

JOURNAL OF THE HOUSE

Fifty-first Legislative Assembly

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Bismarck, March 16, 1989

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

The prayer was offered by Father Hugo Blotsky, Chaplain, University of Mary, Bismarck.

The roll was called and all Representatives were present, except Representatives Aas, Brokaw, Flaagan, Gerhardt, Nelson, Nicholas, Nowatzki, and Schmidt.

A quorum was declared by the Speaker.

REQUEST

REP. KLOUBEC REQUESTED that the record show that Reps. Brokaw, Gerhardt, Schmidt, and Nelson were absent as they were representing the Governor at the funeral of Rep. Nelson's father, which request was granted.

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-ninth Day and finds it to be correct.

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

HOUSE ENGROSSING REPORT

The following bill was engrossed: HB 1666.

THE HOUSE RECOGNIZED THE PRESENCE OF:

Former Representative Verdine Rice
Former Representative Guy Larson

MOTION

REP. KLOUBEC MOVED that the rules be suspended and that the committee reports on SB 2043, SB 2098, SB 2121, SB 2129, SB 2153, SB 2178, SB 2248, SB 2254, SB 2309, SB 2313, SB 2320, SB 2417, SB 2462, SB 2463, and SB 2500 recommending amendments on the Sixth order of business on the legislative calendar of the Fiftieth Day be adopted, which motion prevailed.

SIXTH ORDER OF BUSINESS

REP. WHALEN MOVED that the amendments to SB 2043 as recommended by the Committee on Industry, Business and Labor as printed on pages 1461-1462 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

SB 2043, as amended, was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

REP. WHALEN MOVED that the amendments to Engrossed SB 2098 as recommended by the Committee on Industry, Business and Labor as printed on page 1462 of the

House Journal be adopted, and when so adopted, recommends the same DO NOT PASS.

Engrossed SB 2098, as amended, was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

REP. WHALEN MOVED that the amendments to SB 2121 as recommended by the Committee on Industry, Business and Labor as printed on page 1463 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

SB 2121, as amended, was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

REP. WHALEN MOVED that the amendments to SB 2129 as recommended by the Committee on Industry, Business and Labor as printed on page 1463 of the House Journal be adopted, and when so adopted, recommends the same DO NOT PASS.

SB 2129, as amended, was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

REP. MARTINSON MOVED that the amendments to Engrossed SB 2153 as recommended by the Committee on State and Federal Government as printed on pages 1463-1464 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

Engrossed SB 2153, as amended, was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

REP. WHALEN MOVED that the amendments to SB 2178 as recommended by the Committee on Industry, Business and Labor as printed on page 1464 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

SB 2178, as amended, was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

REP. A. HAUSAUER MOVED that the amendments to Engrossed SB 2248 as recommended by the Committee on Finance and Taxation as printed on pages 1464-1465 of the House Journal be adopted, and when so adopted, recommends the same DO NOT PASS.

Engrossed SB 2248, as amended, was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

REP. MARTINSON MOVED that the amendments to Engrossed SB 2254 as recommended by the Committee on State and Federal Government as printed on pages 1465-1466 of the House Journal be adopted, and when so adopted, recommends the same DO NOT PASS.

Engrossed SB 2254, as amended, was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

REP. A. HAUSAUER MOVED that the amendments to Reengrossed SB 2309 as recommended by the Committee on Finance and Taxation as printed on pages 1466-1467 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

Reengrossed SB 2309, as amended, was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

REP. WENTZ MOVED that the amendments to SB 2313 as recommended by the Committee on Judiciary as printed on page 1467 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

SB 2313, as amended, was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

REP. WHALEN MOVED that the amendments to Engrossed SB 2320 as recommended by the Committee on Industry, Business and Labor as printed on page 1467 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

Engrossed SB 2320, as amended, was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

REP. A. HAUSAUER MOVED that the amendments to Engrossed SB 2417 as recommended by the Committee on Finance and Taxation as printed on pages 1468-1469 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

Engrossed SB 2417, as amended, was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

REP. A. HAUSAUER MOVED that the amendments to SB 2462 as recommended by the Committee on Finance and Taxation as printed on page 1469 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

SB 2462, 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 2463 as recommended by the Committee on Appropriations as printed on page 1469 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

SB 2463, as amended, was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

REP. GATES MOVED that the amendments to Engrossed SB 2500 as recommended by the Committee on Education as printed on page 1470 of the House Journal be adopted, and when so adopted, recommends the same DO PASS and be rereferred to the Committee on Appropriations.

Engrossed SB 2500, as amended, was rereferred to the Committee on Appropriations.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. GATES MOVED that the House do concur in the Senate amendments to HB 1094 as printed on pages 1437-1438 of the House Journal, which motion prevailed.

HB 1094, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1094: A BILL for an Act to create and enact a new section to chapter 15-39.1 of the North Dakota Century Code, relating to postretirement benefit adjustments under the teachers' fund for retirement; to amend

and reenact subsection 2 of section 15-39.1-10 and section 15-39.1-16 of the North Dakota Century Code, relating to computation and optional forms of retirement benefits under the teachers' fund for retirement; and to provide an effective date.

ROLL CALL

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

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

HB 1094 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. TIMM MOVED that the House do concur in the Senate amendments to Engrossed HB 1131 as printed on page 1438 of the House Journal, which motion prevailed.

HB 1131, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1131: A BILL for an Act to amend and reenact section 60-06-15 of the North Dakota Century Code, relating to warehouse leases on railroad rights of way; 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 98 YEAS, 0 NAYS, 8 ABSENT AND NOT VOTING.

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

HB 1131 passed, the title was agreed to, and the emergency clause carried.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. GATES MOVED that the House do concur in the Senate amendments to Engrossed HB 1240 as printed on page 1440 of the House Journal, which motion prevailed.

HB 1240, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1240: A BILL for an Act to create and enact a new section to chapter 15-36 of the North Dakota Century Code, relating to the issuance of teachers' certificates.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 92 YEAS, 4 NAYS, 10 ABSENT AND NOT VOTING.

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

NAYS: Gunsch; Hanson, O.; Shide; Thompson, V.

ABSENT AND NOT VOTING: Aas; Brokaw; Flaagan; Gerhardt; Nelson; Nicholas; Nowatzki; Ring; Schmidt; Urlacher

HB 1240 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. GATES MOVED that the House do concur in the Senate amendments to Engrossed HB 1347 as printed on page 1440 of the House Journal, which motion prevailed.

HB 1347, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1347: A BILL for an Act to amend and reenact section 15-47-27 and subsection 5 of section 15-47-38 of the North Dakota Century Code, relating to performance evaluations of teachers.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 95 YEAS, 2 NAYS, 9 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Anderson, R.; Belter; Berg, G.; Berg, R.; Bernstein; Carlson; Christman; Clayburgh; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Enget; Frey; Gates; 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; Knell; Kolbo; Kouba; Lang; Larson, D.; Larson, R.; Laughlin; Lindgren; Marks; Martin; Martinson; Melby; Mertens; Murphy; Myrdal; Ness; Oban; Olsen, D.; Olson, A.; O'Shea; Payne; Peterson; Ring; Rydell; Schatz; Scherber; Schindler; Schneider; Shaft; Shide; Skjervem; 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: Olson, V.; Shockman

ABSENT AND NOT VOTING: Aas; Brokaw; Flaagan; Gerhardt; Kloubec; Nelson; Nicholas; Nowatzki; Schmidt

HB 1347 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. GATES MOVED that the House do concur in the Senate amendments to Engrossed HB 1371 as printed on page 1441 of the House Journal, which motion prevailed.

Engrossed HB 1371, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1371: A BILL for an Act to amend and reenact section 15-39.1-05 of the North Dakota Century Code, relating to the membership of the board of trustees of the teachers' fund for retirement; to provide for application of this Act; and to provide an effective date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 95 YEAS, 0 NAYS, 11 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Anderson, R.; Belter; Berg, G.; Berg, R.; Bernstein; Carlson; Christman; Clayburgh; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Enget; Frey; Gates; Gerl; Gerntholz; Gilmore; Goetz; Gorman; Graba; Gunsch; 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; Oban; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Ring; Rydell; Schatz; Scherber; Schindler; 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: Aas; Brokaw; Flaagan; Gerhardt; Hausauer, R.; Nelson; Nicholas; Nowatzki; Peterson; Schmidt; Whalen

HB 1371 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. TIMM MOVED that the House do concur in the Senate amendments to HCR 3031 as printed on page 1441 of the House Journal, which motion prevailed.

HCR 3031, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3031: A concurrent resolution urging the Secretary of Transportation to refrain from adopting regulations to reduce essential air service levels or impede current service levels until the Congress of the United States has had the opportunity to review the department's actions and appropriate supplemental funding for the Essential Air Service program.

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

HCR 3031 was declared adopted on a voice vote.

MOTION

REP. R. ANDERSON MOVED that SB 2007, SB 2010, SB 2011, SB 2012, SB 2015, and SB 2176, which are on the Fourteenth order, be laid over one legislative day, which motion prevailed.

SECOND READING OF SENATE BILLS

SB 2523: A BILL for an Act to appropriate revenue from operation of the aerospace science training facility at the university of North Dakota to repay a loan from the Bank of North Dakota taken to construct the facility; 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 93 YEAS, 1 NAY, 12 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Anderson, R.; Belter; Berg, G.; Berg, R.; Bernstein; Carlson; Christman; Clayburgh; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Enget; Frey; Gates; 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; Larson, D.; Larson, R.; Laughlin; Lindgren; Marks; Martin; Martinson; Melby; Mertens; Myrdal; Ness; Oban; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Ring; Rydell; Schatz; Scherber; Schindler; 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: Murphy

ABSENT AND NOT VOTING: Aas; Brokaw; Flaagan; Gerhardt; Gerl; Lang; Nelson; Nicholas; Nowatzki; Peterson; Schmidt; Whalen

SB 2523 passed, the title was agreed to, and the emergency clause carried.

SB 2434: A BILL for an Act to amend and reenact section 30.1-18-21 of the North Dakota Century Code, relating to attorneys' fees payable from a decedent's estate.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 87 YEAS, 9 NAYS, 10 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Anderson, R.; Belter; Berg, G.; Berg, R.; Bernstein; Carlson; Christman; Clayburgh; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Frey; Gates; 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; Ness; Oban; Olsen, D.; Olson, V.; O'Shea; Payne; Ring; Rydell; Schatz; Scherber; Schindler; Schneider; Shaft; Shide; Shockman; Skjerven; Smette; Solberg; Soukup; Stenehjem; Stofferahn; Thompson, K.; Timm; Tollefson; Tomac; Trautman; Ulmer; Urlacher; Vander Vorst; Wald; Watne; Whalen; Wilkie; Williams, A.; Williams, W.

NAYS: Enget; Mertens; Myrdal; Olson, A.; Starke; Thompson, V.; Tokach; Wentz; Speaker Kretschmar

ABSENT AND NOT VOTING: Aas; Brokaw; Flaagan; Gerhardt; Gerl; Nelson; Nicholas; Nowatzki; Peterson; Schmidt

SB 2434 passed and the title was agreed to.

SIGNING of BILLS and RESOLUTIONS (Roy Gilbreath, Chief Clerk)
THE CHIEF CLERK ANNOUNCED that the Speaker signed the following enrolled bills and resolution: 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 SENATE from the HOUSE (Roy Gilbreath, Chief Clerk)
MR. PRESIDENT: The Speaker has signed: 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 SENATE from the HOUSE (Roy Gilbreath, Chief Clerk)
MR. PRESIDENT: The House has passed and your favorable consideration is requested on: HB 1661.

MESSAGE to the SENATE from the HOUSE (Roy Gilbreath, Chief Clerk)
MR. PRESIDENT: The House has failed to pass: SB 2182.

MESSAGE to the SENATE from the HOUSE (Roy Gilbreath, Chief Clerk)
MR. PRESIDENT: The House has amended and subsequently failed to pass: SB 2392.

MESSAGE to the SENATE from the HOUSE (Roy Gilbreath, Chief Clerk)
MR. PRESIDENT: The House has amended and subsequently passed: SB 2213, SB 2218, SB 2493.

MESSAGE to the SENATE from the HOUSE (Roy Gilbreath, Chief Clerk)
MR. PRESIDENT: The House has passed unchanged: SB 2060, SB 2067, SB 2108, SB 2109, SB 2169, SB 2180, SB 2200, SB 2207, SB 2208, SB 2229, SB 2283, SB 2299, SB 2338, SB 2431, SB 2457.

SECOND READING OF SENATE BILL

SB 2479: A BILL for an Act to authorize the state board of higher education to issue and sell self-liquidating, tax-exempt bonds for the construction of a child care center at the university of North Dakota; and to provide an appropriation.

MOTION

REP. LINDGREN MOVED the previous question, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 68 YEAS, 27 NAYS, 11 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Belter; Berg, G.; Bernstein; Carlson; Clayburgh; Dalrymple; DeMers, J.; DeMers, P.; Enget; Frey; Gates; Gerl; Gerntholz; Gilmore; Goetz; Graba; Halmrast; Hanson, L.; Haugland; Hausauer, R.; Hoffner; Hokana; Huether; Jensen; Kaldor; Kelly; Kloubec; Kolbo; Larson, R.; Laughlin; Lindgren; Marks; Martin; Mertens; Myrdal; Ness; Oban; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Ring; Rydell; Schatz; Scherber; Schneider; Shaft; Shide; Shockman; Smette; Solberg; Starke; Stenehjelm; Stofferahn; Thompson, V.; Timm; Trautman; Ulmer;

Urlacher; Vander Vorst; Watne; Wentz; Wilkie; Williams, A.;
Williams, W.; Speaker Kretschmar

NAYS: Anderson, R.; Berg, R.; Christman; Dorso; Gorman; Gunsch; Hanson, O.;
Haugen; Howard; Kingsbury; Knell; Kouba; Lang; Larson, D.; Martinson;
Melby; Murphy; Payne; Schindler; Skjerven; Sorensen; Soukup;
Thompson, K.; Tokach; Tollefson; Tomac; Whalen

ABSENT AND NOT VOTING: Aas; Brokaw; Flaagan; Gerhardt; Hausauer, A.; Nelson;
Nicholas; Nowatzki; Peterson; Schmidt; Wald

SB 2479 passed and the title was agreed to.

MOTION

REP. KLOUBEC MOVED that the House stand in recess to await the start of the
Memorial Service, which motion prevailed.

HOUSE MEMORIAL SERVICE

REP. KLOUBEC MOVED that the House be on a Special Order of Business, which
motion prevailed.

Invocation: Rev. James Pomeroy
Epworth United Methodist Church
Valley City, North Dakota

Musical Selection: Valley City Troubadours -
"The North Dakota Hymn"
Accompanist - Elaine Wagar

FIRST READING OF HOUSE MEMORIAL RESOLUTION

Committee on Memorial Resolutions introduced:

HMR A: A memorial resolution for deceased members of the House of
Representatives of North Dakota.
Was read the first time.

MOTION

REP. KLOUBEC MOVED that the rules be suspended, that HMR A not be printed,
not be referred to committee, be read in its entirety, be printed in the
Journal, and placed on the calendar for second reading and final passage,
which motion prevailed.

Committee on Memorial Resolutions introduced:

HOUSE MEMORIAL RESOLUTION NO. A

A memorial resolution for deceased members of the House of Representatives of
North Dakota.

WHEREAS, God has summoned to eternal rest our former colleagues:

RUSSELL L. BELQUIST, who served in the 36th through the 39th
Legislative Assemblies, from the 32nd District, died September 22, 1988.

LEONARD A. BOPP, who served in the 36th Legislative Assembly, from the
13th District, died November 5, 1986.

GORDON V. COX, who served in the 20th through the 22nd Legislative Assemblies, from the 27th District, died October 4, 1987.

RALPH C. DOTZENROD, who served in the 42nd through the 50th Legislative Assemblies, from the 27th District, died October 13, 1988.

JOHN R. FLECK, who served in the 27th through the 32nd Legislative Assemblies, from the 27th District, died October 2, 1986.

ROBERT D. HARTL, who served in the 43rd Legislative Assembly, from the 7th District, died July 29, 1987.

RUSSELL IDSO, who served in the 35th through the 37th Legislative Assemblies, from the 11th District, died December 30, 1988.

SYBIL BAKER KELLY, who served in the 36th through the 38th Legislative Assemblies, from the 21st District, died March 1, 1988.

FRED W. KLINGER, who served in the 36th and 37th Legislative Assemblies, from the 17th District, died May 12, 1987.

HENRY P. MAUTZ, JR., who served in the 35th Legislative Assembly, from the 46th District, died March 30, 1987.

FRANKLIN PAGE, who served in the 24th through the 26th Legislative Assemblies, from the 1st District, died November 17, 1987.

OGDEN D. ROSE, who served in the 33rd and 34th Legislative Assemblies, from the 11th District, died April 17, 1988.

SIMON A. SIMONSON, who served in the 40th and 41st Legislative Assemblies, from the 23rd District, died May 6, 1987.

THOMAS L. SNORTLAND, who served in the 32nd through the 34th Legislative Assemblies, from the 16th District, died July 2, 1988.

RAYMOND G. VENDSEL, who served in the 38th Legislative Assembly, from the 29th District, died January 18, 1989.

WHEREAS, today, as members of the House of Representatives of the 51st Legislative Assembly of North Dakota, we pause to mourn the passing of our former colleagues and to honor their memories; and

WHEREAS, these legislators rendered outstanding service to the people of the state by their contributions to public service;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF NORTH DAKOTA:

That we express our sorrow on their passing and our appreciation, on behalf of the people of North Dakota, of the loyal and devoted service of our former colleagues, through the words of the following poem, which was the last poem written by the former Representative Ralph Dotzenrod:

Today I'll start with the rising sun
To use what God has given me
To use as I will 'til the day is done
For good or ill as my choice may be.

It's really important my choice is true
 I'm trading a day of my life away
 When tomorrow comes may I never rue
 What I've bought with the coins of life today.

May it not be loss, but a gain I buy
 May it not be evil, but good instead
 May I cheer the heart of a passerby
 Or brighten a life by the right word said.

Tomorrow will come, and today will fade
 May I be sure when this day is past
 The things I have bought with my coins in trade
 Will not be regrets, but are joys that last.

BE IT FURTHER RESOLVED, that for the perpetuation of their memory this token of respect and sympathy by their successors in trust be printed in the Journal of the House of Representatives and that enrolled copies of this resolution be presented by the Secretary of State to the surviving families of these deceased Representatives.

SECOND READING OF HOUSE MEMORIAL RESOLUTION

HMR A: A memorial resolution for deceased members of the House of Representatives of North Dakota.

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

HMR A was declared adopted on a voice vote.

REP. SHAFT INTRODUCED the family members of former Representatives.

POINT OF PERSONAL PRIVILEGE

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

Thank you Representative Olson, members of the Chamber, guests, friends and relatives of our departed colleagues. Two years ago on this Sunday, March 19, 1987, a star burned out over the state of North Dakota, the brilliance of which we may never see again. Dear Ruth Meiers, Representative Meiers, Lieutenant Governor Meiers, who served this chamber so admirably with unparalleled energy, wisdom, and compassion, we miss you. Our own Ruth who dedicated her life to service of our state -- That service which continued to the very end of her days. I had the honor of sitting with Representative Meiers in my first session and constantly sat in awe of her outstanding abilities. She was always there with the open hand for those who needed help and with the firm fist when the fight was needed. Ruth could stir our deepest emotions and cause us to search the very bottom of our souls, and then with a twinkle in her eye and a great smile, put us all at ease. In some of the darkest days of the session, when the struggle is upon us and the answers seemingly unattainable, we can take comfort in gazing out and remembering and seeing her great face, and remembering her wisdom and her wit. Then all is suddenly not so cloudy. Ruth, thank you for your legacy. Thank you for your love. And for the thousands of us who may not have had a chance to say it, thank you for being you.

Musical Selection: Valley City Troubadours -
"Almighty God of Our Fathers"
"God Bless America"

Benediction: Rev. James Pomeroy

MOTION

REP. KLOUBEC MOVED that the Special Order of Business be dissolved, which motion prevailed.

THE HOUSE RECONVENED pursuant to recess taken, with Speaker Kretschmar presiding.

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

MR. SPEAKER: The Senate has amended and subsequently passed: HB 1039, HB 1098, HB 1142, HB 1178, HB 1294.

SENATE AMENDMENTS TO ENGROSSED HB 1039

Page 1, line 17, replace "provides emergency medical services for a" with "receives no compensation or who is paid expenses, reasonable benefits, nominal fees, or a combination of expenses, reasonable benefits, and nominal fees to perform the services for which the individual volunteered"

Page 1, remove lines 18 through 22

Page 2, line 1, remove "total payments per calendar year"

Renumber accordingly

SENATE AMENDMENTS TO HB 1098

Page 4, line 10, replace "Section" with "If Senate Bill No. 2030 is not approved by the fifty-first legislative assembly or does not become effective, section"

Page 4, after line 26, insert:

"SECTION 3. AMENDMENT. If Senate Bill No. 2030, as approved by the fifty-first legislative assembly, becomes effective, section 15-39.1-06 of the 1987 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

15-39.1-06. Organization of board. The board may hold meetings as necessary for the transaction of business and a meeting may be called by the president or any two members of the board upon reasonable notice to the other members of the board. The president for the ensuing year must be elected at the first meeting following July first of each year. ~~The board may employ an administrator, who need not be a member of the board and who shall perform duties as the board prescribes.~~ Except for disbursing money for the payment of claims and actuarial consultant and auditor fees, the board shall expend money for administrative purposes, as limited by the appropriation first made by the legislative assembly, by preparing an appropriate voucher and submitting the voucher to the office of management and budget.

SECTION 4. AMENDMENT. If Senate Bill No. 2030, as approved by the fifty-first legislative assembly, becomes effective and subsequently terminates by its own provisions, section 15-39.1-06 of

the 1987 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

15-39.1-06. Organization of board. The board may hold meetings as necessary for the transaction of business and a meeting may be called by the president or any two members of the board upon reasonable notice to the other members of the board. The president for the ensuing year must be elected at the first meeting following July first of each year. The board may employ an administrator and a deputy administrator, who need not be a member members of the board and who shall perform duties as the board prescribes. The deputy administrator may serve and vote, on behalf of the administrator, on the state investment board pursuant to section 21-10-01. Except for disbursing money for the payment of claims and actuarial consultant and auditor fees, the board shall expend money for administrative purposes, as limited by the appropriation first made by the legislative assembly, by preparing an appropriate voucher and submitting the voucher to the office of management and budget."

Renumber accordingly

SENATE AMENDMENTS TO ENGROSSED HB 1142

Page 1, line 4, remove "county mutual insurance companies,"

Page 1, line 5, after "organizations" insert "; and to repeal section 26.1-05-05 of the North Dakota Century Code, relating to residence requirements of directors and executive officers of domestic insurance companies"

Page 5, line 10, replace "and capital, if a stock company," with "requirements set forth in subsections 1 through 4 by July 1, 1990, unless the commissioner grants an extension to a date no later than July 1, 1992. Additionally, each existing stock health maintenance organization shall meet the capital account requirements of subsection 5 by July 1, 1990, unless the commissioner grants an extension to a date no later than July 1, 1992."

Page 5, replace lines 11 through 13 with:

"SECTION 4. REPEAL. Section 26.1-05-05 of the 1987 Supplement to the North Dakota Century Code is hereby repealed."

Renumber accordingly

SENATE AMENDMENTS TO ENGROSSED HB 1178

Page 2, line 8, replace "thirty" with "ninety"

Renumber accordingly

SENATE AMENDMENTS TO ENGROSSED HB 1294

Page 1, line 8, replace "When" with "On all losses in excess of two thousand dollars, when"

Page 1, line 9, remove "or for"

Renumber accordingly

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

MR. SPEAKER: The President has signed: 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 HOUSE from the SENATE (Patricia Conrad, Secretary)

MR. SPEAKER: The President has signed and your signature is respectfully requested: SB 2035, SB 2083, SB 2095, SB 2124, SB 2137, SB 2166, SB 2224, SB 2236, SB 2266, SB 2267, SB 2275, SB 2311, SB 2331, SB 2348, SB 2349, SB 2353, SB 2381, SB 2436, SB 2437, SB 2441, SB 2469, SB 2474, SB 2477, SB 2496, SB 2515, SB 2519.

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

MR. SPEAKER: The President has signed: 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 HOUSE from the SENATE (Patricia Conrad, Secretary)

MR. SPEAKER: The Senate has passed and your favorable consideration is requested on: SCR 4033, SCR 4059.

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

MR. SPEAKER: The Senate has passed unchanged: HB 1184.

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

MR. SPEAKER: The Senate has passed and your favorable consideration is requested on: SB 2527.

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

MR. SPEAKER: The Senate has amended and subsequently failed to pass: HB 1183.

MOTION

REP. KLOUBEC MOVED that House Rule 341, paragraph 2 and 3, be suspended for one day, which motion prevailed.

COMMUNICATION

State of North Dakota
OFFICE OF THE GOVERNOR
Bismarck

March 16, 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 16, 1989, I signed the following: HB 1015, HB 1088, HB 1172, HB 1195, HB 1280, HB 1335.

Sincerely,

GEORGE A. SINNER
Governor

HOUSE ENROLLING REPORT

The following bills and resolutions were enrolled: HB 1009, HB 1084, HB 1140, HB 1212, HB 1256, 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.

HOUSE ENROSSING AND ENROLLING REPORT

The following bills and resolution were engrossed and enrolled: HB 1182, HB 1440, HCR 3010.

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 1:00 p.m., Friday, March 17, 1989, which motion prevailed.

REPORTS OF STANDING COMMITTEES

MR. SPEAKER: Your Committee on Education (Rep. Gates, Chairman) to which was referred HB 1670 has had the same under consideration and recommends by a vote of 9 YEAS, 7 NAYS, 0 ABSENT AND NOT VOTING that the same DO NOT PASS.

HB 1670 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Judiciary (Rep. Wentz, Chairman) to which was referred Engrossed SB 2048 has had the same under consideration and recommends by a vote of 10 YEAS, 3 NAYS, 3 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

Page 4, line 4, after "each" insert "district," and after "county" insert an underscored comma

Page 5, line 16, after "imprisoned" insert "for fifteen days or more"

Page 7, line 22, after the first comma insert "district,"

Renumber accordingly

Engrossed SB 2048 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 2078 has had the same under consideration and recommends by a vote of 12 YEAS, 0 NAYS, 5 ABSENT AND NOT VOTING that the same DO PASS.

Engrossed SB 2078 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 2173 has had the same under consideration and recommends by a vote of 15 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

Page 2, line 22, replace "established by the state" with "composed of one member selected by the claimant's attorney, one member selected by the bureau, and one member selected jointly by the claimant's attorney and the bureau"

Page 2, line 23, remove "bar association for that purpose"

Re-number accordingly

Engrossed SB 2173 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 Reengrossed SB 2192 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 2, line 9, remove "Except in proceedings before the"

Page 2, remove lines 10 and 11

Page 2, line 12, replace "board, or the central personnel division, any" with "Any"

Re-number accordingly

Reengrossed SB 2192 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 Reengrossed SB 2193 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 19, after "procedures" insert ", although need not be legally trained,"

Page 1, line 20, replace "political or economic association" with "bias or prejudice"

Page 1, remove line 22

Page 2, remove line 1

Page 2, line 2, remove "officer."

Page 2, line 6, after "section" insert "or by an administrative agency"

Page 2, line 9, after "section" insert "or by an administrative agency"

Page 2, line 10, after "and" insert ", if legally trained,"

Page 2, remove lines 26 through 29

Re-number accordingly

Reengrossed SB 2193 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 2216 has had the same under consideration and recommends by a vote of 13 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING that the same DO PASS.

Engrossed SB 2216 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 2256 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 5, line 22, after "voluntary" insert "nonpaid"

Page 11, line 11, after the period insert "The loss must be determined in accordance with and based upon the most current edition of the American medical association's "Guides to the Evaluation of Permanent Impairment." No impairment award, not expressly contemplated within the American medical association's "Guides to the Evaluation of Permanent Impairment" may be made."

Page 15, line 12, after the underscored period insert "Any rating of the percentage of functional impairment should be in accordance with the standards for the evaluation of permanent impairment as published in the most recent edition of the American medical association's "Guides to the Evaluation of Permanent Impairment.""

Re-number accordingly

Engrossed SB 2256 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Transportation (Rep. Timm, Chairman) to which was rereferred SB 2271 has had the same under consideration and recommends by a vote of 15 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

SB 2271 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 2306 has had the same under consideration and recommends by a vote of 12 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 2, line 6, after the second "person" insert "prior to being determined to be incapacitated"

Renumber accordingly

SB 2306 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 2308 has had the same under consideration and recommends by a vote of 11 YEAS, 0 NAYS, 5 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

Page 1, line 3, after "mediation" insert "; and to repeal section 14-09.1-06 of the North Dakota Century Code, relating to contested child proceedings mediation"

Page 1, line 12, after "proceeding" insert "except as provided in this section"

Page 1, line 13, after "the" insert "compulsion nor the" and replace "all" with:

- "1. The evidence relates to a crime, civil fraud, or a violation under the Uniform Juvenile Court Act;
2. The evidence relates to a breach of duty by the mediator;
3. The validity of the mediated agreement is in issue; or
4. All"

Page 1, after line 15, insert:

"SECTION 2. REPEAL. Section 14-09.1-06 of the 1987 Supplement to the North Dakota Century Code is hereby repealed."

Renumber accordingly

SB 2308 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Political Subdivisions (Rep. Lindgren, Chairman) to which was referred Engrossed SB 2384 has had the same under consideration and recommends by a vote of 12 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same DO PASS.

Engrossed SB 2384 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 2410 has had the same under consideration and recommends by a vote of 9 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

Page 1, line 8, replace "All appointive" with "Appointments to"

Page 1, line 12, replace "to a professional board" with "in accordance with this section"

Page 1, line 14, replace "that profession" with "the group from which appointments are made. Ex officio members are not to be included in determining gender balance under this section"

Reumber accordingly

Engrossed SB 2410 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 2421 has had the same under consideration and recommends by a vote of 10 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO NOT PASS:

Page 1, line 22, replace "the" with "a"

Reumber accordingly

SB 2421 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 2438 has had the same under consideration and recommends by a vote of 11 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING that the same DO NOT PASS.

Engrossed SB 2438 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 2459 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

Page 1, line 17, after the underscored period insert "As an alternative to the state's attorney serving as legal counsel to the parent, the state's attorney may request the court to order, upon which the court shall order, that other legal counsel services that may be available be provided to the parent at no cost to the parent. These alternative legal counsel services include counsel services for indigent persons or the services of a juvenile supervisor or judicial referee."

Page 2, line 13, after the underscored period insert "As an alternative to the state's attorney serving as legal counsel to the parent, the state's attorney may request the court to order, upon which the court shall order, that other legal counsel services that may be available be provided to the parent at no cost to the parent. These alternative legal counsel services include counsel services for indigent persons or the services of a juvenile supervisor or judicial referee."

Page 4, line 5, after the underscored period insert "As an alternative to the state's attorney serving as legal counsel to the parent, the state's attorney may request the court to order, upon which the court shall order, that other legal counsel services that may be available be provided to the parent at no cost to the parent. These alternative legal counsel services include counsel services for indigent persons or the services of a juvenile supervisor or judicial referee."

Renumber accordingly

SB 2459 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Agriculture (Rep. Vander Vorst, Vice Chairman) to which was referred Engrossed SB 2501 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.

Engrossed SB 2501 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 SCR 4049 has had the same under consideration and recommends by a vote of 13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS and BE PLACED ON THE CONSENT CALENDAR.

SCR 4049 was placed on the Tenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Transportation (Rep. Timm, Chairman) to which was referred SCR 4052 has had the same under consideration and recommends by a vote of 16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS and BE PLACED ON THE CONSENT CALENDAR.

SCR 4052 was placed on the Tenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Education (Rep. Gates, Chairman) to which was referred SCR 4053 has had the same under consideration and recommends by a vote of 16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS and BE PLACED ON THE CONSENT CALENDAR.

SCR 4053 was placed on the Tenth 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 4056 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 and BE PLACED ON THE CONSENT CALENDAR.

SCR 4056 was placed on the Tenth 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 4058 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 and BE PLACED ON THE CONSENT CALENDAR.

SCR 4058 was placed on the Tenth 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 SCR 4060 has had the same under consideration and recommends by a vote of 12 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same DO PASS and BE PLACED ON THE CONSENT CALENDAR.

SCR 4060 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