

JOURNAL OF THE HOUSE

Fifty-first Legislative Assembly

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Bismarck, March 15, 1989

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

The prayer was offered by Father Marvin Klemmer, Ascension Church, Bismarck.

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

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-eighth Day and finds it to be correct.

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

COMMUNICATION

State of North Dakota
OFFICE OF THE GOVERNOR
Bismarck

March 15, 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 14, 1989, I signed the following: HB 1028, HB 1064, HB 1066, HB 1079, HB 1095, HB 1105, HB 1108, HB 1117, HB 1122, HB 1135, HB 1148, HB 1157, HB 1159, HB 1160, HB 1165, HB 1187, HB 1188, HB 1190, HB 1193, HB 1194, HB 1202, HB 1204, HB 1214, HB 1224, HB 1227, HB 1231, HB 1232, HB 1236, HB 1239, HB 1242, HB 1243, HB 1251, HB 1253, HB 1255, HB 1260, HB 1263, HB 1269, HB 1274, HB 1288, HB 1291, HB 1305, HB 1317, HB 1328, HB 1359, HB 1377, HB 1393, HB 1394, HB 1397, HB 1420, HB 1428, HB 1464, HB 1512.

Sincerely,

GEORGE A. SINNER
Governor

MOTION

REP. KLOUBEC MOVED that the rules be suspended and that the committee reports on HB 1666, SB 2176, SB 2523, and SCR 4041 recommending amendments on the

Sixth order of business on the legislative calendar of the Forty-ninth Day be adopted, which motion prevailed.

SIXTH ORDER OF BUSINESS

REP. TIMM MOVED that the amendments to HB 1666 as recommended by the Committee on Transportation as printed on pages 1427-1428 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

HB 1666, as amended, was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. WENTZ MOVED that the amendments to SB 2176 as recommended by the Committee on Judiciary as printed on page 1429 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

SB 2176, as amended, was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

REP. PETERSON MOVED that the amendments to SB 2523 as recommended by the Committee on Appropriations as printed on page 1430 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

SB 2523, as amended, was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

REP. HAUGLAND MOVED that the amendments to SCR 4041 as recommended by the Committee on Human Services and Veterans Affairs as printed on page 1430 of the House Journal be adopted, and when so adopted, recommends the same DO PASS and BE PLACED ON THE CONSENT CALENDAR.

SCR 4041, as amended, was placed on the consent calendar.

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

MR. PRESIDENT: The House has amended and subsequently failed to pass: SB 2350.

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

MR. PRESIDENT: The House has amended and subsequently passed: SB 2175, SB 2203, SB 2246, SB 2278, SB 2486, SB 2514, SCR 4030.

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

MR. PRESIDENT: The House has failed to pass: SB 2155, SB 2377, SB 2471, SB 2481, SB 2494, SCR 4003.

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

MR. PRESIDENT: The House has passed unchanged: SB 2156, SB 2282, SB 2287, SB 2330, SB 2442, SCR 4001, SCR 4002, SCR 4014, SCR 4025, SCR 4028, SCR 4034, SCR 4037, SCR 4039, SCR 4042.

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

THE CHIEF CLERK ANNOUNCED that the Speaker signed the following enrolled bills: HB 1198, HB 1233, HB 1273, HB 1332, HB 1336, HB 1339, HB 1373, HB 1392, HB 1395, HB 1408, HB 1409, HB 1412, HB 1429, HB 1467, HB 1470, HB 1477, HB 1485, HB 1488, HB 1496, HB 1502, HB 1519, HB 1520.

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

MR. PRESIDENT: The Speaker has signed and your signature is respectfully requested: HB 1198, HB 1233, HB 1273, HB 1332, HB 1336, HB 1339, HB 1373,

HB 1392, HB 1395, HB 1408, HB 1409, HB 1412, HB 1429, HB 1467, HB 1470, HB 1477, HB 1485, HB 1488, HB 1496, HB 1502, HB 1519, HB 1520.

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

THE CHIEF CLERK ANNOUNCED that the Speaker signed the following enrolled bills: SB 2050, SB 2051, SB 2052, SB 2053, SB 2057, SB 2106, SB 2134, SB 2136, SB 2159, SB 2198, SB 2232, SB 2284, SB 2289, SB 2297, SB 2302, SB 2317, SB 2329, SB 2339, SB 2340, SB 2341, SB 2351, SB 2366, SB 2374, SB 2380, SB 2402.

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

MR. PRESIDENT: The Speaker has signed: SB 2050, SB 2051, SB 2052, SB 2053, SB 2057, SB 2106, SB 2134, SB 2136, SB 2159, SB 2198, SB 2232, SB 2284, SB 2289, SB 2297, SB 2302, SB 2317, SB 2329, SB 2339, SB 2340, SB 2341, SB 2351, SB 2366, SB 2374, SB 2380, SB 2402.

THE HOUSE RECOGNIZED THE PRESENCE OF:

Former Speaker Oscar Solberg
Former Representative Julie Hill
Former Representative Bert E. Miller
Former Representative Arlo Beggs

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. NICHOLAS MOVED that the House do concur in the Senate amendments to HB 1182 as printed on page 1275 of the House Journal, which motion prevailed.

Engrossed HB 1182, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1182: A BILL for an Act to create and enact section 36-09-02.1 of the North Dakota Century Code, relating to standards for recording livestock brands or marks; to amend and reenact sections 36-09-02, 36-09-09, and 36-09-10 of the North Dakota Century Code, relating to applications for the exclusive use of brands or marks and the rerecording of previously recorded brands or marks; and to repeal section 36-09-05 of the North Dakota Century Code, relating to recording of similar brands.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 102 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Nelson

HB 1182 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. TIMM MOVED that the House do not concur in the Senate amendments to HB 1351 as printed on page 1308 of the House Journal and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed.

APPOINTMENT OF A CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1351: Reps. Belter, Bernstein, V. Thompson.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. NICHOLAS MOVED that the House do concur in the Senate amendments to HB 1440 as printed on page 1391 of the House Journal, which motion prevailed.

Engrossed HB 1440, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1440: A BILL for an Act to amend and reenact section 10-06-01 of the North Dakota Century Code, relating to conversion of a farm corporation to a business corporation; 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 105 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Aas; Anderson, B.; Anderson, R.; Belter; Berg, G.; Berg, R.; Bernstein; Brokaw; Carlson; Christman; Clayburgh; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Enget; Flaagan; 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; 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: Nelson

HB 1440 passed, the title was agreed to, and the emergency clause carried.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. NICHOLAS MOVED that the House do concur in the Senate amendments to HCR 3010 as printed on page 1392 of the House Journal, which motion prevailed.

Engrossed HCR 3010, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3010: A concurrent resolution urging the Federal Crop Insurance Corporation of the United States Department of Agriculture to increase the amount of indemnity on major crops to levels that reflect anticipated market price or target price, to maintain yield guarantee levels to at least the yield guarantee levels for 1988 and to move the last day of replant for small grains up ten days.

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

HCR 3010 was declared adopted on a voice vote.

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

MR. SPEAKER: The Senate has amended and subsequently passed: HB 1050, HB 1051, HB 1094, HB 1123, HB 1124, HB 1131, HB 1134, HB 1192, HB 1197, HB 1240, HB 1347, HB 1352, HB 1370, HB 1371, HB 1504, HCR 3031, HCR 3040.

SENATE AMENDMENTS TO ENGROSSED HB 1050

Page 4, line 11, remove "certified"

Page 4, line 14, after the underscored period insert "Service by mail is complete upon mailing."

Renumber accordingly

SENATE AMENDMENTS TO HB 1051

Page 2, line 3, after "omitted" insert "at least ten days prior to the date of the sale" and replace "The mailing must be by" with "Service by mail is complete upon mailing"

Page 2, line 4, remove "certified mail at least ten business days prior to the date of the sale"

Renumber accordingly

SENATE AMENDMENTS TO HB 1094

Page 2, line 18, after "annuity" insert "under which benefit payments, if the person designated died prior to July 1, 1989, must begin on July 1, 1989, or, if the person designated dies on or after July 1, 1989, must begin on the first day of the month following the death of the person designated"

Page 2, line 26, after "annuity" insert "under which benefit payments, if the person designated died prior to July 1, 1989, must begin on July 1, 1989, or, if the person designated dies on or after July 1, 1989, must begin on the first day of the month following the death of the person designated"

Reumber accordingly

SENATE AMENDMENTS TO ENGROSSED HB 1123

Page 4, after line 23, insert:

"3. All companies with policies in force in this state shall, at renewal time, offer policyholders an alternative policy embodying all of the benefits of the original policy and the requirements of this section with an equitable adjustment in the premium as determined by the commissioner."

Reumber accordingly

SENATE AMENDMENTS TO ENGROSSED HB 1124

Page 1, line 2, replace "a" with "two" and replace "section" with "sections"

Page 1, line 3, after "policies" insert ", filing requirements for medicare supplement insurance policy advertising,"

Page 3, line 13, replace "A" with "Two" and replace "section" with "sections"

Page 3, line 14, replace "is" with "are"

Page 3, after line 14, insert:

"Filing requirements for advertising. Every insurer, health care service plan, or other entity providing medicare supplement insurance or benefits in this state shall provide a copy of any medicare supplement advertisement intended for use in this state whether through written, radio, or television medium for review or approval by the commissioner to the extent required or authorized by state law."

Reumber accordingly

SENATE AMENDMENTS TO ENGROSSED HB 1131

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

Page 1, after line 14, insert:

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

Reumber accordingly

SENATE AMENDMENTS TO HB 1134

Page 1, line 2, after "records" insert "; to amend and reenact section 23-07-21 of the North Dakota Century Code, relating to penalties for releasing confidential records or information concerning reportable diseases; and to provide a penalty"

Page 1, underscore lines 6 through 12

Page 1, after line 12, insert:

"SECTION 2. AMENDMENT. Section 23-07-21 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

23-07-21. Penalties. Any Except as otherwise provided in this section, any person:

1. Who violates or fails to obey any of the provisions of this chapter, any lawful rule or regulation made by the state department of health and consolidated laboratories, or any order issued by any state, district, county, or municipal health officer;
2. Who violates any quarantine law or regulation, or who leaves a quarantined area without being discharged; or
3. Who, knowing that he is infected with a venereal disease, willfully exposes another person to infection,

is guilty of an infraction. Any person who releases or makes public confidential information or otherwise breaches the confidentiality requirements of section 1 of this Act is guilty of a class C felony."

Reumber accordingly

SENATE AMENDMENTS TO ENGROSSED HB 1192

Page 1, line 4, replace "subsections 7 and" with "subsection"

Page 1, line 7, remove "an exemption for corporate and partnership"

Page 1, line 8, remove "reorganization, an exemption for existing securityholders of the issuer,"

Page 3, line 15, replace "Subsections 7 and" with "Subsection"

Page 3, remove lines 18 through 27

Page 4, remove lines 1 through 6

Reumber accordingly

SENATE AMENDMENTS TO HB 1197

Page 1, line 1, after "23" insert "and a new section to chapter 50-06"

Page 1, line 3, after "laboratories" insert "and the establishment of reasonable rates for basic care facilities by the department of human services"

Page 1, line 6, remove "50-18-06.1,"

Page 1, line 10, remove the second "and"

Page 1, line 12, after the first comma insert "50-18-06.1,"

Page 1, line 14, after "services" insert "; and to provide a penalty"

Page 3, line 9, replace "Burleigh" with "the county in which the basic care facility is located"

Page 3, line 10, remove "County"

Page 6, after line 26, insert:

"SECTION 6. A new section to chapter 50-06 of the North Dakota Century Code is hereby created and enacted to read as follows:

Department to establish reasonable rates. The department may establish reasonable rates payable to basic care facilities for the care and maintenance of individuals dependent in whole or in part upon state or county supplementation of supplemental security income benefits under title XVI of the Social Security Act, as amended, for a reasonable subsistence compatible with decency and health."

Page 7, remove lines 16 through 23

Page 11, line 9, after the sixth comma insert "50-18-06.1,"

Re-number accordingly

SENATE AMENDMENTS TO ENGROSSED HB 1240

Page 1, line 2, remove "temporary"

Page 1, line 7, replace "Temporary teachers" with "Teachers"

Page 1, line 16, remove "Within ten days of receipt of the transcript, the"

Page 1, remove lines 17 through 21

Re-number accordingly

SENATE AMENDMENTS TO ENGROSSED HB 1347

Page 2, line 19, remove "three" and replace "years" with "year"

Page 2, line 21, remove "of the year of the evaluation"

Re-number accordingly

SENATE AMENDMENTS TO ENGROSSED HB 1352

Page 1, line 3, remove "and" and after "penalty" insert "; and to declare an emergency"

Page 1, line 10, replace "order" with "prescription"

Page 1, after line 10, insert:

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

Re-number accordingly

SENATE AMENDMENTS TO ENGROSSED HB 1370

Page 1, line 14, replace "enrollee's" with "certificate holder's legal"

Page 1, line 18, replace "enrollee's" with "certificate holder's legal"

Page 2, line 9, replace "covered person's" with "policyholder's legal"

Page 2, line 13, replace "covered person's" with "policyholder's legal"

ReNUMBER accordingly

SENATE AMENDMENTS TO ENGROSSED HB 1371

Page 1, line 14, remove "However, an appointment"

Page 1, line 15, remove "may satisfy more than one of the required appointments under this section."

ReNUMBER accordingly

SENATE AMENDMENTS TO REENGROSSED HB 1504

Page 2, line 4, replace "establish guidelines" with "adopt rules under chapter 28-32"

Page 2, line 6, replace "establishing" with "adopting" and replace "guidelines" with "rules"

Page 2, line 10, replace "guidelines established" with "rules adopted"

Page 2, line 11, replace "encourage" with "require the"

Page 2, line 27, replace "program coordinator shall" with "superintendent may"

Page 3, line 1, remove "at the direction of the"

Page 3, line 2, remove "superintendent" and replace "guidelines established" with "rules adopted"

Page 3, line 9, remove "the superintendent with"

ReNUMBER accordingly

SENATE AMENDMENTS TO HCR 3031

Page 2, line 13, replace "Jim Burnley" with "Samuel K. Skinner"

ReNUMBER accordingly

SENATE AMENDMENTS TO ENGROSSED HCR 3040

Page 1, line 6, replace ", unless" with ". However, if"

Page 1, line 7, remove "in which case"

ReNUMBER accordingly

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

MR. SPEAKER: The President has signed and your signature is respectfully requested: SB 2039, SB 2040, SB 2054, SB 2194, SB 2280, SB 2315, SB 2406, SB 2408, SB 2414, SB 2420, SB 2425, SB 2426, SB 2435, SCR 4018.

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

MR. SPEAKER: The Senate has passed and your favorable consideration is requested on: SCR 4054.

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

MR. SPEAKER: The Senate has failed to pass: HB 1199, HB 1241, HB 1264, HB 1322, HB 1453.

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

MR. SPEAKER: The Senate has passed unchanged: HB 1009, HB 1084, HB 1140, HB 1212, HB 1256, HB 1259, HB 1275, HB 1287, HB 1290, HB 1331, HB 1344, HB 1425, HB 1607, HB 1651, HCR 3001, HCR 3002, HCR 3006, HCR 3024, HCR 3027, HCR 3033, HCR 3041, HCR 3042, HCR 3043, HCR 3044, HCR 3050, HCR 3052, HCR 3053, HCR 3057, HCR 3062, HCR 3063, HCR 3068, HCR 3070.

SECOND READING OF SENATE BILLS

SB 2042: A BILL for an Act to create and enact section 40-58-01.1 and a new section to chapter 40-58 of the North Dakota Century Code, relating to definitions concerning city development and renewal and the use of tax increment financing by cities for the development of certain industrial or commercial property; to amend and reenact sections 40-58-02, 40-58-03, 40-58-04, 40-58-05, 40-58-06, 40-58-07, 40-58-08, 40-58-09, 40-58-10, 40-58-12, 40-58-13, 40-58-15, 40-58-16, 40-58-17, 40-58-18, and 40-58-20 of the North Dakota Century Code, relating to city development and renewal; and to repeal sections 40-58-01 and 40-58-19 of the North Dakota Century Code, relating to the short title and definitions under the urban renewal law.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 89 YEAS, 14 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Aas; Anderson, R.; Belter; Berg, G.; Berg, R.; Bernstein; Christman; Clayburgh; Dalrymple; DeMers, J.; DeMers, P.; Dorso; 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; Murphy; Myrdal; Nicholas; Nowatzki; Oban; Olsen, D.; Olson, A.; Olson, V.; Payne; Rydell; Schatz; Scherber; Schindler; Schmidt; Schneider; Shaft; Shide; Smette; Solberg; Sorensen; Soukup; Stenehjem; Stofferahn; Thompson, K.; Timm; Tokach; Tollefson; Tomac; Trautman; Ulmer; Urlacher; Vander Vorst; Wald; Watne; Wentz; Whalen; Wilkie; Williams, W.; Speaker Kretschmar

NAYS: Aarsvold; Anderson, B.; Brokaw; Carlson; Enget; Gerl; Ness; O'Shea; Ring; Shockman; Skjerven; Starke; Thompson, V.; Williams, A.

ABSENT AND NOT VOTING: Mertens; Nelson; Peterson

SB 2042 passed and the title was agreed to.

SB 2045: A BILL for an Act to amend and reenact section 20.1-03-17 of the North Dakota Century Code, relating to fees for issuing game and fish licenses.

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; 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.; 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: Gunsch; Hausauer, R.; Nelson; Peterson

SB 2045 passed and the title was agreed to.

SB 2093: A BILL for an Act to amend and reenact sections 26.1-01-03.1 and 26.1-01-10 of the North Dakota Century Code, relating to general penalties for violation of provisions of the insurance title.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 81 YEAS, 20 NAYS, 5 ABSENT AND NOT VOTING.

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

NAYS: Aas; Berg, G.; Berg, R.; Bernstein; Clayburgh; Gerntholz; Gorman; Haugen; Howard; Kingsbury; Knell; Melby; Olsen, D.; Olson, A.; Payne; Shide; Soukup; Starke; Thompson, V.; Wald

ABSENT AND NOT VOTING: Gunsch; Hausauer, R.; Nelson; Peterson; Whalen

SB 2093 passed and the title was agreed to.

SB 2141: A BILL for an Act to amend and reenact sections 57-40.4-02 and 57-55-01.2 of the North Dakota Century Code, relating to motor vehicle excise tax refunds and statements of full consideration for mobile homes.

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; 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.; 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; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: None

ABSENT AND NOT VOTING: Gunsch; Hausauer, R.; Nelson; Peterson; Whalen

SB 2141 passed and the title was agreed to.

SB 2418: A BILL for an Act to create and enact a new section to chapter 48-02 of the North Dakota Century Code, relating to bid requirements and acceptance for building and repair contracts; and to amend and reenact sections 48-02-04 and 48-02-06 of the North Dakota Century Code, relating to the contents of bid advertisements and awarding contracts.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 61 YEAS, 41 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Aas; Anderson, B.; Bernstein; Brokaw; Carlson; Christman; Clayburgh; DeMers, J.; DeMers, P.; Enget; Frey; Gates; Gerhardt; Gerl; Gerntholz; Gilmore; Goetz; Gorman; Graba; Hanson, L.; Haugland; Hokana; Howard; Huether; Kaldor; Kelly; Kingsbury; Kolbo; Laughlin; Marks; Melby; Mertens; Murphy; Myrdal; Ness; Nowatzki; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Ring; Scherber; Schmidt; Shockman; Smette; Solberg; Soukup; Stofferahn; Timm; Tollefson; Tomac; Trautman; Urlacher; Vander Vorst; Wald; Watne; Wentz; Wilkie; Williams, A.; Williams, W.

NAYS: Anderson, R.; Belter; Berg, G.; Berg, R.; Dalrymple; Dorso; Flaagan; Halmrast; Hanson, O.; Haugen; Hausauer, A.; Hoffner; Jensen; Kloubec;

Knell; Kouba; Lang; Larson, D.; Larson, R.; Lindgren; Martin; Martinson; Nicholas; Oban; Payne; Rydell; Schatz; Schindler; Schneider; Shaft; Shide; Skjerven; Sorensen; Starke; Stenehjem; Thompson, K.; Thompson, V.; Tokach; Ulmer; Whalen; Speaker Kretschmar

ABSENT AND NOT VOTING: Gunsch; Hausauer, R.; Nelson; Peterson

SB 2418 passed and the title was agreed to.

SB 2508: A BILL for an Act to amend and reenact subsection 4 of section 4-35-05, section 4-35-09, subsection 2 of section 4-35-13, section 4-35-19, and subsection 1 of section 4-35.1-01 of the North Dakota Century Code, relating to eliminating direct supervision of the application of pesticides by commercial applicators and the definition of chemigation.

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, 2 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Aas; Anderson, B.; Anderson, R.; Belter; Berg, G.; Berg, R.; Bernstein; Brokaw; Carlson; Christman; Clayburgh; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Enget; Flaagan; Frey; Gates; Gerhardt; Gerntholz; Gilmore; Goetz; Gorman; Graba; Halmrast; Hanson, L.; Hanson, D.; Haugen; Haugland; Hausauer, A.; 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; 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: Ring; Scherber

ABSENT AND NOT VOTING: Gerl; Gunsch; Hausauer, R.; Nelson; Peterson; Shaft

SB 2508 passed and the title was agreed to.

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

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, G.; Berg, R.; Bernstein; Brokaw; Carlson; Christman; Clayburgh; Dalrymple;

DeMers, J.; DeMers, P.; Dorso; Enget; Flaagan; Frey; Gates; Gerhardt; Gerl; Gerntholz; Gilmore; Goetz; Gorman; Graba; Halmrast; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hoffner; Hokana; Howard; Huether; Jensen; 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; Shide; Shockman; Skjerven; Smette; Solberg; Sorensen; Soukup; 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: Gunsch; Hausauer, R.; Nelson; Peterson; Shaft; Starke

SB 2122 passed and the title was agreed to.

SB 2123: A BILL for an Act to amend and reenact subsection 1 of section 52-04-05 of the North Dakota Century Code, relating to unemployment compensation fund minimum reserve.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 99 YEAS, 0 NAYS, 7 ABSENT AND NOT VOTING.

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

SB 2123 passed and the title was agreed to.

REQUEST

REP. KALDOR REQUESTED that the record show that he intended to vote "yea" on SB 2123, which request was granted.

SECOND READING OF SENATE BILL

SB 2234: A BILL for an Act to provide for the establishment of a statewide nonprofit equity corporation.

REQUEST

REP. STOFFERAHN REQUESTED that the question on the final passage of SB 2234 be divided to have the sections voted on separately, in the following manner, which request was granted as per House Rule 316, which states that the Division of the Question must be supported by twelve members.

RULING BY THE SPEAKER

SPEAKER KRETSCHMAR RULED that the Divisions as printed in the Journal would be correct and to remove Division A, a red vote would be required. A green vote would include Division A in the bill.

DIVISION A

"including an allocation by the industrial commission of profits from the Bank of North Dakota or the state mill and elevator"

DIVISION B

A BILL for an Act to provide for the establishment of a statewide nonprofit equity corporation.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. Definitions. As used in this chapter unless the context otherwise requires, the term:

1. "Board of directors" means the board of directors of the corporation.
2. "Corporation" means the corporation established under this chapter.
3. "North Dakota business" means a business owned by a North Dakota resident, a partnership, association, or corporation domiciled in North Dakota or a corporation, including a wholly owned subsidiary of a foreign corporation that does business primarily in North Dakota or does substantially all of its production in North Dakota.
4. "Primary sector business" means an individual, corporation, partnership, or association which through a process employing knowledge and labor adds value to a product produced for resale.

SECTION 2. Purpose. It is the purpose of this Act to create a statewide nonprofit development corporation that will have the authority to take equity positions in new and existing businesses in North Dakota. The corporation's principal mission is the development and expansion of primary sector business in North Dakota. The corporation may form additional corporations, partnerships, or other forms of business associations in order to further its mission of primary sector economic development.

The exclusive focus of this corporation is business development in the state of North Dakota, however, it is not excluded from participation with other states or organizations in projects that have a clear economic benefit to North Dakota residents in the creation of jobs or secondary business.

SECTION 3. Organization. The statewide nonprofit development corporation must be managed by a board of directors. The board of directors

shall adopt articles of incorporation and bylaws consistent with the purposes detailed in section 2 of this Act. The board of directors consists of five members who shall serve three-year terms. The terms must be staggered so that no more than two positions require reappointment in any one year. Members must be appointed by the governor who shall consider representatives from the following areas in making the selections: manufacturing, higher education, finance, industrial technology and research, and private sector business. Members may be reappointed for additional terms.

SECTION 4. Powers. The corporation must be organized as a nonprofit corporation under chapter 10-24. In addition to the powers in chapter 10-24, the corporation has the power to:

1. Cooperate and contract with state agencies, colleges, universities, other private and public academic and research sources, agencies and organizations of the federal government, and all public or private entities.
2. Receive appropriations from the legislative assembly and other public moneys as well as contributions from other public agencies, private individuals, companies, and other contributors.

SECTION 5. Management. The board of directors shall ensure that the corporation is managed by a full-time director. The board of directors shall determine minimum qualifications of all staff positions.

All investments, contracts, partnerships, and business transactions of the corporation are the responsibility of the board of directors. The board may provide that normal operating costs anticipated in an approved budget may be incurred and paid without prior board approval.

SECTION 6. Divestiture. The board of directors shall establish a policy for divesting the corporation's interest in any business when certain levels of profitability are obtained.

SECTION 7. Confidentiality of corporation records. The following records of the corporation are confidential:

1. Commercial or financial information, whether obtained by the corporation directly or indirectly, of any entity in which an equity interest is purchased or considered for purchase under this chapter.
2. Internal or interagency memorandums or letters which would not be available by law to a party other than in litigation with the corporation.

SECTION 8. Annual audit. The board of directors shall contract with a certified public accounting firm to audit annually the financial statements of the corporation in accordance with generally accepted auditing standards. The cost of the audit must be borne by the corporation.

SECTION 9. Annual report. The corporation shall prepare and publish an annual report of its activities for the information of the governor, the legislative assembly, and the public. The report must include audited financial statements of the corporation for the fiscal year covered by the report and must specify:

1. The investment strategy and workplan approved by the board of directors.
2. The total investments made annually by the corporation in North Dakota businesses.
3. An estimate of jobs created and jobs preserved by investments of the corporation in North Dakota businesses.

ROLL CALL

The question being on the motion to adopt Division A of SB 2234, the roll was called and there were 1 YEAS, 101 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Ulmer

NAYS: Aarsvold; Aas; Anderson, B.; Anderson, R.; Belter; Berg, G.; Berg, R.; Bernstein; Brokaw; Carlson; Christman; Clayburgh; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Enget; Flaagan; Frey; Gates; Gerhardt; Gerl; Gerntholz; Gilmore; Goetz; Gorman; Graba; Halmrast; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; 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; Urlacher; Vander Vorst; Wald; Watne; Wentz; Whalen; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

ABSENT AND NOT VOTING: Gunsch; Hausauer, R.; Nelson; Peterson

The motion to adopt Division A of SB 2234 failed.

ROLL CALL

The question then was on the motion to adopt Division B of SB 2234, the roll was called and there were 71 YEAS, 31 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Anderson, R.; Belter; Berg, G.; Brokaw; Carlson; Christman; Clayburgh; Dalrymple; DeMers, J.; DeMers, P.; Enget; Flaagan; Frey; Gates; Gerhardt; Gerl; Gerntholz; Gilmore; Goetz; Graba; Halmrast; Hanson, L.; Haugland; Hausauer, A.; Hoffner; Hokana; Huether; Jensen; Kaldor; Kelly; Kolbo; Larson, D.; Larson, R.; Laughlin; Lindgren; Marks; Martin; Martinson; Mertens; Ness; Nicholas; Nowatzki; Oban; Olson, V.; O'Shea; Peterson; Ring; Rydell; Scherber; Schmidt; Schneider; Shaft; Shockman; Skjerven; Smette; Solberg; Sorensen; Starke; Stenehjem; Stofferahn; Thompson, V.; Tomac; Ulmer; Urlacher; Watne; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: Aas; Berg, R.; Bernstein; Dorso; Gorman; Gunsch; Hanson, O.; Haugen; Howard; Kingsbury; Knell; Kouba; Lang; Melby; Murphy; Myrdal; Olsen, D.; Olson, A.; Payne; Schatz; Schindler; Shide; Soukup; Thompson, K.; Timm; Tokach; Tollefson; Trautman; Vander Vorst; Wentz; Whalen

ABSENT AND NOT VOTING: Hausauer, R.; Kloubec; Nelson; Wald

The motion to adopt Division B of SB 2234 passed.

ROLL CALL

The question then was on the final passage of SB 2234, excluding Division A and including Division B, with title amended appropriately, and lines, sections, and pages renumbered accordingly, which has been read, the roll was called and there were 75 YEAS, 26 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Anderson, R.; Belter; Berg, G.; Brokaw; Carlson; Christman; Clayburgh; Dalrymple; DeMers, J.; DeMers, P.; Enget; Flaagan; Frey; Gates; Gerhardt; Gerl; Gerntholz; Gilmore; Goetz; Graba; Halmrast; Hanson, L.; Haugland; Hausauer, A.; Hoffner; Hokana; Huether; Jensen; Kaldor; Kelly; Kingsbury; Kolbo; Larson, D.; Larson, R.; Laughlin; Lindgren; Marks; Martin; Martinson; Mertens; Murphy; Ness; Nicholas; Nowatzki; Oban; Olson, V.; O'Shea; Peterson; Ring; Rydell; Scherber; Schmidt; Schneider; Shaft; Shockman; Skjerven; Smette; Solberg; Sorensen; Starke; Stenehjem; Stofferahn; Thompson, V.; Timm; Tomac; Ulmer; Urlacher; Watne; Wentz; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: Aas; Berg, R.; Bernstein; Dorso; Gorman; Gunsch; Hanson, O.; Haugen; Howard; Knell; Kouba; Lang; Melby; Myrdal; Olsen, D.; Olson, A.; Schatz; Schindler; Shide; Soukup; Thompson, K.; Tokach; Tollefson; Trautman; Vander Vorst; Whalen

ABSENT AND NOT VOTING: Hausauer, R.; Kloubec; Nelson; Payne; Wald

SB 2234, excluding Division A and including Division B, passed and the title was agreed to.

SECOND READING OF SENATE BILLS

SB 2337: A BILL for an Act to amend and reenact subsection 13 of section 49-18-02 of the North Dakota Century Code, relating to the regulation of the transportation of saltwater by the public service commission.

ROLL CALL

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

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

NAYS: None

ABSENT AND NOT VOTING: Hausauer, R.; Kloubec; Nelson

SB 2337 passed and the title was agreed to.

SB 2450: A BILL for an Act to amend and reenact section 35-13-01 of the North Dakota Century Code, relating to repairman's liens.

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, 1 NAY, 4 ABSENT AND NOT VOTING.

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

NAYS: Flaagan

ABSENT AND NOT VOTING: Hausauer, R.; Kloubec; Nelson; Whalen

SB 2450 passed and the title was agreed to.

SB 2476: A BILL for an Act to create a legislative council interim committee on elections and provide a mechanism for a mail ballot primary election; to provide an appropriation; and to provide an expiration date.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 80 YEAS, 23 NAYS, 3 ABSENT AND NOT VOTING.

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

NAYS: Anderson, B.; Belter; Berg, G.; Brokaw; Graba; Gunsch; Hanson, O.; Haugen; Hausauer, A.; Martinson; Melby; Murphy; Olsen, D.; Olson, A.;

Rydell; Schindler; Schmidt; Shide; Skjerven; Thompson, K.; Tokach; Trautman; Whalen

ABSENT AND NOT VOTING: Frey; Hausauer, R.; Nelson

SB 2476 passed and the title was agreed to.

SB 2492: A BILL for an Act to create and enact a new section to chapter 19-10 of the North Dakota Century Code, relating to aboveground storage tanks.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 93 YEAS, 7 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Aas; Anderson, R.; Belter; Berg, G.; Berg, R.; Bernstein; Brokaw; Christman; Clayburgh; Dalrymple; DeMers, P.; Dorso; Enget; Flaagan; Frey; Gates; Gerhardt; Gerl; Gerntholz; Gilmore; Goetz; Gorman; 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.; Laughlin; Lindgren; Marks; Martin; Martinson; Melby; Mertens; Myrdal; Ness; Nicholas; Nowatzki; Oban; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Rydell; Schatz; Schindler; Schmidt; 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: Anderson, B.; Carlson; DeMers, J.; Graba; Kelly; Scherber; Schneider

ABSENT AND NOT VOTING: Hausauer, R.; Murphy; Nelson; Peterson; Ring; Whalen

SB 2492 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 1182, HB 1440, and HCR 3010 and subsequently passed the same.

The House does not concur in the Senate amendments to HB 1351 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1351: Reps. Belter, Bernstein, V. Thompson

HOUSE ENROLLING REPORT

The following bills were enrolled: HB 1349, HB 1356, HB 1391, HB 1448, HB 1471, HB 1528, HB 1529, HB 1530, HB 1531, HB 1534, HB 1549, HB 1556, HB 1572, HB 1573, HB 1575, HB 1590, HB 1598, HB 1601, HB 1602, HB 1608, HB 1613, HB 1632, HB 1644, HB 1650.

SIGNING of BILLS and RESOLUTIONS (Roy Gilbreath, Chief Clerk)
 THE CHIEF CLERK ANNOUNCED that the Speaker signed the following enrolled bills: HB 1349, HB 1356, HB 1391, HB 1448, HB 1471, HB 1528, HB 1529, HB 1530, HB 1531, HB 1534, HB 1549, HB 1556, HB 1572, HB 1573, HB 1575, HB 1590, HB 1598, HB 1601, HB 1602, HB 1608, HB 1613, HB 1632, HB 1644, HB 1650.

MESSAGE to the SENATE from the HOUSE (Roy Gilbreath, Chief Clerk)
 MR. PRESIDENT: The Speaker has signed and your signature is respectfully requested: HB 1349, HB 1356, HB 1391, HB 1448, HB 1471, HB 1528, HB 1529, HB 1530, HB 1531, HB 1534, HB 1549, HB 1556, HB 1572, HB 1573, HB 1575, HB 1590, HB 1598, HB 1601, HB 1602, HB 1608, HB 1613, HB 1632, HB 1644, HB 1650.

SECOND READING OF SENATE BILLS

SB 2506: A BILL for an Act to amend and reenact subsection 15 of section 57-02-08 of the North Dakota Century Code, relating to the farm home exemption as applied to certain farmers who rent the farmland to another operator; and to provide an effective date.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 49 YEAS, 53 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Berg, G.; Brokaw; Carlson; DeMers, J.; DeMers, P.; Enget; Flaagan; Frey; Gerhardt; Gerntholz; Gilmore; Hanson, O.; Haugland; Hoffner; Hokana; Huether; Kaldor; Kelly; Kingsbury; Kolbo; Kouba; Laughlin; Marks; Martin; Mertens; Murphy; Ness; Nowatzki; Oban; Olson, V.; Ring; Schatz; Schindler; Schmidt; Schneider; Shockman; Skjerven; Solberg; Starke; Thompson, V.; Trautman; Ulmer; Urlacher; Watne; Wilkie; Williams, A.; Williams, W.

NAYS: Aas; Anderson, R.; Belter; Berg, R.; Bernstein; Christman; Clayburgh; Dalrymple; Dorso; Gates; Gerl; Goetz; Gorman; Graba; Gunsch; Halmrast; Hanson, L.; Haugen; Hausauer, A.; Howard; Jensen; Kloubec; Knell; Lang; Larson, D.; Larson, R.; Lindgren; Martinson; Melby; Myrdal; Nicholas; Olsen, D.; Olson, A.; O'Shea; Payne; Rydell; Scherber; Shaft; Shide; Smette; Sorensen; Soukup; Stenehjem; Stofferahn; Thompson, K.; Timm; Tokach; Tollefson; Tomac; Vander Vorst; Wald; Whalen; Speaker Kretschmar

ABSENT AND NOT VOTING: Hausauer, R.; Nelson; Peterson; Wentz

SB 2506 lost.

SB 2507: A BILL for an Act to amend and reenact sections 11-10-11 and 11-16-02 of the North Dakota Century Code, relating to assistant state's attorneys.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 98 YEAS, 0 NAYS, 8 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Aas; Anderson, B.; Belter; Berg, G.; Berg, R.; Bernstein; Brokaw; Carlson; Christman; Clayburgh; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Enget; Flaagan; Frey; Gerhardt; Gerl; Gerntholz;

Gilmore; Goetz; Gorman; Graba; Gunsch; Halmrast; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hoffner; Hokana; Howard; Huether; Jensen; Kaldor; Kelly; Kingsbury; Kloubec; Knell; Kolbo; Kouba; Lang; Larson, D.; Larson, R.; Laughlin; Lindgren; Marks; Martinson; Melby; Mertens; Murphy; Myrdal; 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; Whalen; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: None

ABSENT AND NOT VOTING: Anderson, R.; Gates; Haugen; Hausauer, R.; Martin; Nelson; Peterson; Wentz

SB 2507 passed and the title was agreed to.

SB 2509: A BILL for an Act to create and enact two new sections to chapter 57-02 of the North Dakota Century Code, relating to dual assessment of lands in transition from agricultural property classification and deferral of taxes; and to provide an effective date.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 8 YEAS, 92 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Berg, G.; Flaagan; Hokana; Kolbo; Laughlin; Oban; Scherber; Stofferahn

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

ABSENT AND NOT VOTING: Brokaw; Hausauer, R.; Nelson; Olsen, D.; Peterson; Wentz

SB 2509 lost.

APPOINTMENT OF ACTING SPEAKER

SPEAKER KRETCHMAR APPOINTED Rep. A. Hausauer as Acting Speaker in order that Speaker Kretschmar could speak on SCR 4005.

SECOND READING OF SENATE CONCURRENT RESOLUTIONS

SCR 4005: A concurrent resolution for the amendment of sections 8 and 13 of article IV, section 7 of article V, and section 9 of article XI of the Constitution of North Dakota, relating to election of presiding officers of the legislative assembly, legislative procedures, powers and duties of the lieutenant governor, and impeachment proceedings; and to repeal section 13 of article XI of the Constitution of North Dakota, relating to impeachment proceedings.

ROLL CALL

The question being on the adoption of the resolution, which has been read, the roll was called and there were 77 YEAS, 24 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Aas; Anderson, B.; Anderson, R.; Belter; Bernstein; Carlson; Christman; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Enget; Flaagan; Frey; Gates; Gerntholz; Gilmore; Goetz; Gorman; Graba; Hanson, L.; Hanson, O.; Haugen; Haugland; Hoffner; Hokana; Howard; Huether; Jensen; Kaldor; Kelly; Kingsbury; Kloubec; Kolbo; Lang; Larson, R.; Lindgren; Marks; Melby; Mertens; Murphy; Myrdal; Ness; Nicholas; Nowatzki; Oban; Olson, V.; O'Shea; Payne; Rydell; Scherber; Schindler; Schmidt; Schneider; Shockman; Skjerven; Smette; Solberg; Sorensen; Soukup; Starke; Stenehjem; Thompson, K.; Thompson, V.; Timm; Tollefson; Tomac; Trautman; Urlacher; Vander Vorst; Watne; Whalen; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: Berg, G.; Berg, R.; Clayburgh; Gerhardt; Gerl; Gunsch; Halmrast; Hausauer, A.; Knell; Kouba; Larson, D.; Laughlin; Martin; Martinson; Olsen, D.; Olson, A.; Ring; Schatz; Shaft; Shide; Stofferahn; Tokach; Ulmer; Wald

ABSENT AND NOT VOTING: Brokaw; Hausauer, R.; Nelson; Peterson; Wentz

SCR 4005 was declared adopted on a roll call vote.

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.

REQUEST

REP. CARLSON REQUESTED a recorded roll call vote on the adoption of SCR 4011, which request was granted.

ROLL CALL

The question being on the adoption of SCR 4011, the roll was called and there were 34 YEAS, 69 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Anderson, R.; Berg, R.; Bernstein; Christman; Dalrymple; Dorso; Flaagan; Gerhardt; Gerl; Goetz; Gunsch; Hanson, O.; Haugen; Howard; Knell; Kouba; Lang; Laughlin; Martin; Murphy; Schatz; Schindler; Schmidt; Shaft; Shockman; Skjerven; Stenehjem; Thompson, K.; Timm; Trautman; Urlacher; Vander Vorst; Wald; Whalen

NAYS: Aarsvold; Aas; Anderson, B.; Belter; Berg, G.; Brokaw; Carlson; Clayburgh; DeMers, J.; DeMers, P.; Enget; Frey; Gates; Gerntholz; Gilmore; Gorman; Graba; Halmrast; Hanson, L.; Haugland; Hausauer, A.; Hoffner; Hokana; Huether; Jensen; Kaldor; Kelly; Kingsbury; Kloubec;

Kolbo; Larson, D.; Larson, R.; Lindgren; Marks; Martinson; Melby; Mertens; Myrdal; Ness; Nicholas; Nowatzki; Oban; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Ring; Rydell; Scherber; Schneider; Shide; Smette; Solberg; Sorensen; Soukup; Starke; Stofferahn; Thompson, V.; Tokach; Tollefson; Tomac; Ulmer; Watne; Wentz; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

ABSENT AND NOT VOTING: Hausauer, R.; Nelson; Peterson

SCR 4011 lost on a roll call vote.

SCR 4038: A concurrent resolution designating the Trophy Takers Salmon Club's Blackjaw Fever Salmon Derby as the official North Dakota salmon derby.

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

SCR 4038 was declared adopted on a voice vote.

MOTION

REP. KLOUBEC MOVED that SB 2007, SB 2010, SB 2011, SB 2012, and SB 2015 be laid over one legislative day, which motion prevailed.

SECOND READING OF SENATE BILL

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

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 98 YEAS, 0 NAYS, 8 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Gates; Gerl; Hausauer, R.; Melby; Nelson; Ness; Peterson; Tomac

SB 2071 passed and the title was agreed to.

THE HOUSE RECOGNIZED THE PRESENCE OF:

Former Representative Olaf Opedahl

SECOND READING OF SENATE BILLS

SB 2117: A BILL for an Act to amend and reenact section 52-01-03 of the North Dakota Century Code, relating to disclosure of information obtained pursuant to the administration of the unemployment compensation program.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 99 YEAS, 0 NAYS, 7 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Anderson, R.; Belter; Berg, G.; Berg, R.; Bernstein; Brokaw; Carlson; Christman; Clayburgh; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Enget; Flaagan; Frey; Gates; Gerhardt; Gerl; Gerntholz; Gilmore; Goetz; Gorman; Graba; Gunsch; Halmrast; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hoffner; Hokana; Howard; Huether; Jensen; Kaldor; Kelly; Kloubec; Knell; Kolbo; Kouba; Lang; Larson, D.; Larson, R.; Laughlin; Lindgren; Marks; Martin; Martinson; Melby; Mertens; Murphy; Myrdal; 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; Stenehjem; Stofferahn; Thompson, V.; Timm; Tokach; Tollefson; Trautman; Ulmer; Urlacher; Vander Vorst; Wald; Watne; Wentz; Whalen; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: None

ABSENT AND NOT VOTING: Aas; Kingsbury; Nelson; Nicholas; Peterson; Thompson, K.; Tomac

SB 2117 passed and the title was agreed to.

SB 2118: A BILL for an Act to create and enact a new subsection to section 52-04-05 of the North Dakota Century Code, relating to determination of rates for unemployment compensation purposes.

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

Shide; Skjervem; Smette; Solberg; Sorensen; Soukup; Starke; Stenehjerm; Stofferahn; Thompson, K.; Thompson, V.; Timm; Tokach; Tollefson; Trautman; Ulmer; Urlacher; Vander Vorst; Wald; Watne; Wentz; Whalen; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: None

ABSENT AND NOT VOTING: Kingsbury; Nelson; Peterson; Schatz; Shockman; Tomac

SB 2118 passed and the title was agreed to.

SB 2191: A BILL for an Act to amend and reenact section 43-17-18 of the North Dakota Century Code, relating to qualifications of a foreign-trained applicant for a license to practice medicine.

ROLL CALL

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

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

NAYS: None

ABSENT AND NOT VOTING: Kingsbury; Nelson; Peterson; Tomac

SB 2191 passed and the title was agreed to.

SB 2323: A BILL for an Act to create and enact a new section to chapter 65-02 of the North Dakota Century Code, relating to a workers compensation advisory council.

ROLL CALL

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

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

NAYS: None

ABSENT AND NOT VOTING: Kingsbury; Nelson; Peterson; Tomac

SB 2323 passed and the title was agreed to.

MOTION

REP. KLOUBEC MOVED that SB 2334 be laid over one legislative day, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2367: A BILL for an Act to amend and reenact sections 43-07-25, 52-01-03, subsection 4 of section 57-38-57, and section 65-04-15 of the North Dakota Century Code, relating to the sharing of information among the offices of the secretary of state, job service North Dakota, tax commissioner, and workers compensation bureau with respect to contractors.

ROLL CALL

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

YEAS: Aarsvold; Aas; Anderson, B.; Anderson, R.; Belter; Berg, G.; Berg, R.; Bernstein; Brokaw; Carlson; Christman; Clayburgh; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Enget; Flaagan; Frey; Gates; Gerhardt; Gerl; Gerntholz; Gilmore; Goetz; Gorman; Graba; Gunsch; Halmarst; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hoffner; Hokana; Howard; Huether; Jensen; Kaldor; Kelly; 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; Skjervem; Smette; Solberg; Sorensen; Soukup; Starke; Stenehjem; Stofferahn; Thompson, K.; Thompson, V.; Timm; Tokach; Tollefson; Trautman; Ulmer; Urlacher; Vander Vorst; Wald; Watne; Wentz; Whalen; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: None

ABSENT AND NOT VOTING: Kingsbury; Nelson; Peterson; Tomac

SB 2367 passed and the title was agreed to.

MOTION

REP. DORSO MOVED that SB 2388 be laid over one legislative day, which motion prevailed.

SECOND READING OF SENATE BILL

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

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, 6 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Aas; Anderson, B.; Anderson, R.; Belter; Berg, G.; Berg, R.; Bernstein; Brokaw; Carlson; Christman; Clayburgh; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Enget; Flaagan; Frey; Gates; Gerhardt; Gerntholz; Gilmore; Goetz; Gorman; Graba; Halmrast; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hoffner; Hokana; Howard; Jensen; Kaldor; Kelly; Kloubec; Knell; Kolbo; Kouba; Lang; Larson, D.; Larson, R.; Laughlin; Lindgren; 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; Trautman; Urlacher; Vander Vorst; Wald; Watne; Wentz; Wilkie; Williams, A.; Speaker Kretschmar

NAYS: Gerl; Hanson, L.; Huether; Marks; Ulmer; Williams, W.

ABSENT AND NOT VOTING: Gunsch; Kingsbury; Nelson; Peterson; Tomac; Whalen

SB 2405 passed and the title was agreed to.

COMMUNICATION

State of North Dakota
OFFICE OF THE GOVERNOR
Bismarck

March 15, 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 15, 1989, I signed the following: HB 1070, HB 1270.

Sincerely,

GEORGE A. SINNER
Governor

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 Thirteenth order of business, and at the conclusion of the Thirteenth order, the House stand adjourned until 1:00 p.m., Thursday, March 16, 1989, which motion prevailed.

REPORTS OF STANDING COMMITTEES

MR. SPEAKER: Your Committee on Industry, Business and Labor (Rep. Whalen, Chairman) to which was referred SB 2043 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 11 overstrike "sales by an issuer to not more than twenty persons (other"

Page 2, line 12, overstrike "than those designated in subsection 5)" and insert immediately thereafter "offer or sale" and after "state" insert "of common stock or limited partnership interests of an issuer"

Page 2, line 13, overstrike ", whether or not any of the"

Page 2, line 14, overstrike "buyers is then present in this state,"

Page 2, line 24, after "chapter" insert "or others who the commissioner may designate by rule"

Page 3, line 1, overstrike "The issuer has, ten days prior to any sale pursuant to"

Page 3, overstrike lines 2 through 18

Page 3, line 19, overstrike "be used in connection with any sale" and insert immediately thereafter:

"At least eighty percent of the net proceeds from the sale of the securities must be used in connection with the operations of the issuer in this state. "Net proceeds" means gross proceeds less commissions and sales expenses.

(6) An offering disclosure document in the form approved by the commissioner must be delivered to each offeree no less than seventy-two hours prior to the sale of the security.

(7) The gross proceeds of the offering may not exceed five hundred thousand dollars.

(8) The issuer must apply for and obtain the written approval of the commissioner prior to making any offer or sale in this state by filing an application prescribed by the commissioner, a copy of the offering disclosure document, and any other information or documents the commissioner may

require, together with a filing fee of one hundred dollars.

(9) All funds raised in the offering are placed in an escrow account until the total offering has been sold"

Page 3, line 22, overstrike ", or"

Page 3, line 23, overstrike "increase or decrease the number of buyers permitted,"

Page 3, line 24, overstrike "1, 2, and 3 with or without the"

Page 3, line 25, overstrike "substitution of a limitation on remuneration" and insert immediately thereafter "6 and 7"

Page 3, line 27, after "with" insert "a limited offering" and replace "exemptions" with "exemption"

Page 3, line 28, replace "facilitating sales of" with "compatibility with the exemptions from securities registration authorized by the Securities Act of 1933 and"

Page 4, line 1, remove "securities by North Dakota issuers or providing"

Renumber accordingly

SB 2043 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 2062 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same DO NOT PASS.

SB 2062 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 2098 has had the same under consideration and recommends by a vote of 13 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO NOT PASS:

Page 2, line 19, after "damaged" insert ", but not to exceed fifteen days"

Renumber accordingly

Engrossed SB 2098 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 2120 has had the same under consideration and recommends by a vote of 12 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING that the same DO NOT PASS.

SB 2120 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 2121 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

Page 2, replace lines 3 through 15 with:

- "3. After notice and opportunity for a hearing the unemployment compensation division shall make a determination as to the personal liability under this section. A hearing must be requested within twelve days from the date of mailing of the notice. The determination is final unless the person found to be personally liable requests review by the bureau within fifteen days after mailing of the notice of determination to the person's last known address."

Renumber accordingly

SB 2121 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 2129 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 4, line 13, after "may" insert ", after public notice and hearing,"

Renumber accordingly

SB 2129 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Judiciary (Rep. Wentz, Chairman) to which was referred SB 2131 has had the same under consideration and recommends by a vote of 10 YEAS, 2 NAYS, 4 ABSENT AND NOT VOTING that the same DO PASS.

SB 2131 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 2135 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 2135 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 Engrossed SB 2153 has had the same under consideration and recommends by a vote of 8 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 1, after "enact" insert "a new subsection to section 1-03-01 and"

Page 1, line 2, after "to" insert "designating the day after Thanksgiving as a holiday and"

Page 1, line 3, after "Eve" insert "; and to provide an effective date"

Page 1, after line 4, insert:

"SECTION 1. A new subsection to section 1-03-01 of the North Dakota Century Code is hereby created and enacted to read as follows:

The day after Thanksgiving Day."

Page 1, line 8, replace "twelve noon" with "four p.m."

Page 1, after line 9, insert:

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

Renumber accordingly

Engrossed SB 2153 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 2178 has had the same under consideration and recommends by a vote of 17 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

Page 2, line 6, overstrike the period and insert immediately thereafter "; and"

Page 4, line 9, replace "disclose" with "discloses"

Page 4, line 26, replace the underscored period with "; and"

Renumber accordingly

SB 2178 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 2247 has had the same under consideration and recommends by a vote of 12 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

SB 2247 was placed on the Fourteenth 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 Engrossed SB 2248 has had the same under consideration and recommends by a vote of 17 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO NOT PASS:

Page 1, line 1, remove "57-43.3-02,"

Page 1, line 14, remove "or cargo"

Page 1, remove lines 20 and 21

Page 2, remove lines 1 through 12

Page 2, line 15, remove "aerial applicator of agricultural"

Page 2, line 16, replace "chemicals" with "commercial aircraft carrier" and remove "subsection 1 of"

Page 2, line 17, remove "refund" and remove "for fuel used"

Page 2, remove lines 18 through 22

Page 2, line 23, remove "deducted from the refund"

Page 3, line 11, replace "Fifty" with "Forty"

Page 4, line 5, replace "Fifty" with "Sixty"

Renumber accordingly

Engrossed SB 2248 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 2252 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

SB 2252 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 Engrossed SB 2254 has had the same under consideration and recommends by a vote of 9 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO NOT PASS:

Page 2, line 24, remove ", except that the state"

Page 2, remove lines 25 and 26

Page 2, line 27, remove "effective date of this Act"

Page 2, line 28, replace the third comma with "and"

Page 2, line 29, remove ", and faculty and employees of institutions of higher"

Page 3, line 1, remove "education"

Page 3, line 2, replace the first comma with "or" and remove ", or eleven-month"

Renumber accordingly

Engrossed SB 2254 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 2263 has had the same under consideration and recommends by a vote of 10 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING that the same DO NOT PASS.

SB 2263 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 2268 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

SB 2268 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 2269 has had the same under consideration and recommends by a vote of 12 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING that the same DO PASS.

SB 2269 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 Engrossed SB 2286 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 2286 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 2295 has had the same under consideration and recommends by a vote of 13 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same DO PASS.

SB 2295 was placed on the Fourteenth 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 Reengrossed SB 2309 has had the same under consideration and recommends by a vote of 14 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to provide for grants to oil and gas development impacted counties and cities; to provide a continuing appropriation; and to provide an expiration date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. Grants to oil and gas development impacted counties and cities - Continuing appropriation. The board of university and

school lands may grant six percent of twelve million dollars annually to oil and gas development impacted counties and cities, from interest earnings on moneys deposited in the coal development trust fund established under subsection 1 of section 57-62-02. Grants may be made for the mitigation of the impact of unpaid special assessments, but before making any grant the board of university and school lands must receive the recommendation of the energy development impact office. To be eligible to receive grants under this section, a county or city must demonstrate that its consolidated mill levy ranks in the highest ten percent of the consolidated mill levies of all political subdivisions of the same kind in this state. The amount authorized for grants under this section is hereby appropriated to the board of university and school lands as a standing and continuing appropriation.

SECTION 2. EXPIRATION DATE. This Act is effective through June 30, 1991, and after that date is ineffective."

Renumber accordingly

Reengrossed SB 2309 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Judiciary (Rep. Wentz, Chairman) to which was referred SB 2313 has had the same under consideration and recommends by a vote of 9 YEAS, 2 NAYS, 5 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

Page 2, line 29, remove "of"

Page 3, line 1, replace "the decedent's death" with "after the appointment of a personal representative"

Page 3, line 26, replace "of the decedent's death" with "after the appointment of a personal representative"

Page 4, line 29, replace "decedent's death" with "appointment of a personal representative"

Renumber accordingly

SB 2313 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 Engrossed SB 2320 has had the same under consideration and recommends by a vote of 15 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

Page 6, line 13, after "Act" insert "on an ongoing basis during the interims between the 1989, 1991, 1993, and 1995 legislative sessions"

Renumber accordingly

Engrossed SB 2320 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 2324 has had the same under consideration and recommends by a vote of 9 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

SB 2324 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 2344 has had the same under consideration and recommends by a vote of 14 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

Engrossed SB 2344 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 Engrossed SB 2355 has had the same under consideration and recommends by a vote of 10 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

Engrossed SB 2355 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 Engrossed SB 2382 has had the same under consideration and recommends by a vote of 10 YEAS, 4 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

Engrossed SB 2382 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 2400 has had the same under consideration and recommends by a vote of 8 YEAS, 4 NAYS, 3 ABSENT AND NOT VOTING that the same DO PASS.

SB 2400 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 Engrossed SB 2415 has had the same under consideration and recommends by a vote of 11 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING that the same DO NOT PASS.

SB 2415 was placed on the Fourteenth 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 Engrossed SB 2417 has had the same under consideration and recommends by a vote of 16 YEAS, 1 NAY, 0 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 "exemption" insert "that may be granted by the governing body of a political subdivision"

Page 1, line 9, after "The" insert "governing body of the city, for property within city limits, or of the county, for property outside city limits, may grant a property tax exemption for the"

Page 1, line 11, remove "For purposes of this"

Page 1, remove lines 12 and 13

Page 1, line 14, remove "used is devoted to licensed childhood services."

Page 1, line 15, remove "residential" and after "property" insert "used as a residence"

Re-number accordingly

Engrossed SB 2417 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 SB 2462 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 3, replace "general" with "highway tax distribution"

Page 1, line 4, after "fund" insert "; and to provide an expiration date"

Page 1, line 9, replace "general" with "highway tax distribution"

Page 1, line 14, replace "general fund" with "highway tax distribution fund, before allocation of the fund under section 54-27-19."

Page 1, after line 18, insert:

"SECTION 2. EXPIRATION DATE. This Act is effective through June 30, 1991, and after that date is ineffective."

Re-number accordingly

SB 2462 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 referred SB 2463 has had the same under consideration and recommends by a vote of 23 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

Page 1, line 11, after the second comma insert "Golden Valley,"

Re-number accordingly

SB 2463 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 2470 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 2470 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 2491 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.

Engrossed SB 2491 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 2500 has had the same under consideration and recommends by a vote of 13 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS and be rereferred to the Committee on Appropriations:

Page 1, line 2, replace "paleontological" with "fossil and western history"

Page 1, line 5, replace "paleontological" with "fossil and western history"

Page 1, line 6, replace "paleontological" with "fossil and western history"

Page 1, line 7, after "built" insert "and maintained" and replace "and" with ", federal, or"

Page 1, line 13, replace "paleontological" with "fossil and western history"

Renumber accordingly

Engrossed SB 2500 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 SCR 4048 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS and BE PLACED ON THE CONSENT CALENDAR.

SCR 4048 was placed on the Tenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Judiciary (Rep. Wentz, Chairman) to which was referred SCR 4050 has had the same under consideration and recommends by a vote of 12 YEAS, 1 NAY, 3 ABSENT AND NOT VOTING that the same DO PASS and BE PLACED ON THE CONSENT CALENDAR.

SCR 4050 was placed on the Tenth 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 SCR 4057 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 4057 was placed on the Tenth order of business on the calendar for the succeeding legislative day.

49th DAY

WEDNESDAY, MARCH 15, 1989

1471

FIRST READING OF SENATE CONCURRENT RESOLUTION

SCR 4054: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of regulating the use of pesticides near apiaries.

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

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

ROY GILBREATH, Chief Clerk