

JOURNAL OF THE HOUSE

Fifty-first Legislative Assembly

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Bismarck, March 9, 1989

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

The prayer was offered by Chaplain Burnie Kunz, Medcenter One, Bismarck.

The roll was called and all Representatives were present, except Representatives G. Berg, Nelson, and Peterson.

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 Forty-fourth 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 1117, HB 1122, HB 1242, HB 1512.

HOUSE ENROLLING REPORT

The following bills were enrolled: HB 1117, HB 1122, HB 1242, HB 1512.

HOUSE ENROLLING REPORT

The following bills were enrolled: HB 1064, HB 1079, HB 1160, HB 1188, HB 1190, HB 1194, HB 1202, HB 1227, HB 1288, HB 1359, HB 1393, HB 1420, HB 1428.

MESSAGE to the SENATE from the HOUSE (Roy Gilbreath, Chief Clerk)
MR. PRESIDENT: The House has concurred in the Senate amendments to HB 1117, HB 1122, HB 1242, and HB 1512 and subsequently passed the same.

The Speaker has appointed as a conference committee to act with a like committee from the Senate on:

SB 2394: Reps. Martinson, Lindgren, Gilmore

COMMUNICATION

State of North Dakota
OFFICE OF THE GOVERNOR
Bismarck

March 8, 1989

The Honorable William Kretschmar
Speaker of the House
House Chamber
State Capitol
Bismarck, North Dakota 58505

Dear Mr. Speaker:

This is to inform you that on March 8, 1989, I signed HB 1177.

Sincerely,

GEORGE A. SINNER
Governor

COMMUNICATION

State of North Dakota
OFFICE OF THE GOVERNOR
Bismarck

March 9, 1989

The Honorable William Kretschmar
Speaker of the House
House Chamber
State Capitol
Bismarck, North Dakota 58505

Dear Mr. Speaker:

This is to inform you that on March 9, 1989, I signed the following:
HB 1048, HB 1053, HB 1054, HB 1055, HB 1059, HB 1073, HB 1081, HB 1082,
HB 1086, HB 1087, HB 1091, HB 1092, HB 1093, HB 1096, HB 1099, HB 1100,
HB 1102, HB 1103, HB 1107, HB 1109, HB 1111, HB 1112, HB 1114, HB 1115,
HB 1118, HB 1120, HB 1121, HB 1129, HB 1133, HB 1137, HB 1138, HB 1141,
HB 1143, HB 1147, HB 1150, HB 1154, HB 1156, HB 1162, HB 1168, HB 1174,
HB 1176, HB 1179, HB 1180, HB 1203.

Sincerely,

GEORGE A. SINNER
Governor

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

MR. PRESIDENT: The House has passed and your favorable consideration is requested on: HCR 3069, HCR 3076, HCR 3081, HCR 3082, HCR 3083.

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

MR. PRESIDENT: The House has passed unchanged: SCR 4004, SCR 4016, SCR 4029, SCR 4035, SCR 4036, SCR 4044, SCR 4045.

SIGNING of BILLS and RESOLUTIONS (Roy Gilbreath, Chief Clerk)

THE CHIEF CLERK ANNOUNCED that the Speaker signed the following enrolled bills: HB 1066, HB 1070, HB 1105, HB 1108, HB 1204, HB 1232, HB 1236, HB 1239, HB 1243, HB 1253, HB 1255, HB 1260, HB 1263, HB 1269, HB 1270, HB 1274, HB 1291, HB 1305, HB 1317, HB 1328, HB 1377, HB 1394, HB 1397, HB 1464.

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

MR. PRESIDENT: The Speaker has signed and your signature is respectfully requested: HB 1066, HB 1070, HB 1105, HB 1108, HB 1204, HB 1232, HB 1236, HB 1239, HB 1243, HB 1253, HB 1255, HB 1260, HB 1263, HB 1269, HB 1270,

HB 1274, HB 1291, HB 1305, HB 1317, HB 1328, HB 1377, HB 1394, HB 1397, HB 1464.

SIGNING of BILLS and RESOLUTIONS (Roy Gilbreath, Chief Clerk)

THE CHIEF CLERK ANNOUNCED that the Speaker signed the following enrolled bills: SB 2056, SB 2132, SB 2138, SB 2140, SB 2142, SB 2143, SB 2144, SB 2147, SB 2148, SB 2154, SB 2161, SB 2163, SB 2164, SB 2167, SB 2168, SB 2170, SB 2174, SB 2195.

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

MR. PRESIDENT: The Speaker has signed: SB 2056, SB 2132, SB 2138, SB 2140, SB 2142, SB 2143, SB 2144, SB 2147, SB 2148, SB 2154, SB 2161, SB 2163, SB 2164, SB 2167, SB 2168, SB 2170, SB 2174, SB 2195.

SIGNING of BILLS and RESOLUTIONS (Roy Gilbreath, Chief Clerk)

THE CHIEF CLERK ANNOUNCED that the Speaker signed the following enrolled bills: SB 2031, SB 2034, SB 2061, SB 2063, SB 2068, SB 2087, SB 2091, SB 2092, SB 2100, SB 2101, SB 2107, SB 2111, SB 2112, SB 2113, SB 2126, SB 2127, SB 2149, SB 2165, SB 2179, SB 2185, SB 2228.

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

MR. PRESIDENT: The Speaker has signed: SB 2031, SB 2034, SB 2061, SB 2063, SB 2068, SB 2087, SB 2091, SB 2092, SB 2100, SB 2101, SB 2107, SB 2111, SB 2112, SB 2113, SB 2126, SB 2127, SB 2149, SB 2165, SB 2179, SB 2185, SB 2228.

SIXTH ORDER OF BUSINESS

REP. GATES MOVED that the amendments to HB 1661 as recommended by the Committee on Education as printed on page 1330 of the House Journal be adopted, and when so adopted, recommends the same DO NOT PASS, which motion prevailed.

HB 1661, as amended, was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. MARTINSON MOVED that the amendments to SB 2363 as recommended by the Committee on State and Federal Government as printed on pages 1333-1334 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SB 2363, as amended, was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

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

MR. SPEAKER: The President has signed and your signature is respectfully requested: SB 2038, SB 2074, SB 2075, SB 2076, SB 2080, SB 2099, SB 2160, SB 2162, SB 2171, SB 2183, SB 2188, SB 2199, SB 2204, SB 2205, SB 2209, SB 2214, SB 2215, SB 2239, SB 2250, SB 2257, SB 2277.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. LINDGREN MOVED that the House do concur in the Senate amendments to HB 1195 as printed on page 1297 of the House Journal, which motion prevailed on a voice vote.

Reengrossed HB 1195, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1195: A BILL for an Act to amend and reenact sections 54-01.1-01, 54-01.1-02, 54-01.1-03, 54-01.1-04, 54-01.1-05, 54-01.1-06, 54-01.1-07, 54-01.1-08, 54-01.1-09, 54-01.1-10, 54-01.1-12, and 54-01.1-16 of the North Dakota Century Code, relating to relocation assistance programs, expanded policy declaration, definitions, displacement expenses and expense limits, mode of payment, advisory information and planning, available housing assurance, adoption of rules, uniform administration, nonduplication of payment, gender neutralization, and reference source; 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 103 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Berg, G.; Nelson; Peterson

HB 1195 passed, the title was agreed to, and the emergency clause carried.

MOTION

REP. R. ANDERSON MOVED that the House waive the reading of the title to SB 2047, which motion prevailed.

SECOND READING OF SENATE BILLS

SB 2047: A BILL for an Act to provide procedures for appeals from the decisions of local governing bodies; to amend and reenact sections 4-16-09, 4-22-39, 11-11-41, 11-11-43, 11-28-19, 11-33-12, 11-33.2-09, 11-35-01, 15-27.3-07, 21-05-07, 24-07-22, 40-02-06.1, 40-05-02.2, 40-26-01, 40-39-10, subsection 5 of section 40-58-18, sections 40-62-04, 57-25-03, 57-28-12, 58-02-23, 58-03-15, 61-07-33, 61-12-18, 61-12-19, 61-12-23, 61-16.1-51, 61-16.1-53, 61-16.1-54, 61-21-17, 61-21-18, 61-21-43.1, 61-21-67, 61-24-17, and 61-32-07 of the North Dakota Century Code, relating to appeals from various local boards, commissions, and districts; and to repeal sections 61-16.1-55, 61-16.1-56, and 61-16.1-57 of the North Dakota Century Code, relating to appeals from water resource board decisions.

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, 1 NAY, 3 ABSENT AND NOT VOTING.

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

NAYS: Murphy

ABSENT AND NOT VOTING: Berg, G.; Nelson; Peterson

SB 2047 passed and the title was agreed to.

SB 2146: A BILL for an Act to amend and reenact subsection 3 of section 50-25.1-02, subsection 1 of section 50-25.1-03, sections 50-25.1-03.1, 50-25.1-04, 50-25.1-05, subsection 9 of section 50-25.1-11, and section 50-25.1-13 of the North Dakota Century Code, relating to child abuse and neglect; 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, R.; Bernstein; Brokaw; Carlson; Christman; Clayburgh; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Enget; Flaagan; Frey; Gates; Gerhardt; Gerl; Gerntholz; Gilmore; Goetz; Gorman; Graba; Gunsch; Halmrast; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hoffner; Hokana; Howard; Huether; Jensen; Kaldor; Kelly; Kingsbury; Kloubec; Knell; Kolbo; Kouba; Lang; Larson, D.; Larson, R.; Laughlin; Lindgren; Marks; Martin; Martinson; Melby; Mertens; Murphy; Myrdal; Ness; Nicholas; Nowatzki; Oban; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Ring; Rydell; Schatz; Scherber; Schindler; Schmidt; Schneider; Shaft; Shide; Shockman; Skjerven; Smette; Solberg; Sorensen; Soukup; Starke; Stenehjem; Stofferahn; Thompson, K.; Thompson, V.; Timm; Tokach; Tollefson; Tomac; Trautman; Ulmer; Urlacher; Vander Vorst; Wald; Watne; Wentz; Whalen; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: None

ABSENT AND NOT VOTING: Berg, G.; Nelson; Peterson

SB 2146 passed and the title was agreed to.

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

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 99 YEAS, 3 NAYS, 4 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Berg, G.; Kelly; Nelson; Peterson

SB 2356 passed and the title was agreed to.

MOTIONS

REP. KLOUBEC MOVED that SB 2011 and SB 2012 be laid over one legislative day, which motion prevailed.

REP. KLOUBEC MOVED that SCR 4024 be placed at the head of the calendar, which motion prevailed.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4024: A concurrent resolution expressing opposition to federal acid rain legislation or amendments to the Clean Air Act that unnecessarily and unfairly burden consumers and businesses in clean, low-emission states such as North Dakota.

REQUEST

REP. RING REQUESTED a recorded roll call vote on the motion to adopt SCR 4024, which request was granted.

ROLL CALL

The question being on the adoption of SCR 4024, the roll was called and there were 96 YEAS, 7 NAYS, 3 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Berg, G.; Nelson; Peterson

SCR 4024 was declared adopted on a roll call vote.

MOTION

REP. KLOUBEC MOVED that the rules be suspended and that SCR 4024 be messaged to the Senate immediately, which motion prevailed.

SECOND READING OF SENATE BILLS

SB 2039: A BILL for an Act to amend and reenact sections 15-59.3-01, 15-59.3-02, 15-59.3-03, 15-59.3-04, 15-59.3-05, 15-59.3-06, 15-59.3-07, 15-59.3-08, and 15-59.3-10 of the North Dakota Century Code, relating to boarding home care for special education students.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 102 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING.

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

SB 2039 passed and the title was agreed to.

SB 2040: A BILL for an Act to create and enact a new subsection to section 15-10-17 of the North Dakota Century Code, relating to the powers and duties of the board of higher education with respect to relationships between institutions of higher education and private business and industry.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 102 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Aas; Anderson, B.; Anderson, R.; Belter; Berg, R.; Bernstein; Brokaw; 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; Howard; 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; 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: Berg, G.; Gerl; Nelson; Peterson

SB 2040 passed and the title was agreed to.

MOTION

REP. R. ANDERSON MOVED that the House waive the reading of the title to SB 2054, which motion prevailed.

SECOND READING OF SENATE BILLS

SB 2054: A BILL for an Act to create and enact a new section to chapter 23-07 of the North Dakota Century Code, relating to adoption by school districts of a policy governing the disposition of students, employees, and independent contractors with significant contagious diseases; and to amend and reenact section 23-07-16 of the North Dakota Century Code, relating to school attendance by a child with a significant contagious or infectious disease.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 102 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Aas; Anderson, B.; Anderson, R.; Belter; Berg, R.; Bernstein; Brokaw; 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; Howard; 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; 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: Berg, G.; Gerl; Nelson; Peterson

SB 2054 passed and the title was agreed to.

SB 2194: A BILL for an Act to create and enact six new sections to chapter 43-15 of the North Dakota Century Code, relating to membership in the North Dakota pharmaceutical association.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 59 YEAS, 43 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Belter; Bernstein; Carlson; Christman; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Enget; Flaagan; Frey; Gerl; Gerntholz; Gilmore; Goetz; Gorman; Haugland; Hausauer, R.; Howard; Huether; Kelly; Kingsbury; Kloubec; Kolbo; Kouba; Lang; Lindgren; Marks; Martin; Melby; Mertens; Myrdal; Ness; Nicholas; Nowatzki; Olson, A.; Olson, V.; O'Shea; Payne; Ring; Schatz; Schmidt; Schneider; Skjerven; Smette; Solberg; Soukup; Starke; Stenehjem; Thompson, V.; Tokach; Tollefson; Trautman; Vander Vorst; Watne; Whalen; Wilkie; Williams, A.; Speaker Kretschmar

NAYS: Aarsvold; Aas; Anderson, B.; Anderson, R.; Berg, R.; Brokaw; Clayburgh; Gates; Gerhardt; Graba; Gunsch; Halmrast; Hanson, L.; Hanson, O.; Haugen; Hausauer, A.; Hoffner; Hokana; Jensen; Kaldor; Knell; Larson, D.; Larson, R.; Laughlin; Martinson; Murphy; Oban; Olsen, D.; Rydell; Scherber; Schindler; Shaft; Shide; Shockman; Sorensen; Stofferahn; Thompson, K.; Timm; Tomac; Ulmer; Urlacher; Wentz; Williams, W.

ABSENT AND NOT VOTING: Berg, G.; Nelson; Peterson; Wald

SB 2194 passed and the title was agreed to.

SB 2280: A BILL for an Act to create and enact a new section to chapter 15-21 of the North Dakota Century Code, relating to the confidentiality of the results of general educational development tests.

ROLL CALL

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

YEAS: Aarsvold; Aas; Anderson, B.; Anderson, R.; Belter; Berg, R.; Bernstein; Brokaw; 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; Kingsbury; Kloubec; Knell; Kolbo; Kouba; Lang; Larson, D.; Larson, R.; Laughlin; Lindgren; Marks; Martin; Martinson; Melby; Mertens; Myrdal; 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; Stenehem; Stofferahn; Thompson, K.; Thompson, V.; Timm; Tokach; Tollefson; Tomac; Trautman; Ulmer; Urlacher; Vander Vorst; Wald; Watne; Wentz; Whalen; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: Gunsch; Murphy

ABSENT AND NOT VOTING: Berg, G.; Nelson; Peterson

SB 2280 passed and the title was agreed to.

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

MR. PRESIDENT: The House has concurred in the Senate amendments to HB 1195 and subsequently passed the same.

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

MR. PRESIDENT: The House has passed unchanged: SCR 4024.

SECOND READING OF SENATE BILLS

SB 2315: A BILL for an Act to amend and reenact subsection 1 of section 41-03-06 of the North Dakota Century Code, relating to the definition of a sum certain.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 100 YEAS, 3 NAYS, 3 ABSENT AND NOT VOTING.

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

NAYS: Hanson, L.; Kolbo; Ring

ABSENT AND NOT VOTING: Berg, G.; Nelson; Peterson

SB 2315 passed and the title was agreed to.

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

ROLL CALL

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

YEAS: Aarsvold; Aas; Anderson, B.; Anderson, R.; Belter; Berg, R.; Bernstein; Brokaw; Carlson; Christman; Clayburgh; Dalrymple; DeMers, J.; DeMers, P.; Enget; Gates; Gerhardt; Gerntholz; Goetz; Gorman; Graba; Halmrast; Hanson, L.; Haugland; Hausauer, A.; Hausauer, R.; Hoffner; Hokana; Howard; Huether; Jensen; Kaldor; Kelly; Kloube; Kolbo; Kouba; Lang; Larson, D.; Larson, R.; Laughlin; Lindgren; Marks; Martin; Martinson; Melby; Myrdal; Ness; Nicholas; Nowatzki; Oban; Olsen, D.; Olson, V.; O'Shea; Payne; Rydell; Scherber; Schindler; Schneider; Shaft; Shide; Shockman; Skjerven; Solberg; Sorensen; Starke; Stenehjelm; Stofferahn; Thompson, K.; Thompson, V.; Tollefson; Tomac; Trautman; Ulmer; Urlacher; Vander Vorst; Wald; Watne; Wentz; Whalen; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: Dorso; Flaagan; Frey; Gerl; Gilmore; Gunsch; Hanson, O.; Haugen; Kingsbury; Knell; Mertens; Murphy; Olson, A.; Ring; Schatz; Schmidt; Smette; Soukup; Timm; Tokach

ABSENT AND NOT VOTING: Berg, G.; Nelson; Peterson

SB 2406 passed and the title was agreed to.

SB 2408: A BILL for an Act to amend and reenact subsection 30 of section 12.1-30-03 of the North Dakota Century Code, relating to businesses allowed to operate on Sundays.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 69 YEAS, 32 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Aas; Anderson, B.; Anderson, R.; Belter; Berg, R.; Bernstein; Carlson; Christman; Clayburgh; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Flaagan; Gates; Gerhardt; Gerntholz; Gilmore; Goetz; Gorman; Graba; Halmrast; Hanson, L.; Haugen; Hausauer, A.; Hausauer, R.; Hoffner; Hokana; Howard; Huether; Jensen; Kelly; Kloube; Larson, R.; Laughlin; Lindgren; Marks; Martinson; Mertens; Myrdal; Ness; Nicholas; Oban; Olson, V.; O'Shea; Payne; Ring; Rydell; Schatz; Scherber; Schmidt;

Schneider; Shockman; Sorensen; Soukup; Starke; Stenehjelm; Thompson, V.; Timm; Tokach; Tollefson; Tomac; Trautman; Wald; Watne; Whalen; Wilkie; Williams, W.; Speaker Kretschmar

NAYS: Aarsvold; Brokaw; Enget; Frey; Gerl; Gunsch; Hanson, O.; Haugland; Kaldor; Kingsbury; Knell; Kolbo; Kouba; Lang; Larson, D.; Martin; Melby; Murphy; Nowatzki; Olsen, D.; Olson, A.; Schindler; Shaft; Shide; Smette; Solberg; Stofferahn; Thompson, K.; Urlacher; Vander Vorst; Wentz; Williams, A.

ABSENT AND NOT VOTING: Berg, G.; Nelson; Peterson; Skjerven; Ulmer

SB 2408 passed and the title was agreed to.

SB 2414: A BILL for an Act to create and enact a new subsection to section 11-11-14 of the North Dakota Century Code, relating to pawnbrokers.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 102 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Berg, G.; Dorso; Nelson; Olson, A.

SB 2414 passed and the title was agreed to.

SB 2420: A BILL for an Act to amend and reenact section 6-05-04 of the North Dakota Century Code, relating to surety deposit investments; and to declare an emergency.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 102 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Aas; Anderson, B.; Anderson, R.; Belter; Berg, R.; Bernstein; Brokaw; 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; 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; 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: Gunsch; Shide

ABSENT AND NOT VOTING: Berg, G.; Nelson

SB 2420 passed, the title was agreed to, and the emergency clause carried.

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

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 49 YEAS, 54 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Belter; Berg, R.; Bernstein; DeMers, J.; DeMers, P.; Dorso; Enget; Flaagan; Gates; Gerhardt; Gerl; Gerntholz; Gorman; Gunsch; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hoffner; Hokana; Huether; Jensen; Kaldor; Kelly; Kloubec; Knell; Kolbo; Lang; Larson, D.; Larson, R.; Laughlin; Lindgren; Martinson; Nowatzki; Oban; Peterson; Rydell; Schindler; Schneider; Smette; Solberg; Sorensen; Stofferahn; Thompson, K.; Tollefson; Wentz; Speaker Kretschmar

NAYS: Aas; Anderson, R.; Brokaw; Carlson; Christman; Clayburgh; Dalrymple; Frey; Gilmore; Goetz; Graba; Halmrast; Hanson, L.; Hanson, O.; Howard; Kingsbury; Kouba; Marks; Martin; Melby; Mertens; Murphy; Myrdal; Ness; Nicholas; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Ring; Schatz; Scherber; Schmidt; Shaft; Shide; Shockman; Skjerven; Soukup; Starke; Stenehjem; Thompson, V.; Timm; Tokach; Tomac; Trautman; Ulmer; Urlacher; Vander Vorst; Watne; Whalen; Wilkie; Williams, A.; Williams, W.

ABSENT AND NOT VOTING: Berg, G.; Nelson; Wald

SB 2424 lost.

SB 2425: A BILL for an Act to create and enact a new section to chapter 39-04 of the North Dakota Century Code, relating to registration fees of motor vehicles owned by collectors.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 100 YEAS, 0 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Aas; Anderson, B.; Anderson, R.; Belter; Berg, R.; Bernstein; Brokaw; Carlson; Christman; Clayburgh; Dairymple; DeMers, J.; DeMers, P.; 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; Ness; Nicholas; Nowatzki; Oban; Olson, A.; Olson, V.; O'Shea; Payne; Peterson; 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; Watne; Wentz; Whalen; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: None

ABSENT AND NOT VOTING: Berg, G.; Dorso; Nelson; Olsen, D.; Shide; Wald

SB 2425 passed and the title was agreed to.

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

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 96 YEAS, 7 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Aas; Anderson, B.; Anderson, R.; Belter; Berg, R.; Bernstein; Carlson; Christman; Dairymple; 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, R.; Hoffner; Hokana; Howard; Huether; Jensen; Kaldor; Kelly; Kingsbury; Kloubec; Knell; Kolbo; Kouba; Lang; Larson, D.; Larson, R.; Laughlin; Lindgren; Marks; Martin; Martinson; Melby; Mertens; Myrdal; Nicholas; Nowatzki; Oban; Olsen, D.; Olson, A.; Olson, V.; Payne; Peterson; Ring; Rydell; Schatz; Scherber; Schindler; Schmidt; Schneider; Shide; 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: Brokaw; Clayburgh; Murphy; Ness; O'Shea; Shaft; Shockman

ABSENT AND NOT VOTING: Berg, G.; Hausauer, A.; Nelson

SB 2426 passed and the title was agreed to.

SB 2435: A BILL for an Act to amend and reenact section 39-24-03 of the North Dakota Century Code, relating to the registration fee for snowmobiles.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 94 YEAS, 9 NAYS, 3 ABSENT AND NOT VOTING.

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

NAYS: Gunsch; Hanson, O.; Howard; Kingsbury; Melby; Murphy; O'Shea; Schmidt; Tokach

ABSENT AND NOT VOTING: Berg, G.; Kelly; Nelson

SB 2435 passed and the title was agreed to.

SPECIAL ORDER OF BUSINESS

REP. KLOUBEC REQUESTED that the House be on a Special Order of Business, which request was granted.

The House recognized Reps. Rydell and Hokana for their work on the Centennial Commission.

REQUEST

REP. KLOUBEC REQUESTED that the record show that Rep. Nelson was absent due to the illness of his father, which request was granted.

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 stand adjourned until 12:30 p.m., Friday, March 10, 1989, which motion prevailed.

REPORTS OF STANDING COMMITTEES

MR. SPEAKER: Your Committee on Finance and Taxation (Rep. A. Hausauer, Chairman) to which was referred HB 1658 has had the same under consideration and recommends by a vote of 9 YEAS, 6 NAYS, 2 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

Page 2, line 3, remove "future"

Renumber accordingly

HB 1658 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 1665 has had the same under consideration and recommends by a vote of 15 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

Page 1, line 11, replace "store" with "storage"

Page 2, line 5, overstrike "The storage rate and all other terms of the storage contract for"

Page 2, overstrike lines 6 through 8

Page 2, line 9, overstrike "the storage of dry edible beans after April thirtieth" and remove ", except when the"

Page 2, remove lines 10 through 15

Page 2, line 16, remove "April thirtieth shall apply, including bond coverage" and overstrike the period

Page 3, line 8, after "thirtieth" insert an underscored comma, and replace the second "a" with "an agreement between the warehouseman and the receipt holder for the storage of dry edible beans after April thirtieth,"

Page 3, remove line 9

Page 3, line 10, remove "delivery to the warehouse or after delivery but prior to April first,"

Renumber accordingly

HB 1665 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 SB 2097 has had the same under consideration and recommends by a vote of 14 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

Page 1, line 5, replace "sections 43-18-11.1," with "section"

Page 1, line 7, remove "household"

Page 1, line 8, remove "appliances,"

Page 1, remove lines 20 and 21

Page 2, remove lines 1 through 6

Renumber accordingly

SB 2097 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 Engrossed SB 2155 has had the same under consideration and recommends by a vote of 12 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

Engrossed SB 2155 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Education (Rep. Gates, Chairman) to which was referred SB 2156 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

SB 2156 was placed on the Fourteenth 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 SB 2175 has had the same under consideration and recommends by a vote of 15 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

Page 1, line 4, after "reenact" insert "subdivision e of subsection 1 and"

Page 2, after line 24, insert:

"SECTION 2. AMENDMENT. Subdivision e of subsection 1 of section 10-04-11 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

e. Has failed to file with the commissioner any financial statement record required pursuant to subsection 3 section 10-04-10.3, or has refused to permit an examination into his affairs as provided by section 10-04-10.3 and subsection 3 of this section; or"

Renumber accordingly

SB 2175 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 SB 2203 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 1, line 3, remove "and"

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

Page 2, after line 11, insert:

"SECTION 3. EMERGENCY. This Act is declared to be an emergency measure."

Renumber accordingly

SB 2203 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 SB 2246 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 3, line 16, replace "makes any recommendations or" with an underscored colon

Page 3, replace lines 17 through 19 with:

- "a. Makes any recommendations or otherwise renders advice regarding securities directly to advisory clients;
- b. Manages the accounts or portfolios of clients;
- c. Determines which recommendations or advice regarding securities should be given if that person is a member of the investment adviser's investment committee that determines general investment advice to be given to clients or, if the investment adviser has no investment committee, the person determines general client advice (if there are more than five such persons, only the supervisors of such persons are deemed to be investment adviser representatives);
- d. Solicits, offers, or negotiates for the sale of or sells investment advisory services unless that person is a dealer licensed in this state or a licensed salesman of a dealer and the person would not be an investment adviser representative except for the performance of the activities described in this subdivision; or
- e. Immediately supervises employees in the performance of any of the foregoing."

Page 24, line 10, overstrike "statement" and insert immediately thereafter "record"

Page 24, line 12, after "10-04-10.3" insert "and subsection 3 of this section"

Renumber accordingly

SB 2246 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 SB 2278 has had the same under consideration and recommends by a vote of 13 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

Page 1, line 12, remove "making the required payment" and overstrike "within five years of initial eligibility or by"

Page 1, line 13, overstrike "July 1,", remove "1991", overstrike ", whichever is later" and insert immediately thereafter "making the required payment", and remove "The required payment, if made within"

Page 1, remove line 14

Page 1, line 15, remove "teacher on withdrawal with interest." and remove "other"

Renumber accordingly

SB 2278 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 Engrossed SB 2282 has had the same under consideration and recommends by a vote of 10 YEAS, 0 NAYS, 7 ABSENT AND NOT VOTING that the same DO PASS.

Engrossed SB 2282 was placed on the Fourteenth 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 SB 2287 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.

SB 2287 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Education (Rep. Gates, Chairman) to which was referred SB 2322 has had the same under consideration and recommends by a vote of 9 YEAS, 6 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

SB 2322 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Education (Rep. Gates, Chairman) to which was referred SB 2330 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

SB 2330 was placed on the Fourteenth 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 Engrossed SB 2350 has had the same under consideration and recommends by a vote of 13 YEAS, 2 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 17, after "individual" insert ", except individuals employed as staff adjusters with an insurance company"

Page 2, line 20, after "of" insert "property or casualty"

Renumber accordingly

Engrossed SB 2350 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 Engrossed SB 2377 has had the same under consideration and recommends by a vote of 13 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

Engrossed SB 2377 was placed on the Fourteenth 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 SB 2442 has had the same under consideration and recommends by a vote of 11 YEAS, 1 NAY, 3 ABSENT AND NOT VOTING that the same DO PASS.

SB 2442 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Education (Rep. Gates, Chairman) to which was referred Engrossed SB 2471 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

Engrossed SB 2471 was placed on the Fourteenth 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 SB 2481 has had the same under consideration and recommends by a vote of 13 YEAS, 1 NAY, 3 ABSENT AND NOT VOTING that the same DO NOT PASS.

SB 2481 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 2486 has had the same under consideration and recommends by a vote of 10 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

Page 1, line 2, after "commission" insert "; and to declare an emergency"

Page 1, after line 21, insert:

"SECTION 2. EMERGENCY. This Act is declared to be an emergency measure."

Renumber accordingly

SB 2486 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 SB 2494 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same DO NOT PASS.

SB 2494 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Judiciary (Rep. Wentz, Chairman) to which was referred SB 2514 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 4, line 5, after "device" insert "- Notice"

Page 5, after line 20, insert:

"5. Within a reasonable time, but not later than ninety days after the termination of the period of an order or extension of an order, the judge to whom the application was presented shall cause to be served on the persons named in the order or application, and on any other party the notification of whom the judge determines is in the interest of justice, notice of:

- a. The fact of the entry of the order.
- b. The date of the entry and the period of authorized installation and use of the pen register or trap and trace device.
- c. The fact that during the period of the order or extension information was obtained through use of the pen register or trap and trace device."

Renumber accordingly

SB 2514 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 SCR 4038 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 and BE PLACED ON THE CONSENT CALENDAR.

SCR 4038 was placed on the Tenth order of business on the calendar for the succeeding legislative day.

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

ROY GILBREATH, Chief Clerk