery receipt showing the quantity of product delivered to that customer.

SECTION 2. EFFECTIVE DATE. This Act becomes effective on July 1, 1991."

Renumber accordingly

HB 1647 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Natural Resources (Rep. A. Olson, Chairman) to which was referred HCR 3029 has had the same under consideration and recommends by a vote of 13 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

Page 1, line 1, replace "implement" with "create a Garrison Unit Advisory Committee to review the impact of the impoundment of the waters of the Missouri River on the social and economic base of North Dakota including the impact on Indians of the Fort Berthold and Standing Rock Indian Reservations."

Page 1, remove lines 2 through 7

Page 2, line 21, after the comma insert "certain recommendations and findings of" and remove "made"

Page 2, replace lines 22 through 28 with "were incomplete insofar as the inequities borne by individual Indians of the Fort Berthold and Standing Rock Indian Reservations and further hearings and discussions by the Garrison Unit Advisory Committee are necessary to address the needs of reservation Indians; and"

Page 3, line 7, replace "enact legislation to" with "create a Garrison Unit Advisory Committee composed of citizens affected by the impoundment of Missouri River waters and representatives of grassroots non-Indian and Indian organizations to review the impact of the impoundment of waters under the Pick-Sloan Missouri River Basin program on the social and economic base of non-Indian and Indian people"

Page 3, remove lines 8 through 13

Page 3, line 18, after the comma insert "the United States Army Corps of Engineers,"

ReNUMBER accordingly

HCR 3029 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 SB 2068 has had the same under consideration and recommends by a vote of 12 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING that the same DO PASS.

SB 2068 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 2087 has had the same under consideration and recommends by a vote of 12 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING that the same DO PASS.

SB 2087 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 2088 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 2088 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 2104 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 2104 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 2147 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 2147 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 2165 has had the same under consideration and recommends by a vote of 10 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

SB 2165 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 2181 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 2181 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 2184 has had the same under consideration and recommends by a vote of 11 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same DO PASS.

SB 2184 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 2202 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 2202 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

FIRST READING OF HOUSE BILLS

Rep. Kloubec introduced:

(Approved by the Committee on Delayed Bills)

HB 1662: A BILL for an Act to amend and reenact section 54-52.1-06 of the North Dakota Century Code, relating to the state contribution for coverage under the uniform group insurance program; and to declare an emergency.

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

Reps. Schneider, Kloubec, Stofferahn and Sens. Heigaard, Olson, Maixner introduced:

(Approved by the Committee on Delayed Bills)

HB 1663: A BILL for an Act to provide for the establishment of cooperative education districts; to amend and reenact paragraph 2 of subdivision a of subsection 11 of section 15-39.1-04 of the North Dakota Century Code, relating to the members of the teachers' fund for retirement; and to provide an appropriation.

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

FIRST READING OF HOUSE CONCURRENT RESOLUTIONS

Reps. Wentz, Rydell and Sens. J. Meyer, Stenehjem introduced:

HCR 3059: A concurrent resolution directing the Legislative Council to study the health care insurance needs of uninsured and underinsured persons. Was read the first time and referred to the Committee on Human Services and Veterans Affairs.

Rep. Goetz and Sen. Satrom introduced:

HCR 3060: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of providing level retirement benefits to all retirees under the Teachers' Fund for Retirement. Was read the first time and referred to the Committee on Education.

FIRST READING OF SENATE BILLS

SB 2018: A BILL for an Act making an appropriation for defraying the expenses of the commissioner of university and school lands of the state of North Dakota; to provide for a transfer of funds from the resources trust fund; to provide for a contingency loan from the coal trust fund; and to repeal the ANG plant closure contingency line item of section 1 and section 4 of chapter 34 of the 1987 Session Laws of North Dakota, relating to the ANG plant closure contingency loan. Was read the first time and referred to the Committee on Appropriations.

SB 2020: A BILL for an Act making an appropriation for defraying the expenses of the state industrial commission and the agencies under the management of the industrial commission of the state of North Dakota and providing for transfers. Was read the first time and referred to the Committee on Appropriations.

SB 2094: A BILL for an Act to make an appropriation for defraying North Dakota's cost share of the Belfield/Bowman radiation remediation project costs under authority of the Uranium Mill Tailings Radiation Control Act; and to provide authorization to the state department of health and consolidated laboratories to negotiate with the department of energy on behalf of the state of North Dakota concerning the Belfield/Bowman radiation remediation project. Was read the first time and referred to the Committee on Appropriations.

SB 2169: A BILL for an Act to create and enact two new subsections to section 19-02.1-10, two new subsections to section 19-02.1-14, and a new subsection to section 19-02.1-18 of the North Dakota Century Code, relating to food, drugs, devices, and cosmetics; and to amend and reenact section 19-01-17, subsection 19 of section 19-02.1-01, sections 19-02.1-09, 19-02.1-11, 19-06.1-05, 19-08-02, subsection 2 of section 19-10-01, sections 19-10-16, 19-16.1-01, 19-16.1-10, and 19-17-01 of the North Dakota Century Code, relating to food, drugs, cosmetics, and petroleum products; and to repeal section 19-07-05 and chapter 9-11 of the North Dakota Century Code, relating to egg bonding and paints. Was read the first time and referred to the Committee on Human Services and Veterans Affairs.

SB 2207: A BILL for an Act to amend and reenact section 38-14.1-39 of the North Dakota Century Code, relating to the surface mining and reclamation fund; and to provide an appropriation. Was read the first time and referred to the Committee on Appropriations.

SB 2247: A BILL for an Act to amend and reenact section 41-09-42.1 of the North Dakota Century Code, relating to the depositing of fees collected by the secretary of state's office.

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

SB 2252: A BILL for an Act to create and enact two new sections to chapter 6-09, a new section to chapter 6-09.5, and a new section to chapter 6-09.6 of the North Dakota Century Code, relating to the advisory board of directors to the Bank of North Dakota, audit of the community water facility loan fund, and audit of the developmentally disabled, chronically mentally ill, and physically disabled facility loan programs; to amend and reenact sections 6-09-02, 6-09-04, 6-09-05, 6-09-11, 6-09-15, 6-09-26, and 6-09-27 of the North Dakota Century Code, relating to the execution of instruments on behalf of the Bank and to the powers and duties of the Bank of North Dakota; and to repeal sections 6-09-03, 6-09-09, 6-09-12, 6-09-14, 6-09-15.2, 6-09-15.3, 6-09-15.6, 6-09-15.7, 6-09-15.8, 6-09-26.1, 6-09-33, 6-09.1-01, 6-09.1-02, 6-09.1-03, and 6-09.9-06 of the North Dakota Century Code, relating to powers and duties of the Bank of North Dakota.

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

SB 2363: A BILL for an Act to provide for custody by the Bank of North Dakota of certain securities; and to amend and reenact sections 6-05-04, 6-05-05, 6-05-27, 7-07-03, 7-07-04, 7-07-12, 39-16-10, 39-16.1-15, subsection 1 of section 39-16.1-17, and subsection 1 of section 39-16.1-19 of the North Dakota Century Code, relating to the Bank of North Dakota acting as the custodian of securities that must be deposited with the state.

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

SB 2372: A BILL for an Act to amend and reenact subsection 3 of section 55-01-02 of the North Dakota Century Code, relating to the jurisdiction of the state historical board to dispose of items within its custody; and to declare an emergency.

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

SB 2493: A BILL for an Act to create and enact two new sections to chapter 15-03 of the North Dakota Century Code; and to amend and reenact section 15-03-04 of the North Dakota Century Code, relating to investments and calculation and distribution of investment income of the board of university and school lands.

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

SB 2496: A BILL for an Act to designate the Mandan railroad museum as the North Dakota state railroad museum.

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

FIRST READING OF SENATE CONCURRENT RESOLUTIONS

SCR 4011: A concurrent resolution proclaiming each Miss North Dakota to be the official hostess of the state of North Dakota during her reign as Miss North Dakota.

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

SCR 4025: A concurrent resolution directing the Legislative Council to study the state of the law with respect to legislative apportionment. Was read the first time and referred to the Committee on Political Subdivisions.

SCR 4035: A concurrent resolution directing the Legislative Council to study the purposes, powers, management, and operations of the Bank of North Dakota. Was read the first time and referred to the Committee on Industry, Business and Labor.

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

ROY GILBREATH, Chief Clerk