

JOURNAL OF THE HOUSE

Fifty-first Legislative Assembly

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Bismarck, March 20, 1989

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

The prayer was offered by Rev. Steven A. Sathre, Trinity Lutheran Church, Bismarck.

The roll was called and all Representatives were present, except Representatives Kaldor, Lindgren, Starke.

A quorum was declared by the Speaker.

REQUESTS

REP. KALDOR REQUESTED that the record show that he was present, which request was granted.

REP. KLOUBEC REQUESTED that the record show that Rep. Starke was absent as he was in the hospital for observation, which request was granted.

REP. KLOUBEC REQUESTED that the record show that Rep. Lindgren was absent as he was snowed in in Texas, 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 Fifty-first Day and finds it to be correct.

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

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

THE SPEAKER ANNOUNCED that the following bills were delivered to the Governor for his approval at the hour of 8:16 a.m., March 20, 1989: 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, 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.

CHAPLAINCY SCHEDULE

MARCH 20-23

DATE	CHURCH
20 Rev. Steve Sathre	Trinity Lutheran Church, Bismarck
21 Rev. Doug Roberts	United Church of Christ, Bismarck
22 Rev. Monty Loudenslager	Century Baptist Church, Bismarck
23 Rev. Mark Brickzin	Calvary United Methodist Church, Bismarck
24 Good Friday - no Session	

POINT OF PERSONAL PRIVILEGE

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

The State Class B High School Boys Basketball Tournament always provides thrills for North Dakota sports fans and the 1989 tournament was no exception.

The Bisbee-Egeland Panthers, with the smallest enrollment of the schools in the tournament, emerged as champions with a thrilling 78-73 victory over the Newburg Eagles in the championship game. Under the leadership of Coach Alan Olson and Assistant Coach Pat Flanagan, the Panthers overcame an injury that prevented one of their star players from participating in the championship game and captured the championship with a remarkable display of teamwork, courage, determination, and talent.

Ryan Flanagan, Travis Bursinger, and Corey Hagler of the Panthers were named to the all-tournament team and were ably supported by teammates Jayson Knutson, Duane Carter, Waylan Starr, Tim Cookman, Erik Barwicki, Jeff Krick, Rick Lindberg, Tracey Bucholz, Chad Christopherson, and Daniel Okland. The leadership of Coach Alan Olson was recognized with his selection in pre-tournament voting as North Dakota Class B High School Boys Basketball Coach of the Year.

Because excellence in athletic endeavors is noteworthy and because the Panthers overcame many obstacles to become 1989 State Class B Boys Basketball Champions, it is appropriate that we congratulate and salute the Bisbee-Egeland Panthers.

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

THE CHIEF CLERK ANNOUNCED that the Speaker signed the following enrolled bills and resolution: HB 1094, HB 1131, HB 1240, HB 1347, HB 1371, HCR 3031.

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

MR. PRESIDENT: The Speaker has signed and your signature is respectfully requested: HB 1094, HB 1131, HB 1240, HB 1347, HB 1371, HCR 3031.

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

THE CHIEF CLERK ANNOUNCED that the Speaker signed the following enrolled bills and resolutions: 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.

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

MR. PRESIDENT: The Speaker has signed: 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.

MOTIONS

REP. MARTIN MOVED that HCR 3011, which is on the Eleventh order, be rereferred to the Committee on Joint Constitutional Revision, which motion prevailed. Pursuant to Rep. Martin's motion, HCR 3011 was rereferred.

REP. KLOUBEC MOVED that SB 2152, which is on the Sixth order, be laid over one legislative day, which motion prevailed.

REP. KLOUBEC MOVED that the rules be suspended and that the committee reports on HB 1667, HCR 3019, SB 2079, SB 2085, SB 2206, SB 2220, SB 2360, SB 2376, and SB 2440 recommending amendments on the Sixth order of business on the legislative calendar of the Fifty-second Day be adopted, which motion prevailed.

SIXTH ORDER OF BUSINESS

REP. LINDGREN MOVED that the amendments to HB 1667 as recommended by the Committee on Political Subdivisions as printed on pages 1507-1508 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

HB 1667, as amended, was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. MARTIN MOVED that the amendments to HCR 3019 as recommended by the Committee on Joint Constitutional Revision as printed on page 1508 of the House Journal be adopted, and when so adopted, recommends the same DO NOT PASS.

HCR 3019, as amended, was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. LINDGREN MOVED that the amendments to SB 2079 as recommended by the Committee on Political Subdivisions as printed on page 1509 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

SB 2079, as amended, was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

REP. NICHOLAS MOVED that the amendments to Engrossed SB 2085 as recommended by the Committee on Agriculture as printed on pages 1509-1510 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

Engrossed SB 2085, as amended, was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

REP. LINDGREN MOVED that the amendments to Engrossed SB 2206 as recommended by the Committee on Political Subdivisions as printed on page 1510 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

Engrossed SB 2206, as amended, was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

REP. LINDGREN MOVED that the amendments to SB 2220 as recommended by the Committee on Political Subdivisions as printed on pages 1510-1511 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

SB 2220, as amended, was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

REP. NICHOLAS MOVED that the amendments to Engrossed SB 2360 as recommended by the Committee on Agriculture as printed on page 1511 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

Engrossed SB 2360, as amended, was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

REP. LINDGREN MOVED that the amendments to Engrossed SB 2376 as recommended by the Committee on Political Subdivisions as printed on page 1511 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

Engrossed SB 2376, as amended, was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

REP. LINDGREN MOVED that the amendments to Engrossed SB 2440 as recommended by the Committee on Political Subdivisions as printed on page 1512 of the House Journal be adopted, and when so adopted, recommends the same DO PASS.

Engrossed SB 2440, as amended, was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MOTION

REP. PETERSON MOVED that the House reconsider its action whereby SB 2268 passed and the emergency clause failed to pass, which motion prevailed on a verification vote.

SECOND READING OF SENATE BILL

SB 2268: A BILL for an Act to authorize the director of institutions to sell and convey certain land owned by the state of North Dakota to Burleigh County for use as fairgrounds; and to declare an emergency.

ROLL CALL

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

YEAS: Aas; Anderson, B.; Anderson, R.; Belter; Berg, G.; Berg, R.; Bernstein; Brokaw; Carlson; Clayburgh; Dalrymple; DeMers, J.; Dorso; Flaagan; 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; Marks; Martin; Martinson; Melby; Mertens; Myrdal; Nelson; Ness; Nicholas; Nowatzki; Oban; Olson, D.; Olson, A.; Payne; Peterson; Ring; Rydell; Schatz; Scherber; Schindler; Schneider; Shaft; Shide; Shockman; Skjervem; Smette; Sorensen; Soukup; Stenehjem; Thompson, K.; Thompson, V.; Timm; Tokach; Tollefson; Trautman; Ulmer; Urlacher; Vander Vorst; Wald; Wentz; Whalen; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: Aarsvold; Christman; DeMers, P.; Enget; Gerhardt; Gerl; Murphy; O'Shea; Schmidt; Solberg; Stofferahn; Tomac; Watne; Wilkie

ABSENT AND NOT VOTING: Lindgren; Olson, V.; Starke

SB 2268 passed, the title was agreed to, and the emergency clause carried.

MOTION

REP. WALD MOVED that the House reconsider its action whereby SB 2418 passed, which motion prevailed on a verification vote.

SECOND READING OF SENATE BILL

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 bill, which has been read, the roll was called and there were 56 YEAS, 47 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Aas; Anderson, B.; Brokaw; Carlson; Christman; Clayburgh; DeMers, J.; DeMers, P.; Enget; Frey; Gates; Gerhardt; Gerl; Gilmore; Graba; Halmrast; Hanson, L.; Haugland; Hoffner; Hokana; Huether; Jensen; Kaldor; Kelly; Kingsbury; Kolbo; Laughlin; Marks; Melby; Mertens; Murphy; Myrdal; Nelson; Ness; Nowatzki; Oban; Olson, A.; Olson, V.; O'Shea; Ring; Scherber; Schneider; Shockman; Smette; Solberg; Stofferahn; Tollefson; Trautman; Ulmer; Watne; Wentz; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: Anderson, R.; Belter; Berg, G.; Berg, R.; Bernstein; Dalrymple; Dorso; Flaagan; Gerntholz; Goetz; Gorman; Gunsch; Hanson, O.; Haugen; Hausauer, A.; Hausauer, R.; Howard; Kloubec; Knell; Kouba; Lang; Larson, D.; Larson, R.; Martin; Martinson; Nicholas; Olsen, D.; Payne; Rydell; Schatz; Schindler; Schmidt; Shaft; Shide; Skjerven; Sorensen; Soukup; Stenehjem; Thompson, K.; Thompson, V.; Timm; Tokach; Tomac; Uriacher; Vander Vorst; Wald; Whalen

ABSENT AND NOT VOTING: Lindgren; Peterson; Starke

SB 2418 passed and the title was agreed to.

SIXTH ORDER OF BUSINESS

REP. NICHOLAS MOVED that the amendments to SB 2413 as recommended by the Committee on Agriculture as printed on page 1512 of the House Journal be adopted, and when so adopted, recommends the same DO PASS and be rereferred to the Committee on Appropriations, which motion prevailed.

Engrossed SB 2413, as amended, was rereferred to the Committee on Appropriations.

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

MR. SPEAKER: The Senate has amended and subsequently passed: HB 1284, HB 1475.

SENATE AMENDMENTS TO ENGROSSED HB 1284

Page 2, line 21, after "project" insert "is approved", remove the overstrike over "~~The notice must~~" and insert immediately thereafter "also", and remove the overstrike over "~~be published once~~"

Page 2, line 22, remove the overstrike over "~~in~~", after "~~the~~" insert "a", remove the overstrike over "~~newspaper~~", and remove the overstrike over "~~of general~~"

Page 2, line 23, remove the overstrike over "~~circulation in the district and~~" and insert immediately thereafter "once" and remove the overstrike over "~~in the official county newspaper of each~~"

Page 2, line 24, remove the overstrike over "~~county in which the benefited lands are located~~" and remove "is approved"

Renumber accordingly

SENATE AMENDMENTS TO ENGROSSED HB 1475

Page 1, line 15, replace "individual's" with "applicator's"

Page 3, line 10, overstrike "cooperative" and insert immediately thereafter "North Dakota state university"

Page 3, line 14, replace "cooperative" with "North Dakota state university"

Page 3, line 19, overstrike "cooperative" and insert immediately thereafter "North Dakota state university"

Page 5, line 4, replace "cooperative" with "North Dakota state university"

Page 6, line 2, replace "cooperative" with "North Dakota state university"

Page 7, line 21, overstrike "cooperative" and insert immediately thereafter "North Dakota state university"

Page 7, line 25, overstrike "cooperative" and insert immediately thereafter "North Dakota state university"

Page 7, line 28, overstrike "cooperative" and insert immediately thereafter "North Dakota state university"

Page 10, line 16, overstrike "cooperative" and insert immediately thereafter "North Dakota state university"

Page 11, line 9, remove "trained"

Renumber accordingly

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

MR. SPEAKER: The Senate has amended and subsequently passed: HB 1304.

Page 1, line 3, replace "section" with "sections" and after "15-27.1-02" insert "and 15-27.1-11"

Page 1, line 16, replace "2" with "3"

Page 1, line 21, replace "2" with "3"

Page 1, after line 22, insert:

"SECTION 2. AMENDMENT. Section 15-27.1-11 of the 1987 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

15-27.1-11. Reorganization, annexation, or dissolution of school district not operating a school - Transportation. Any school district in this state which is not operating either an approved elementary or high school within its boundaries on July 1, 1987, unless it begins operating an approved elementary or high school prior to July 1, 1989, and any school district that may cease to operate either an approved elementary or high school within its boundaries after July 1, 1987, unless it begins operating an approved elementary or high school prior to July 1, 1989, shall become, through the process of reorganization, annexation, or dissolution as provided by law, a part of a school district operating an approved elementary or high school. Any school

district not operating either an approved elementary or high school within its boundaries on July 1, 1987, unless it begins operating an approved elementary or high school prior to July 1, 1989, shall complete reorganization with or annexation to an operating school district by July 1, 1989. Any school district that ceases to operate either an approved elementary or high school within its boundaries after July 1, 1987, unless it begins operating an approved elementary or high school prior to July 1, 1989, shall complete reorganization or annexation within two years from the date the school district ceased to operate either an approved elementary or high school. Any student who resides within a school district which is annexed to or reorganized with another district or districts pursuant to sections 15-27.1-11 and 15-27.4-01, and which has been sending students to a school district in a bordering state, county, or district, because of proximity or terrain, shall be permitted to attend or continue to attend school in the district in the bordering state, county, or district. The students in any district that is attached by annexation, reorganization, or dissolution pursuant to sections 15-27.1-11 and 15-27.4-01 must be provided transportation in the same manner transportation is provided to students in the school district the nonoperating district is attached to.

The county committee of the county encompassing the major portion of any school district affected by sections 15-27.1-11 and 15-27.4-01 which does not reorganize or annex itself to an operating school district within the time limit prescribed in sections 15-27.1-11 and 15-27.4-01 shall dissolve and attach the nonoperating school district to an operating school district in accordance with chapter 15-27.4. This section does not apply to school districts established pursuant to section 3 of this Act."

Page 2, line 15, after "instruction" insert "shall adopt rules under chapter 28-32 providing appointment procedures. The superintendent"

Page 3, line 27, after "applicable" insert "or unless pre-established agreements prevail"

Page 4, line 14, replace the underscored colon with "on the Minot air force base, the Glenburn public school district and the Minot public school district must enter into an agreement regarding the provision of education to the students residing on the air force base. The agreement must be approved by the state board of public school education. The Minot public school district and the Glenburn public school district, in entering into an agreement, must take into consideration current and potential revenues, including current and potential revenues from property taxes, in lieu of property taxes, and federal and state funds that are distributed to school districts based on census, and losses that may occur as a result of the agreement. The state board of public school education must receive approval from the United States secretary of education prior to the formation of the proposed school district.

3. Before the state board of public school education requests that a school district be established on a military installation other than the Grand Forks air force base and the Minot air force base, pursuant to this Act."

Renumber accordingly

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

MR. SPEAKER: The Senate has passed unchanged: HB 1364, HB 1586, HB 1642.

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

MR. SPEAKER: The President has signed and your signature is respectfully requested: 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.

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

MR. SPEAKER: The President has signed: HB 1009, HB 1084, HB 1140, HB 1182, HB 1212, HB 1256, HB 1275, HB 1287, HB 1290, HB 1331, HB 1344, HB 1425, HB 1440, HB 1607, HB 1651, HCR 3001, HCR 3002, HCR 3006, HCR 3010, 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 HOUSE BILL

HB 1666: A BILL for an Act to create and enact chapter 39-06.2 of the North Dakota Century Code, relating to commercial driver's licensing, testing for and issuance of a commercial driver's license, employer and employee responsibilities, suspension or revocation of a commercial driver's license, and classification of commercial motor vehicles; to amend and reenact section 39-06-14, subsection 3 of section 39-06-17, subsections 4 and 7 of section 39-06-32, and subsections 1, 2, 3, and 4 of section 39-20-07 of the North Dakota Century Code, relating to classification of drivers' licenses, a restricted operator's license or permit, refusal of a chemical test in another state, and blood alcohol concentration and its applicability to chapter 39-06.2; and to provide an effective date and application of this Act to existing operators' 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; 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; Marks; Martin; Martinson; Melby; Mertens; Myrdal; Nelson; Ness; Nicholas; Nowatzki; Oban; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Peterson; Ring; Rydell; Schatz; Scherber; Schindler; Schmidt; Schneider; Shaft; Shide; Shockman; Skjerven; Smette; Solberg; Sorensen; Soukup; 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: Gerl; Lindgren; Murphy; Starke

HB 1666 passed and the title was agreed to.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3005: A concurrent resolution for the amendment of section 13 of article IV of the Constitution of North Dakota, relating to the effective date of legislation.

ROLL CALL

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

YEAS: Aarsvold; Aas; Anderson, B.; Anderson, R.; Belter; Berg, G.; Berg, R.; Bernstein; Brokaw; Carlson; Christman; Clayburgh; Dalrymple; DeMers, J.; DeMers, P.; Enget; Flaagan; Frey; Gates; Gerntholz; Gilmore; Goetz; Gorman; Graba; Gunsch; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hoffner; Hokana; Howard; Huether; Jensen; Kaldor; Kelly; Kingsbury; Kloube; Knell; Kolbo; Kouba; Lang; Larson, D.; Larson, R.; Laughlin; Marks; Martin; Martinson; Melby; Mertens; Murphy; Myrdal; Nelson; Ness; Nicholas; Nowatzki; Oban; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Peterson; Ring; Rydell; Schatz; Scherber; Schindler; Schmidt; Schneider; Shaft; 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; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: Dorso; Halmrast; Whalen

ABSENT AND NOT VOTING: Gerhardt; Gerl; Lindgren; Starke

HCR 3005 was declared adopted on a roll call vote.

THE HOUSE RECOGNIZED THE PRESENCE OF:

Former Representative Allwin DeGroot

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

HCR 3012: A concurrent resolution for the amendment of sections 3 and 4 of article IV of the Constitution of North Dakota, relating to the terms of state representatives; and to provide an effective date.

ROLL CALL

The question being on the adoption of the resolution, which has been read, the roll was called and there were 43 YEAS, 58 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, R.; Berg, G.; Berg, R.; Bernstein; DeMers, J.; Dorso; Flaagan; Goetz; Gorman; Gunsch; Hanson, L.; Hanson, O.; Haugen; Hoffner; Hokana; Huether; Kloube; Knell; Lang; Larson, D.; Laughlin; Martin; Murphy; Nicholas; Olson, A.; Olson, V.; Payne; Peterson; Rydell; Schindler; Skjerven; Soukup; Stofferahn; Thompson, K.; Timm; Tokach; Tomac; Trautman; Urlacher; Wald; Watne; Whalen; Wilkie

NAYS: Aarsvold; Aas; Belter; Brokaw; Carlson; Christman; Clayburgh; Dalrymple; DeMers, P.; Enget; Frey; Gates; Gerhardt; Gerntholz; Gilmore; Graba; Halmrast; Haugland; Hausauer, A.; Hausauer, R.; Howard; Jensen; Kaldor; Kelly; Kingsbury; Kolbo; Kouba; Larson, R.; Lindgren; Marks; Martinson; Melby; Mertens; Myrdal; Nelson; Ness; Nowatzki; Oban;

Olsen, D.; O'Shea; Ring; Schatz; Scherber; Schmidt; Shaft; Shide;
 Shockman; Smette; Solberg; Sorensen; Stenehjelm; Thompson, V.;
 Tollefson; Vander Vorst; Wentz; Williams, A.; Williams, W.;
 Speaker Kretschmar

ABSENT AND NOT VOTING: Gerl; Peterson; Schneider; Starke; Ulmer

HCR 3012 lost on a roll call vote.

HCR 3026: A concurrent resolution for the amendment of subsection 1 of section 6 of article VIII and sections 12 and 13 of article IX of the Constitution of North Dakota, relating to institutions of higher education and removing references to the institutions located in Bottineau, Mayville, and Valley City; to provide for the closing of the institutions of higher education in Bottineau, Mayville, and Valley City unless supported by a school district; to provide for the elimination of the duplication of degrees; and to provide an effective date.

ROLL CALL

The question being on the adoption of the resolution, which has been read, the roll was called and there were 7 YEAS, 95 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Dorso; Gunsch; Knell; Thompson, K.; Vander Vorst; Whalen;
 Speaker Kretschmar

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

ABSENT AND NOT VOTING: Gerl; Kloubec; Starke; Wald

HCR 3026 lost on a roll call vote.

HCR 3038: A concurrent resolution for the amendment of sections 12 and 13 of article V and section 12 of article X of the Constitution of North Dakota, relating to the office of state treasurer; to repeal section 15 of article XII of the Constitution of North Dakota, relating to the duties of state treasurer on issuance of legal tender by banks in the state; and to provide an effective date.

ROLL CALL

The question being on the adoption of the resolution, which has been read, the roll was called and there were 51 YEAS, 53 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Aas; Anderson, B.; Anderson, R.; Belter; Berg, R.; Bernstein; Christman; Clayburgh; Dalrymple; Dorso; Gates; Goetz; Gorman; Gunsch; Hanson, O.; Haugen; Hausauer, A.; Hausauer, R.; Hoffner; Jensen; Kingsbury; Kloubec; Knell; Larson, D.; Larson, R.; Lindgren; Martinson; Myrdal; Nicholas; Oban; Payne; Rydell; Schatz; Scherber; Schmidt; Shide; Shockman; Sorensen; Soukup; Stenehjem; Thompson, K.; Timm; Tokach; Tollefson; Trautman; Ulmer; Vander Vorst; Wald; Whalen; Wilkie; Speaker Kretschmar

NAYS: Aarsvold; Berg, G.; Brokaw; Carlson; DeMers, J.; DeMers, P.; Enget; Flaagan; Frey; Gerhardt; Gerntholz; Gilmore; Graba; Halmrast; Hanson, L.; Haugland; Hokana; Howard; Huether; Kaldor; Kelly; Kolbo; Kouba; Lang; Laughlin; Marks; Martin; Melby; Mertens; Murphy; Nelson; Ness; Nowatzki; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Peterson; Ring; Schindler; Schneider; Shaft; Skjerven; Smette; Solberg; Stofferahn; Thompson, V.; Tomac; Urlacher; Watne; Wentz; Williams, A.; Williams, W.

ABSENT AND NOT VOTING: Gerl; Starke

HCR 3038 lost on a roll call vote.

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS AND
SENATE CONCURRENT RESOLUTIONS ON CONSENT CALENDAR

- HCR 3084: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of constructing a barge terminal in this state on the Missouri River to allow and encourage the shipment of Canadian grain through North Dakota.
- HCR 3085: A concurrent resolution directing the Legislative Council to study the price level the State Forester should establish for seeds and planting stock from the state nursery.
- SCR 4041: A concurrent resolution directing the Legislative Council to study the delivery of in-home and community-based services and to explore methods by which such services can be made more affordable.
- SCR 4047: A concurrent resolution directing the Legislative Council to study the state's system of delivering various human services in light of recently enacted federal welfare reform legislation to determine the most efficient, effective, and responsible method of delivering public assistance to low income families and individuals, and to study the financial and other impacts on the state of implementing recently enacted federal Medicare catastrophic coverage legislation.
- SCR 4048: A concurrent resolution designating July 2 and July 3 of each year, the period between Canada Day and United States Independence Day, as Minnesota-Manitoba-North Dakota-Saskatchewan Days of Peace and Friendship.

- SCR 4049: A concurrent resolution directing the Legislative Council to study mandates causing increased local government expenditures or decreased local government revenues.
- SCR 4050: A concurrent resolution directing the Legislative Council to study methods for funding law enforcement training facilities and programs.
- SCR 4052: A concurrent resolution directing the Legislative Council to study methods of ensuring that all operators of motor vehicles maintain automobile liability insurance.
- SCR 4053: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of providing incentives to North Dakota graduates to remain in this state after graduation and of increasing tuition at the institutions of higher education and providing low interest loans to students to cover the cost of increased tuition.
- SCR 4054: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of regulating the use of pesticides near apiaries.
- SCR 4056: A concurrent resolution directing the Legislative Council to study the state's bountiful natural resources and outdoor recreation activities with an emphasis on the state's wildlife resources and enhancement of these resources for the benefit of North Dakota citizens and economic development.
- SCR 4057: A concurrent resolution directing the Legislative Council to study the appropriateness of allowing the use of advisory insurance rates to be filed for insurance companies by licensed rating organizations.
- SCR 4058: A concurrent resolution directing the Legislative Council to study the problems associated with solid waste management.
- SCR 4060: A concurrent resolution directing the Legislative Council to study the methods in which the state acquires and holds real property, the effect of such acquisition on local tax bases, the feasibility of simplifying laws for acquisition and holding of real property by the state, and the feasibility of requiring divestiture of certain real property owned by the state.

The question being on the final adoption of the resolutions, which have been read.

The resolutions were adopted on a voice vote.

MOTIONS

REP. LINDGREN MOVED that the House reconsider its action whereby the committee report was accepted and SB 2152 was placed on the Sixth order of business on the calendar, which motion prevailed.

REP. LINDGREN MOVED that SB 2152 be rereferred to the Committee on Political Subdivisions, which motion prevailed. Pursuant to Rep. Lindgren's motion, SB 2152 was rereferred.

SECOND READING OF SENATE BILL

SB 2121: A BILL for an Act to create and enact a new section to chapter 52-04 of the North Dakota Century Code, relating to personal liability of corporate officers for unemployment compensation purposes.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 97 YEAS, 3 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; Gunsch; Halmrast; Hanson, L.; Hanson, O.; Hausauer, A.; Hausauer, R.; Hoffner; Hokana; Howard; Huether; Jensen; Kaldor; Kelly; Kloubec; Knell; Kolbo; Kouba; Lang; Larson, D.; Larson, R.; Lindgren; Marks; Martin; Martinson; Melby; Murphy; Myrdal; Nelson; Ness; Nicholas; Nowatzki; Oban; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Ring; Rydell; Schatz; Scherber; Schindler; Schmidt; Schneider; Shaft; Shide; Shockman; Skjerven; Smette; Solberg; Sorensen; Soukup; Stenehjelm; Stofferahn; Thompson, K.; Thompson, V.; Timm; Tokach; Tollefson; Tomac; Trautman; Ulmer; Urlacher; Vander Vorst; Wald; Watne; Wentz; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: Haugen; Kingsbury; Laughlin

ABSENT AND NOT VOTING: Gerl; Haugland; Mertens; Peterson; Starke; Whalen

SB 2121 passed and the title was agreed to.

MOTION

REP. KLOUBEC MOVED that SB 2178 be placed at the head of the calendar, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2178: A BILL for an Act to amend and reenact subsection 1 of section 51-19-04 and subsection 2 of section 51-19-17 of the North Dakota Century Code, relating to requirements of, and exemptions from, the franchise investment 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 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; Gerntholz; Gilmore; Goetz; Gorman; Graba; Gunsch; Halmrast; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hoffner; Hokana; Howard; Huether; Jensen; Kaldor; Kelly; Kingsbury; Kloubec; Knell; Kolbo; Kouba; Lang; Larson, D.; Larson, R.; Laughlin; Lindgren; Marks; Martin; Martinson; Melby; Mertens; Murphy; Myrdal; Nelson; Ness; Nicholas; Nowatzki; Oban; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Ring; Rydell; Schatz; Scherber; Schindler; Schmidt; Schneider;

Shaft; Shide; Shockman; Skjerven; Smette; Solberg; Sorensen; Soukup; Stenehjøm; 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: Gerl; Peterson; Starke; Whalen

SB 2178 passed and the title was agreed to.

MOTION

REP. KLOUBEC MOVED that SB 2463 be placed at the head of the calendar, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2463: A BILL for an Act making an appropriation for defraying the expenses of noxious weed control on the Little Missouri River and state-owned Burlington project.

ROLL CALL

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

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

NAYS: None

ABSENT AND NOT VOTING: Gerl; Peterson; Starke

SB 2463 passed and the title was agreed to.

MOTION

REP. WENTZ MOVED that SB 2382, which is on the Fourteenth order, be rereferred to the Committee on Appropriations, which motion prevailed. Pursuant to Rep. Wentz's motion, SB 2382 was rereferred.

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

MR. SPEAKER: The President has signed: HB 1094, HB 1131, HB 1240, HB 1347, HB 1371, HCR 3031.

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., Tuesday, March 21, 1989, which motion prevailed.

REPORTS OF STANDING COMMITTEES

MR. SPEAKER: Your Committee on Appropriations (Rep. Peterson, Chairman) to which was referred SB 2026 has had the same under consideration and recommends by a vote of 20 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

Page 1, remove lines 20 through 22

Page 2, remove line 1

Page 2, line 25, replace "\$700,000" with "\$1,200,000"

Page 2, line 29, replace the second "1989" with "1991"

Page 3, line 1, replace "789,556" with "744,051"

Page 3, line 2, replace "700,000" with "1,200,000"

Page 3, line 3, replace "1,489,556" with "1,944,051"

Re-number accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 125 - ATTORNEY GENERAL

The \$45,505 general fund deficiency appropriation for the Attorney General's office is removed because it is no longer necessary.

DEPARTMENT 192 - PUBLIC EMPLOYEES RETIREMENT SYSTEM (PERS)

The amendment provides for an additional \$500,000 to be transferred to the health insurance plan from the unemployment compensation claims fund and extends the time that the transfer can occur from June 30, 1989, to June 30, 1991. An estimated additional \$500,000 is needed to make payment on claims that occurred prior to June 30, 1989, but which will be filed after June 30, 1989. The Public Employees Retirement System originally planned on paying these claims with premiums received during the next biennium from the self-insured plan, but since the group health insurance contract has been awarded to Blue Cross, PERS will not be receiving this income and funds will not be available to make the claim payments.

The purpose of extending the time period is because some of the billings incurred prior to June 1989 may not be paid until July 1989 or after.

SB 2026 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 SB 2046 has had the same under consideration and

recommends by a vote of 9 YEAS, 7 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

SB 2046 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Human Services and Veterans Affairs (Rep. Haugland, Chairman) to which was referred Engrossed SB 2055 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.

Engrossed SB 2055 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Human Services and Veterans Affairs (Rep. Haugland, Chairman) to which was referred SB 2090 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 and be rereferred to the Committee on Appropriations.

SB 2090 was rereferred to the Committee on Appropriations.

MR. SPEAKER: Your Committee on Judiciary (Rep. Wentz, Chairman) to which was referred SB 2105 has had the same under consideration and recommends by a vote of 11 YEAS, 2 NAYS, 3 ABSENT AND NOT VOTING that the same DO PASS.

SB 2105 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Transportation (Rep. Timm, Chairman) to which was referred Engrossed SB 2128 has had the same under consideration and recommends by a vote of 11 YEAS, 2 NAYS, 3 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

Page 1, line 1, replace "section" with "sections 39-19-01 and"

Page 1, line 2, after "to" insert "reciprocity powers of the highway commissioner and"

Page 1, after line 3, insert:

"SECTION 1. AMENDMENT. Section 39-19-01 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

39-19-01. Highway commissioner - Reciprocity powers. The commissioner or the motor vehicle registrar shall have the power to execute agreements, arrangements, or declarations involving the reciprocal use of the highways of this state by vehicles registered by an Indian tribe or vehicles excepted in part or in full from registration requirements or mile tax payments in lieu thereof, or involving reciprocity between this state and any other state on matters relating to drivers' licensing, financial responsibility, traffic law enforcement, vehicle sizes and weights, and vehicle inspection. The number of motor vehicle registrations credited to individual counties for the purposes of the highway tax distribution formula as provided in section 54-27-19, may not be reduced as a result of any reciprocal registration agreement. Furthermore, the reciprocal agreement must

require that beneficiaries of the agreement be accorded fair and equitable treatment in matters involving motor vehicle registration."

Renumber accordingly

Engrossed SB 2128 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Transportation (Rep. Timm, Chairman) to which was referred SB 2130 has had the same under consideration and recommends by a vote of 16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same DO NOT PASS.

SB 2130 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 2189 has had the same under consideration and recommends by a vote of 10 YEAS, 0 NAYS, 6 ABSENT AND NOT VOTING that the same DO PASS.

SB 2189 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 2223 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 2223 was placed on the Fourteenth 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 SB 2230 has had the same under consideration and recommends by a vote of 13 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

Page 2, line 6, after "comission" insert "that pertains to the prevention or control of pollution or waste"

Renumber accordingly

SB 2230 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 2240 has had the same under consideration and recommends by a vote of 10 YEAS, 3 NAYS, 4 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to repeal subsection 25 of section 20.1-02-05 of the North Dakota Century Code, relating to complimentary fishing licenses.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. REPEAL. Subsection 25 of section 20.1-02-05 of the 1987 Supplement to the North Dakota Century Code is hereby repealed."

Renumber accordingly

Engrossed SB 2240 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Human Services and Veterans Affairs (Rep. Haugland, Chairman) to which was referred Engrossed SB 2245 has had the same under consideration and recommends by a vote of 13 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING that the same DO PASS.

Engrossed SB 2245 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 2281 has had the same under consideration and recommends by a vote of 9 YEAS, 3 NAYS, 4 ABSENT AND NOT VOTING that the same DO PASS.

Engrossed SB 2281 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Transportation (Rep. Timm, Chairman) to which was referred Engrossed SB 2292 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 PASS.

Engrossed SB 2292 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 2296 has had the same under consideration and recommends by a vote of 10 YEAS, 2 NAYS, 4 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

Page 1, line 12, replace "one thousand" with "five hundred", after "shall" insert "make reasonable efforts to", and after "notify" insert "in writing"

Page 1, line 15, after the period insert "Service by mail is complete upon mailing."

Re-number accordingly

Engrossed SB 2296 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 2301 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 2301 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 2303 has had the same under consideration and recommends by a vote of 7 YEAS, 5 NAYS, 4 ABSENT AND NOT VOTING that the same DO PASS.

SB 2303 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 2307 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 2307 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Human Services and Veterans Affairs (Rep. Haugland, Chairman) to which was referred Engrossed SB 2310 has had the same under consideration and recommends by a vote of 13 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING that the same DO PASS.

Engrossed SB 2310 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Transportation (Rep. Timm, Chairman) to which was referred SB 2314 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

Page 1, line 9, replace "twelve" with "ten"

Page 1, line 11, after "device" insert "while the vessel is in operation"

Renumber accordingly

SB 2314 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Education (Rep. Gates, Chairman) to which was referred SB 2322 has had the same under consideration and recommends by a vote of 10 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

Page 2, line 4, after "withdraw" insert "in any one year", after "repayment" insert "up to", and replace "funds from the" with "school district's special reserve fund balance on the preceding July first. If after any withdrawal from the special reserve fund made under this subsection, the balance of the fund falls below five hundred dollars, the entire balance must be withdrawn and no taxes may be levied under section 57-19-04 for five years following the year of the withdrawal."

Page 2, remove line 5

Renumber accordingly

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

MR. SPEAKER: Your Committee on Transportation (Rep. Timm, Chairman) to which was referred Engrossed SB 2335 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 5, line 15, replace "must" with "may"

Page 6, line 12, after "means" insert "official" and after "signs" insert "approved by the commissioner"

Renumber accordingly

Engrossed SB 2335 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 Engrossed SB 2336 has had the same under consideration and recommends by a vote of 11 YEAS, 0 NAYS, 5 ABSENT AND NOT VOTING that the same DO PASS.

Engrossed SB 2336 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 2361 has had the same under consideration and recommends by a vote of 8 YEAS, 7 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO NOT PASS:

Page 1, line 6, after "to" insert "Job Training Partnership Act"

Page 1, line 8, replace "supportive" with "job training"

Page 1, line 10, replace "depleted" with "obligated"

Renumber accordingly

Engrossed SB 2361 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 2365 has had the same under consideration and recommends by a vote of 11 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 5, line 18, overstrike "The" and insert immediately thereafter "Except in the case of trout, walleye, northern pike, and crappie, which may be raised in a private fish hatchery without the commissioner's approval, the"

Renumber accordingly

Engrossed SB 2365 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Human Services and Veterans Affairs (Rep. Haugland, Chairman) to which was referred SB 2368 has had the same under consideration and recommends by a vote of 9 YEAS, 7 NAYS, 0 ABSENT AND NOT VOTING that the same BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION.

SB 2368 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Transportation (Rep. Timm, Chairman) to which was referred Engrossed SB 2378 has had the same under consideration and recommends by a vote of 12 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

Engrossed SB 2378 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 2398 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 1, line 4, after "children" insert "; and to declare an emergency"

Page 2, line 5, after the underscored period insert "As used in this section, "domestic violence" means domestic violence as defined in section 12-64-01 or, if Senate Bill No. 2454 is approved by the fifty-first legislative assembly and becomes effective, section 14-07.1-01. The court also shall consider the interaction and interrelationship, or the potential for interaction and interrelationship, of the child with any person who resides in, is present, or frequents the household of a parent, and who may significantly affect the child's best interests. The court shall consider that person's history of inflicting, or tendency to inflict, physical harm, bodily injury, assault, or the fear of physical harm, bodily injury, or assault, on other persons."

Page 3, line 10, after the underscored period insert "As used in this subdivision, "domestic violence" means domestic violence as defined in section 12-64-01 or, if Senate Bill No. 2454 is approved by the fifty-first legislative assembly and becomes effective, section 14-07.1-01."

Page 3, line 11, after the underscored period insert:

"The interaction and interrelationship, or the potential for interaction and interrelationship, of the child with any person who resides in, is present, or frequents the household of a parent and who may significantly affect the child's best interests. The court shall consider that person's history of inflicting, or tendency to inflict, physical harm, bodily injury, assault, or the fear of physical harm, bodily injury, or assault, on other persons.

1."

Page 3, after line 17, insert:

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

Re-number accordingly

Engrossed SB 2398 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Human Services and Veterans Affairs (Rep. Haugland, Chairman) to which was referred SB 2428 has had the same under consideration and recommends by a vote of 12 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING that the same DO NOT PASS.

SB 2428 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Human Services and Veterans Affairs (Rep. Haugland, Chairman) to which was referred Engrossed SB 2464 has had the same under consideration and recommends by a vote of 15 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING that the same DO PASS.

Engrossed SB 2464 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Human Services and Veterans Affairs (Rep. Haugland, Chairman) to which was referred SCR 4055 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS and BE PLACED ON THE CONSENT CALENDAR.

SCR 4055 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