

## JOURNAL OF THE HOUSE

## Fifty-second Legislative Assembly

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Bismarck, January 29, 1991

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

The prayer was offered by the Rev. Mark Bayert, First Presbyterian Church, Bismarck.

The roll was called and all members were present.

A quorum was declared by the Speaker.

## CORRECTION and REVISION of the JOURNAL (Rep. Schmidt, Chairman)

MR. SPEAKER: Your Committee on Correction and Revision of the Journal has carefully examined the Journal of the Sixteenth Day and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 280, line 27, delete "passed" and insert in lieu thereof "was adopted"

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

## MOTIONS

REP. KLOUBEC MOVED that the rules be suspended and the amendments on the Sixth order of business to HB 1071, HB 1151, HB 1159, HB 1167, HB 1239, HB 1246, HB 1320, HB 1353, HB 1359, and HB 1363 be adopted, which motion prevailed.

REP. WALD MOVED that HB 1363, as amended, be rereferred to the Committee on Appropriations, which motion prevailed. Pursuant to Rep. Wald's motion, HB 1363 was rereferred.

HB 1071, HB 1151, HB 1159, HB 1167, HB 1239, HB 1246, HB 1320, HB 1353, and HB 1359, as amended, were placed on the Eleventh order of business on the calendar for the succeeding legislative day.

## MESSAGE to the HOUSE from the SENATE (Marion Houn, Secretary)

MR. SPEAKER: The Senate has passed and your favorable consideration is requested on: SB 2013, SB 2060, SB 2076, SB 2115, SB 2143, SB 2179, SB 2181, SB 2194, SB 2219, SB 2223, SB 2241, SB 2261, SB 2268, SB 2274, SB 2286, SB 2291, SB 2292, SB 2295, SB 2298, SB 2322.

## 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 1012, HB 1049, HB 1083, HB 1117, HB 1131, HB 1160, HB 1242, HB 1268, HB 1277, HB 1282, HB 1293, HB 1307, HB 1312, HB 1316, HB 1317, HCR 3028.

## DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following resolution was delivered to the Secretary of State for his filing at the hour of 9:05 a.m., January 29, 1991: HCR 3018.

## HOUSE ENGROSSING REPORT

The following bills and resolution were engrossed: HB 1050, HB 1051, HB 1053, HB 1086, HB 1145, HB 1245, HB 1345, HB 1411, HCR 3012.

## SECOND READING OF HOUSE BILLS

HB 1051: A BILL for an Act to amend and reenact subsections 3 and 5 of section 53-06.1-03 and section 53-06.1-16 of the North Dakota Century Code, relating to the licensure of charitable gaming organizations.

ROLL CALL

The question being on the final passage of the amended bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 100 YEAS, 4 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Bateman; Belter; Berg, R.; Bernstein; Bodine; Boehm; Boucher; Brown; Byerly; Carlisle; Carlson; Clayburgh; Cleary; Coats; Dalrymple; Delzer; DeMers; DeWitz; Dorso; Enget; Erickson; Flaagan; Freier; Gabrielson; Gates; Gerntholz; Gilmore; Goffe; Gorder; Gorman; Grosz; Grumbo; Hanson; Hausauer; Henegar; Hokana; Howard; Huether; Jacobson; Jensen; Kelsch; Kerzman; Kloubec; Kolbo; Kretschmar; Kroeber; Kunkel; Larson; Laughlin; Linderman; Mahoney; Martin; Martinson; Meyer; Miller; Muhs; Mutzenberger; Myrdal; Nelson; Nicholas; Nichols; Nowatzki; Oban; Olsen, D.; Olson, A.; Payne; Peterson; Porter; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schimke; Schindler; Schmidt; Schneider; Shide; Skar; Skjerven; Snyder; Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Thorpe; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Whalen; Wilkie; Williams; Speaker R. Anderson

NAYS: Aarsvold; Brokaw; Kaldor; Wentz

ABSENT AND NOT VOTING: Berg, G.; Thompson

HB 1051 passed and the title was agreed to.

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HB 1086: A BILL for an Act to amend and reenact section 65-06.2-01 of the North Dakota Century Code, relating to the definition of an inmate.

ROLL CALL

The question being on the final passage of the amended bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 105 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Bateman; Belter; Berg, R.; Bernstein; Bodine; Boehm; Boucher; Brokaw; Brown; Byerly; Carlisle; Carlson; Clayburgh; Cleary; Coats; Dalrymple; Delzer; DeMers; DeWitz; Dorso; Enget; Erickson; Flaagan; Freier; Gabrielson; Gates; Gerntholz; Gilmore; Goffe; Gorder; Gorman; Grosz; Grumbo; Hanson; Hausauer; Henegar; Hokana; Howard; Huether; Jacobson; Jensen; Kaldor; Kelsch; Kerzman; Kloubec; Kolbo; Kretschmar; Kroeber; Kunkel; Larson; Laughlin; Linderman; Mahoney; Martin; Martinson; Meyer; Miller; Muhs; Mutzenberger; Myrdal; Nelson; Nicholas; Nichols; Nowatzki; Oban; Olsen, D.; Olson, A.; Payne; Peterson; Porter; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schimke; Schindler; Schmidt; Schneider; Shide; Skar; Skjerven; Snyder; Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Thompson; Thorpe; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Whalen; Wilkie; Williams; Speaker R. Anderson

ABSENT AND NOT VOTING: Berg, G.

HB 1086 passed and the title was agreed to.

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HB 1145: A BILL for an Act to repeal section 27-13-01 of the North Dakota Century Code, relating to duties of attorneys.

ROLL CALL

The question being on the final passage of the amended bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 105 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Bateman; Belter; Berg, R.; Bernstein; Bodine; Boehm; Boucher; Brokaw; Brown; Byerly; Carlisle; Carlson; Clayburgh;

Cleary; Coats; Dalrymple; Delzer; DeMers; DeWitz; Dorso; Enget; Erickson; Flaagan; Freier; Gabrielson; Gates; Gerntholz; Gilmore; Goffe; Gorder; Gorman; Grosz; Grumbo; Hanson; Hausauer; Henegar; Hokana; Howard; Huether; Jacobson; Jensen; Kaldor; Kelsch; Kerzman; Kloubec; Kolbo; Kretschmar; Kroeber; Kunkel; Larson; Laughlin; Linderman; Mahoney; Martin; Martinson; Meyer; Miller; Muhs; Mutzenberger; Myrdal; Nelson; Nicholas; Nichols; Nowatzki; Oban; Olsen, D.; Olson, A.; Payne; Peterson; Porter; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schimke; Schindler; Schmidt; Schneider; Shide; Skar; Skjervan; Snyder; Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Thompson; Thorpe; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Whalen; Wilkie; Williams; Speaker R. Anderson

ABSENT AND NOT VOTING: Berg, G.

HB 1145 passed and the title was agreed to.

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HB 1245: A BILL for an Act to create and enact a new section to chapter 12.1-08 of the North Dakota Century Code, relating to harboring a runaway minor; and to provide a penalty.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 99 YEAS, 5 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Bateman; Belter; Berg, R.; Bernstein; Boehm; Boucher; Brokaw; Byerly; Carlisle; Clayburgh; Cleary; Coats; Dalrymple; Delzer; DeMers; DeWitz; Dorso; Enget; Erickson; Flaagan; Freier; Gabrielson; Gates; Gerntholz; Gilmore; Goffe; Gorder; Gorman; Grosz; Grumbo; Hanson; Hausauer; Hokana; Howard; Huether; Jacobson; Jensen; Kaldor; Kelsch; Kerzman; Kloubec; Kolbo; Kretschmar; Kroeber; Kunkel; Larson; Laughlin; Linderman; Mahoney; Martin; Martinson; Meyer; Miller; Muhs; Mutzenberger; Myrdal; Nelson; Nicholas; Nichols; Nowatzki; Oban; Olsen, D.; Olson, A.; Payne; Peterson; Porter; Price; Pyle; Rennerfeldt; Ritter; Rydell; Schimke; Schindler; Schmidt; Schneider; Shide; Skar; Skjervan; Snyder; Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Thompson; Thorpe; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Whalen; Wilkie; Williams; Speaker R. Anderson

NAYS: Bodine; Brown; Carlson; Ring; Scherber

ABSENT AND NOT VOTING: Berg, G.; Henegar

HB 1245 passed and the title was agreed to.

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HB 1345: A BILL for an Act to provide for collection of lead acid batteries for recycling.

#### ROLL CALL

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

YEAS: Clayburgh; Dalrymple; Jensen; Ritter; Rydell; Wentz

NAYS: Aarsvold; Anderson, B.; Bateman; Belter; Berg, G.; Berg, R.; Bernstein; Bodine; Boehm; Boucher; Brokaw; Brown; Byerly; Carlisle; Carlson; Cleary; Coats; Delzer; DeMers; DeWitz; Dorso; Enget; Erickson; Flaagan; Freier; Gabrielson; Gates; Gerntholz; Gilmore; Goffe; Gorder; Gorman; Grosz; Grumbo; Hanson; Hausauer; Henegar; Hokana; Howard; Huether; Jacobson; Kaldor; Kelsch; Kerzman; Kloubec; Kolbo; Kretschmar;

Kroeber; Kunkel; Larson; Laughlin; Linderman; Mahoney; Martin; Martinson; Meyer; Miller; Muhs; Mutzenberger; Myrdal; Nelson; Nicholas; Nichols; Nowatzki; Oban; Olsen, D.; Olson, A.; Payne; Peterson; Porter; Price; Pyle; Rennerfeldt; Ring; Scherber; Schimke; Schindler; Schmidt; Schneider; Shide; Skar; Skjerven; Snyder; Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Thompson; Thorpe; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Whalen; Wilkie; Williams; Speaker R. Anderson

HB 1345 was declared lost.

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HB 1411: A BILL for an Act relating to prohibiting conditioning acceptance of a check on being supplied a credit card number; and to provide a penalty.

ROLL CALL

The question being on the final passage of the amended bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 105 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Bateman; Belter; Berg, G.; Berg, R.; Bernstein; Bodine; Boehm; Boucher; Brokaw; Brown; Byerly; Carlisle; Carlson; Clayburgh; Cleary; Coats; Dalrymple; Delzer; DeMers; DeWitz; Dorso; Enget; Erickson; Flaagan; Freier; Gabrielson; Gates; Gerntholz; Gilmore; Goffe; Gorder; Gorman; Grosz; Grumbo; Hanson; Hausauer; Henegar; Hokana; Howard; Huether; Jacobson; Jensen; Kaldor; Kelsch; Kerzman; Kloubec; Kolbo; Kretschmar; Kroeber; Kunkel; Larson; Laughlin; Linderman; Mahoney; Martin; Martinson; Meyer; Miller; Mutzenberger; Myrdal; Nelson; Nicholas; Nichols; Nowatzki; Oban; Olsen, D.; Olson, A.; Payne; Peterson; Porter; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schimke; Schindler; Schmidt; Schneider; Shide; Skar; Skjerven; Snyder; Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Thompson; Thorpe; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Whalen; Wilkie; Williams; Speaker R. Anderson

ABSENT AND NOT VOTING: Muhs

HB 1411 passed and the title was agreed to.

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SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3012: A concurrent resolution calling on the President to halt nuclear test explosions and negotiate an end to nuclear testing for all time.

The question being on the final adoption of the amended resolution, which has been read and has committee recommendation of DO PASS.

REQUEST

REP. SCHMIDT REQUESTED a recorded roll call vote on the final adoption of HCR 3012, which request was granted.

The roll was called and there were 44 YEAS, 60 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Bodine; Boucher; Carlson; Cleary; DeMers; Enget; Erickson; Flaagan; Gabrielson; Gates; Gilmore; Goffe; Hanson; Hokana; Huether; Jacobson; Kaldor; Kerzman; Kolbo; Kroeber; Larson; Laughlin; Linderman; Mahoney; Meyer; Mutzenberger; Nelson; Oban; Peterson; Pyle; Ring; Ritter; Scherber; Schneider; Skar; Skjerven; Snyder; Starke; Stofferahn; Svedjan; Thorpe; Williams

NAYS: Bateman; Belter; Berg, G.; Berg, R.; Bernstein; Boehm; Brokaw; Brown; Byerly; Carlisle; Clayburgh; Coats; Dalrymple; Delzer; DeWitz; Dorso; Freier; Gerntholz; Gorder; Gorman; Grosz; Grumbo; Hausauer; Henegar; Howard; Jensen; Kelsch; Kretschmar; Kunkel; Martin; Martinson; Miller;

Muhs; Myrdal; Nicholas; Nichols; Nowatzki; Olsen, D.; Olson, A.; Payne; Porter; Price; Rennerfeldt; Rydell; Schimke; Schindler; Schmidt; Shide; Soukup; St. Aubyn; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Whalen; Wilkie; Speaker R. Anderson

ABSENT AND NOT VOTING: Kloubec; Thompson

HCR 3012 was declared lost.

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SECOND READING OF HOUSE BILLS

HB 1038: A BILL for an Act to amend and reenact subsections 3, 5, and 7 of section 20.1-03-11 of the North Dakota Century Code, relating to licenses issued to landowners to hunt big game.

ROLL CALL

The question being on the final passage of the bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 98 YEAS, 7 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Bateman; Belter; Berg, G.; Bernstein; Bodine; Boehm; Boucher; Brokaw; Byerly; Carlisle; Carlson; Clayburgh; Cleary; Coats; Delzer; DeMers; Dorso; Enget; Erickson; Flaagan; Freier; Gabrielson; Gates; Gerntholz; Gilmore; Goffe; Gorder; Gorman; Grosz; Grumbo; Hanson; Hausauer; Henegar; Howard; Jacobson; Jensen; Kaldor; Kelsch; Kerzman; Kloubec; Kolbo; Kretschmar; Kroeber; Kunkel; Larson; Laughlin; Linderman; Mahoney; Martin; Martinson; Meyer; Miller; Muhs; Mutzenberger; Myrdal; Nelson; Nicholas; Nichols; Nowatzki; Oban; Olsen, D.; Olson, A.; Peterson; Porter; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schimke; Schindler; Schmidt; Schneider; Shide; Skar; Skjervan; Snyder; St. Aubyn; Starke; Stofferahn; Svedjan; Thompson; Thorpe; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Whalen; Wilkie; Williams; Speaker R. Anderson

NAYS: Brown; Dalrymple; DeWitz; Hokana; Huether; Payne; Soukup

ABSENT AND NOT VOTING: Berg, R.

HB 1038 passed and the title was agreed to.

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HB 1070: A BILL for an Act to create and enact a new section to chapter 39-05 of the North Dakota Century Code, relating to the adoption of rules by the department of transportation with respect to body damage disclosures on motor vehicle certificates of title; to amend and reenact section 39-05-20.2 of the North Dakota Century Code, relating to the issuance of salvage certificates of title; and to provide a penalty.

ROLL CALL

The question being on the final passage of the bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 106 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Bateman; Belter; Berg, G.; Berg, R.; Bernstein; Bodine; Boehm; Boucher; Brokaw; Brown; Byerly; Carlisle; Carlson; Clayburgh; Cleary; Coats; Dalrymple; Delzer; DeMers; DeWitz; Dorso; Enget; Erickson; Flaagan; Freier; Gabrielson; Gates; Gerntholz; Gilmore; Goffe; Gorder; Gorman; Grosz; Grumbo; Hanson; Hausauer; Henegar; Hokana; Howard; Huether; Jacobson; Jensen; Kaldor; Kelsch; Kerzman; Kloubec; Kolbo; Kretschmar; Kroeber; Kunkel; Larson; Laughlin; Linderman; Mahoney; Martin; Martinson; Meyer; Miller; Muhs; Mutzenberger; Myrdal; Nelson; Nicholas; Nichols; Nowatzki; Oban; Olsen, D.; Olson, A.; Payne; Peterson; Porter; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schimke; Schindler;

Schmidt; Schneider; Shide; Skar; Skjerven; Snyder; Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Thompson; Thorpe; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Whalen; Wilkie; Williams; Speaker R. Anderson

HB 1070 passed and the title was agreed to.

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HB 1085: A BILL for an Act to amend and reenact subsection 1 of section 15-62.3-01 of the North Dakota Century Code, relating to accredited private institutions.

ROLL CALL

The question being on the final passage of the bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 17 YEAS, 88 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Dorso; Gabrielson; Gates; Gorder; Gorman; Jacobson; Kerzman; Kretschmar; Mahoney; Martin; Meyer; Oban; Olsen, D.; Ritter; Schneider; Skjerven; Soukup

NAYS: Aarsvold; Anderson, B.; Bateman; Belter; Berg, G.; Berg, R.; Bernstein; Bodine; Boehm; Boucher; Brokaw; Brown; Byerly; Carlisle; Carlson; Clayburgh; Cleary; Coats; Dalrymple; Delzer; DeMers; DeWitz; Enget; Erickson; Flaagan; Freier; Gerntholz; Gilmore; Goffe; Grosz; Grumbo; Hanson; Hausauer; Henegar; Hokana; Howard; Huether; Jensen; Kaldor; Kelsch; Kloubec; Kolbo; Kroeber; Kunkel; Larson; Laughlin; Linderman; Martinson; Miller; Muhs; Mutzenberger; Myrdal; Nelson; Nicholas; Nichols; Nowatzki; Olson, A.; Peterson; Porter; Price; Pyle; Rennerfeldt; Ring; Rydell; Scherber; Schimke; Schindler; Schmidt; Shide; Skar; Snyder; St. Aubyn; Starke; Stofferahn; Svedjan; Thompson; Thorpe; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Whalen; Wilkie; Williams; Speaker R. Anderson

ABSENT AND NOT VOTING: Payne

HB 1085 was declared lost.

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HB 1132: A BILL for an Act to amend and reenact section 39-02-05 of the North Dakota Century Code, relating to the fee for furnishing copies of records of the department of transportation.

ROLL CALL

The question being on the final passage of the bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 66 YEAS, 40 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Belter; Berg, G.; Bernstein; Bodine; Boehm; Boucher; Brokaw; Carlisle; Carlson; Cleary; Coats; Delzer; DeMers; DeWitz; Dorso; Enget; Erickson; Flaagan; Freier; Gabrielson; Gilmore; Goffe; Gorman; Grumbo; Hanson; Hausauer; Henegar; Hokana; Huether; Jacobson; Kaldor; Kerzman; Kolbo; Kretschmar; Kroeber; Larson; Laughlin; Linderman; Mahoney; Meyer; Mutzenberger; Nelson; Nichols; Nowatzki; Oban; Peterson; Price; Pyle; Ring; Ritter; Scherber; Schimke; Schneider; Skar; Skjerven; Snyder; Starke; Stofferahn; Svedjan; Thorpe; Timm; Wentz; Wilkie; Williams

NAYS: Bateman; Berg, R.; Brown; Byerly; Clayburgh; Dalrymple; Gates; Gerntholz; Gorder; Grosz; Howard; Jensen; Kelsch; Kloubec; Kunkel; Martin; Martinson; Miller; Muhs; Myrdal; Nicholas; Olsen, D.; Olson, A.; Payne; Porter; Rennerfeldt; Rydell; Schindler; Schmidt; Shide; Soukup; St. Aubyn; Thompson; Tollefson; Trautman; Urlacher; Wald; Wardner; Whalen; Speaker R. Anderson

HB 1132 passed and the title was agreed to.

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HB 1134: A BILL for an Act to amend and reenact subsection 1 of section 39-06-42, sections 39-08-20 and 39-16-13 of the North Dakota Century Code, relating to suspension of driving privileges, the owner's responsibility for liability insurance, and the fee requirement for copies of operating record abstracts.

#### ROLL CALL

The question being on the final passage of the bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 97 YEAS, 7 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Bateman; Belter; Berg, G.; Berg, R.; Bernstein; Bodine; Boehm; Boucher; Brokaw; Brown; Byerly; Carlisle; Carlson; Clayburgh; Cleary; Coats; Dalrymple; DeMers; DeWitz; Dorso; Enget; Erickson; Flaagan; Freier; Gabrielson; Gates; Gerntholz; Gilmore; Goffe; Gorder; Gorman; Grosz; Grumbo; Hanson; Henegar; Hokana; Howard; Huether; Jacobson; Jensen; Kaldor; Kelsch; Kerzman; Kloubec; Kolbo; Kretschmar; Kroeber; Kunkel; Larson; Laughlin; Linderman; Mahoney; Martin; Martinson; Meyer; Miller; Muhs; Mutzenberger; Myrdal; Nicholas; Nichols; Nowatzki; Oban; Olsen, D.; Olson, A.; Payne; Peterson; Porter; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schindler; Schneider; Shide; Skar; Skjerven; Snyder; Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Wilkie; Williams; Speaker R. Anderson

NAYS: Delzer; Nelson; Schimke; Schmidt; Thompson; Thorpe; Timm

ABSENT AND NOT VOTING: Hausauer; Whalen

HB 1134 passed and the title was agreed to.

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#### MOTION

REP. TOLLEFSON MOVED that the House waive the reading of the titles to HB 1171 and HB 1427, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

HB 1171: A BILL for an Act to repeal sections 36-06-04, 36-06-05, 36-06-05.1, 36-06-06, 36-06-07, 36-21-14, 36-21-16, 36-21-17, 60-09-01, 60-09-02, 60-09-04, 60-09-05, and 60-09-06 of the North Dakota Century Code, relating to issuance, fees, renewal, and revocation of weighmaster's licenses, weighing of livestock at a plant, remuneration of a weighmaster, issuance and revocation of grain elevator weighmaster's licenses, weighmaster's records, duties of a deputy weighmaster, and penalty for false weighing.

#### ROLL CALL

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

YEAS: Aarsvold; Anderson, B.; Bateman; Belter; Berg, G.; Berg, R.; Bernstein; Bodine; Boehm; Boucher; Brokaw; Brown; Byerly; Carlisle; Carlson; Clayburgh; Cleary; Coats; Dalrymple; Delzer; DeMers; DeWitz; Dorso; Enget; Erickson; Flaagan; Freier; Gabrielson; Gates; Gerntholz; Gilmore; Goffe; Gorder; Gorman; Grosz; Grumbo; Hanson; Henegar; Hokana; Howard; Huether; Jacobson; Jensen; Kaldor; Kelsch; Kerzman; Kloubec; Kolbo; Kretschmar; Kroeber; Kunkel; Larson; Laughlin; Linderman; Mahoney; Martin; Martinson; Meyer; Miller; Muhs; Mutzenberger; Myrdal; Nelson; Nicholas; Nichols; Nowatzki; Oban; Olsen, D.; Olson, A.; Payne; Peterson; Porter; Price; Pyle; Rennerfeldt; Ritter; Rydell; Scherber; Schimke; Schindler; Schmidt; Schneider; Shide; Skar; Skjerven; Snyder;

Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Thompson; Thorpe; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Whalen; Wilkie; Williams; Speaker R. Anderson

ABSENT AND NOT VOTING: Hausauer; Ring

HB 1171 passed and the title was agreed to.

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HB 1182: A BILL for an Act to amend and reenact section 18-01-08 of the North Dakota Century Code, relating to the fee paid for fire reports.

#### ROLL CALL

The question being on the final passage of the bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 102 YEAS, 2 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Bateman; Belter; Berg, G.; Berg, R.; Bernstein; Bodine; Boehm; Boucher; Brokaw; Brown; Byerly; Carlisle; Carlson; Clayburgh; Cleary; Coats; Dalrymple; Delzer; DeMers; DeWitz; Dorso; Erickson; Flaagan; Freier; Gabrielson; Gates; Gerntholz; Gilmore; Goffe; Gorder; Gorman; Grosz; Grumbo; Hanson; Henegar; Hokana; Howard; Huether; Jacobson; Jensen; Kaldor; Kelsch; Kerzman; Kloubec; Kolbo; Kretschmar; Kroeber; Kunkel; Larson; Laughlin; Linderman; Mahoney; Martin; Martinson; Meyer; Miller; Muhs; Mutzenberger; Myrdal; Nelson; Nicholas; Nowatzki; Oban; Olsen, D.; Olson, A.; Payne; Peterson; Porter; Price; Pyle; Rennerfeldt; Ring; Rydell; Scherber; Schimke; Schindler; Schmidt; Schneider; Shide; Skar; Skjerven; Snyder; Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Thompson; Thorpe; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Whalen; Wilkie; Williams; Speaker R. Anderson

NAYS: Enget; Nichols

ABSENT AND NOT VOTING: Hausauer; Ritter

HB 1182 passed and the title was agreed to.

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HB 1237: A BILL for an Act to amend and reenact subsection 1 of section 39-06.1-06 of the North Dakota Century Code, relating to fees for nonmoving traffic violations.

#### ROLL CALL

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

YEAS: Cleary; Ring; Ritter; Wentz

NAYS: Aarsvold; Anderson, B.; Bateman; Belter; Berg, G.; Berg, R.; Bernstein; Bodine; Boehm; Boucher; Brokaw; Brown; Byerly; Carlisle; Carlson; Clayburgh; Coats; Dalrymple; Delzer; DeMers; DeWitz; Dorso; Enget; Erickson; Flaagan; Freier; Gabrielson; Gates; Gerntholz; Gilmore; Goffe; Gorder; Gorman; Grosz; Grumbo; Hanson; Hausauer; Henegar; Hokana; Howard; Huether; Jacobson; Jensen; Kaldor; Kelsch; Kerzman; Kloubec; Kolbo; Kretschmar; Kroeber; Kunkel; Larson; Laughlin; Linderman; Mahoney; Martin; Martinson; Meyer; Miller; Muhs; Mutzenberger; Myrdal; Nelson; Nicholas; Nichols; Nowatzki; Oban; Olsen, D.; Olson, A.; Payne; Peterson; Porter; Price; Pyle; Rennerfeldt; Rydell; Scherber; Schimke; Schindler; Schmidt; Schneider; Shide; Skar; Skjerven; Snyder; Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Thompson; Thorpe; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Whalen; Wilkie; Williams; Speaker R. Anderson

HB 1237 was declared lost.

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HB 1325: A BILL for an Act to create and enact a new section to chapter 57-39.2 of the North Dakota Century Code, relating to the rate of sales taxes on sales of natural gas; to amend and reenact subsection 1 of section 57-39.2-02.1 of the North Dakota Century Code, relating to imposition of sales taxes; and to provide an effective date.

#### ROLL CALL

The question being on the final passage of the bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 71 YEAS, 34 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Bateman; Belter; Berg, G.; Berg, R.; Bernstein; Boehm; Brown; Byerly; Carlisle; Carlson; Clayburgh; Coats; Dalrymple; Delzer; DeMers; Dorso; Freier; Gabrielson; Gates; Gerntholz; Gorder; Gorman; Grosz; Hanson; Hausauer; Henegar; Howard; Jensen; Kelsch; Kloubec; Kretschmar; Kunkel; Larson; Martin; Martinson; Miller; Myrdal; Nicholas; Oban; Olsen, D.; Olson, A.; Payne; Peterson; Porter; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schimke; Schindler; Schmidt; Schneider; Shide; Skjerven; Snyder; Soukup; St. Aubyn; Stofferahn; Svedjan; Thompson; Thorpe; Timm; Trautman; Urlacher; Wald; Wardner; Whalen; Williams; Speaker R. Anderson

NAYS: Aarsvold; Anderson, B.; Bodine; Boucher; Brokaw; Cleary; DeWitz; Enget; Erickson; Flaagan; Gilmore; Goffe; Grumbo; Hokana; Huether; Jacobson; Kaldor; Kerzman; Kolbo; Kroeber; Laughlin; Linderman; Mahoney; Meyer; Muhs; Mutzenberger; Nelson; Nichols; Nowatzki; Price; Skar; Starke; Wentz; Wilkie

ABSENT AND NOT VOTING: Tollefson

HB 1325 passed and the title was agreed to.

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HB 1351: A BILL for an Act to amend and reenact section 40-04.1-05 of the North Dakota Century Code, relating to the regular meeting day of a city council operating under the modern council form of government; and to declare an emergency.

#### ROLL CALL

The question being on the final passage of the bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 105 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Bateman; Belter; Berg, G.; Berg, R.; Bernstein; Bodine; Boehm; Boucher; Brokaw; Brown; Byerly; Carlisle; Carlson; Clayburgh; Cleary; Coats; Dalrymple; Delzer; DeMers; DeWitz; Dorso; Enget; Erickson; Flaagan; Freier; Gabrielson; Gates; Gerntholz; Gilmore; Goffe; Gorder; Gorman; Grosz; Grumbo; Hanson; Henegar; Hokana; Howard; Huether; Jacobson; Jensen; Kaldor; Kelsch; Kerzman; Kloubec; Kolbo; Kretschmar; Kroeber; Kunkel; Larson; Laughlin; Linderman; Mahoney; Martin; Martinson; Meyer; Miller; Muhs; Mutzenberger; Myrdal; Nelson; Nicholas; Nichols; Nowatzki; Oban; Olsen, D.; Olson, A.; Payne; Peterson; Porter; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schimke; Schindler; Schmidt; Schneider; Shide; Skar; Skjerven; Snyder; Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Thompson; Thorpe; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Whalen; Wilkie; Williams; Speaker R. Anderson

ABSENT AND NOT VOTING: Hausauer

HB 1351 passed, the title was agreed to, and the emergency clause carried.

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HB 1389: A BILL for an Act to amend and reenact section 54-40-07 of the North Dakota Century Code, relating to the authority of political subdivisions to enter into agreements with other political subdivisions.

ROLL CALL

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

YEAS: Aarsvold; Anderson, B.; Bateman; Belter; Berg, G.; Berg, R.; Bernstein; Bodine; Boehm; Boucher; Brown; Byerly; Carlisle; Carlson; Clayburgh; Cleary; Coats; Dalrymple; Delzer; DeMers; DeWitz; Dorso; Enget; Erickson; Flaagan; Freier; Gabrielson; Gates; Gerntholz; Gilmore; Goffe; Gorder; Gorman; Grosz; Grumbo; Hanson; Henegar; Hokana; Howard; Huether; Jacobson; Jensen; Kaldor; Kelsch; Kerzman; Kloubec; Kolbo; Kretschmar; Kroeber; Kunkel; Larson; Laughlin; Linderman; Mahoney; Martin; Martinson; Meyer; Miller; Muhs; Mutzenberger; Myrdal; Nelson; Nicholas; Nichols; Nowatzki; Oban; Olsen, D.; Olson, A.; Payne; Peterson; Porter; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schimke; Schindler; Schmidt; Schneider; Shide; Skar; Skjerven; Snyder; Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Thompson; Thorpe; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Whalen; Wilkie; Williams; Speaker R. Anderson

ABSENT AND NOT VOTING: Brokaw; Hausauer

HB 1389 passed and the title was agreed to.

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HB 1427: A BILL for an Act to amend and reenact sections 57-27-01, 57-27-02, 57-27-03, 57-27-04, 57-27-05, 57-27-07, 57-27-10, 57-28-01, 57-28-02, 57-28-03, 57-28-04, 57-28-05, 57-28-06, 57-28-08, 57-28-09, 57-28-10, 57-28-11, 57-28-12, 57-28-13, 57-28-14, 57-28-15, 57-28-17, 57-28-17.1, 57-28-18, 57-28-19, 57-28-19.1, 57-28-20, 57-28-21, 57-28-22, 57-28-23, 57-28-24, 57-28-25, 57-28-26, and 57-28-27 of the North Dakota Century Code, relating to rights and procedures when property is not redeemed from tax sale.

ROLL CALL

The question being on the final passage of the bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 105 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Bateman; Belter; Berg, G.; Berg, R.; Bernstein; Bodine; Boehm; Boucher; Brokaw; Brown; Byerly; Carlisle; Carlson; Clayburgh; Cleary; Coats; Dalrymple; Delzer; DeMers; DeWitz; Dorso; Enget; Erickson; Flaagan; Freier; Gabrielson; Gates; Gerntholz; Gilmore; Goffe; Gorder; Gorman; Grosz; Grumbo; Hanson; Hausauer; Henegar; Hokana; Howard; Huether; Jacobson; Jensen; Kaldor; Kelsch; Kerzman; Kloubec; Kolbo; Kretschmar; Kroeber; Kunkel; Larson; Laughlin; Linderman; Mahoney; Martin; Martinson; Meyer; Miller; Muhs; Mutzenberger; Myrdal; Nelson; Nicholas; Nichols; Nowatzki; Oban; Olson, A.; Payne; Peterson; Porter; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schimke; Schindler; Schmidt; Schneider; Shide; Skar; Skjerven; Snyder; Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Thompson; Thorpe; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Whalen; Wilkie; Williams; Speaker R. Anderson

ABSENT AND NOT VOTING: Olsen, D.

HB 1427 passed and the title was agreed to.

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## MOTIONS

REP. KLOUBEC MOVED that HB 1185, HB 1186, HB 1187, HB 1188, HB 1189, and HB 1190 be laid over until February 6, 1991, which motion prevailed.

REP. LARSON MOVED that HB 1453 be returned to the House floor from the Committee on Human Services and Veterans Affairs for the purpose of withdrawal, which motion prevailed.

## REQUEST

REP. GABRIELSON REQUESTED the unanimous consent of the House to withdraw HB 1453. There being no objection, it was so ordered by the Speaker.

## MOTIONS

REP. GATES MOVED that HB 1361 be returned to the House floor from the Committee on Education and be rereferred to the Committee on Appropriations, which motion prevailed. Pursuant to Rep. Gates' motion, HB 1361 was rereferred.

REP. TOLLEFSON MOVED that the House waive the reading of the titles to HB 1071 and HB 1167, which motion prevailed.

REP. KLOUBEC MOVED that the rules be suspended and that HB 1071, HB 1151, HB 1159, HB 1167, HB 1239, HB 1246, HB 1320, HB 1353, and HB 1359 be deemed properly engrossed and placed on today's Eleventh order, as amended, for second reading and final passage, which motion prevailed.

## SECOND READING OF HOUSE BILLS

HB 1071: A BILL for an Act to amend and reenact section 26.1-41-03, subsections 2 and 7 of section 39-04-06, sections 39-04-08, 39-04-09, 39-04-10, 39-04-10.2, 39-04-10.3, subsection 1 of section 39-04-10.4, sections 39-04-10.6, 39-04-10.7, 39-04-11, 39-04-14, 39-04-18, the introductory paragraph of subsection 2 and subsection 4 of section 39-04-19, sections 39-04-36, 39-04-37, 39-04-39.4, 39-04-44, subsection 3 of section 39-06-42, paragraph 2 of subdivision a of subsection 3 of section 39-06.1-10, subsection 3 of section 39-08-01, section 39-18-01, subsection 3 of section 39-21-04, sections 39-22-02, 39-22.1-01, 39-26-12, subsection 5 of section 57-40.3-01, subsection 2 of section 57-40.3-08, and section 57-55-05 of the North Dakota Century Code, relating to motor vehicle number plates; and to provide an effective date.

## ROLL CALL

The question being on the final passage of the amended bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 76 YEAS, 28 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Bateman; Belter; Berg, R.; Bernstein; Bodine; Boehm; Boucher; Brown; Byerly; Carlisle; Carlson; Clayburgh; Dalrymple; Delzer; DeMers; DeWitz; Dorso; Freier; Gabrielson; Gates; Gerntholz; Gilmore; Gorder; Gorman; Grosz; Grumbo; Hausauer; Henegar; Hokana; Howard; Huether; Jensen; Kaldor; Kelsch; Kloubec; Kunkel; Larson; Mahoney; Martinson; Miller; Muhs; Myrdal; Nicholas; Nichols; Oban; Olsen, D.; Olson, A.; Payne; Peterson; Porter; Rennerfeldt; Ring; Ritter; Rydell; Schimke; Schindler; Schmidt; Schneider; Shide; Skjervén; Snyder; Soukup; St. Aubyn; Svedjan; Thompson; Thorpe; Timm; Tollefson; Trautman; Wald; Wardner; Whalen; Wilkie; Williams; Speaker R. Anderson

NAYS: Anderson, B.; Berg, G.; Brokaw; Cleary; Coats; Enget; Erickson; Flaagan; Goffe; Hanson; Jacobson; Kerzman; Kolbo; Kretschmar; Kroeber; Laughlin; Linderman; Meyer; Mutzenberger; Nelson; Nowatzki; Price; Pyle; Scherber; Skar; Starke; Stofferahn; Wentz

ABSENT AND NOT VOTING: Martin; Urlacher

HB 1071 passed and the title was agreed to.

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HB 1151: A BILL for an Act to amend and reenact subsection 7 of section 55-08-03 of the North Dakota Century Code, relating to the authority of the director to convey land owned by the state parks and recreation department.

ROLL CALL

The question being on the final passage of the amended bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 100 YEAS, 2 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Bateman; Belter; Berg, G.; Berg, R.; Bernstein; Bodine; Boehm; Boucher; Brokaw; Brown; Byerly; Carlisle; Carlson; Clayburgh; Cleary; Coats; Dalrymple; Delzer; DeMers; DeWitz; Dorso; Enget; Erickson; Flaagan; Freier; Gabrielson; Gates; Gerntholz; Gilmore; Goffe; Gorder; Gorman; Grosz; Grumbo; Hanson; Henegar; Hokana; Howard; Huether; Jacobson; Jensen; Kaldor; Kelsch; Kerzman; Kloubec; Kolbo; Kretschmar; Kroeber; Kunkel; Larson; Laughlin; Linderman; Mahoney; Meyer; Miller; Muhs; Mutzenberger; Myrdal; Nicholas; Nichols; Nowatzki; Oban; Olsen, D.; Olson, A.; Payne; Peterson; Porter; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schimke; Schindler; Schmidt; Schneider; Shide; Skar; Skjerven; Snyder; Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Thompson; Thorpe; Timm; Tollefson; Trautman; Wald; Wardner; Wentz; Whalen; Wilkie; Speaker R. Anderson

NAYS: Nelson; Williams

ABSENT AND NOT VOTING: Hausauer; Martin; Martinson; Urlacher

HB 1151 passed and the title was agreed to.

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HB 1159: A BILL for an Act to amend and reenact subsections 1 and 3 of section 24-02-01.4, section 24-02-42, and subsections 1, 2, and 4 of section 57-15-06.3 of the North Dakota Century Code, relating to the organization of the department of transportation, the amount of department of transportation scholarships, and the elimination of federal highway administration approval of county farm-to-market road programs.

ROLL CALL

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

YEAS: Aarsvold; Anderson, B.; Bateman; Belter; Berg, G.; Berg, R.; Bernstein; Bodine; Boehm; Boucher; Brokaw; Brown; Byerly; Carlisle; Carlson; Clayburgh; Cleary; Coats; Dalrymple; Delzer; DeMers; DeWitz; Dorso; Enget; Erickson; Flaagan; Freier; Gabrielson; Gates; Gerntholz; Gilmore; Goffe; Gorder; Gorman; Grosz; Grumbo; Hanson; Hausauer; Henegar; Hokana; Howard; Huether; Jacobson; Jensen; Kaldor; Kelsch; Kerzman; Kloubec; Kolbo; Kretschmar; Kroeber; Kunkel; Larson; Laughlin; Linderman; Mahoney; Meyer; Miller; Muhs; Mutzenberger; Myrdal; Nelson; Nicholas; Nichols; Nowatzki; Oban; Olsen, D.; Olson, A.; Payne; Peterson; Porter; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schimke; Schindler; Schmidt; Schneider; Shide; Skar; Skjerven; Snyder; Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Thompson; Thorpe; Timm; Tollefson; Trautman; Wardner; Wentz; Wilkie; Williams; Speaker R. Anderson

ABSENT AND NOT VOTING: Martin; Martinson; Urlacher; Wald; Whalen

HB 1159 passed and the title was agreed to.

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HB 1167: A BILL for an Act to amend and reenact sections 39-06-21, 39-06-22, 39-06-32, subsections 1 and 2 of section 39-06-33, and subsection 3 of section 39-08-01 of the North Dakota Century Code, relating to the filing of application records for drivers' licenses and related actions, the maintenance of driving records of licensees and the deletion of record retention requirements, the authority to suspend operator licenses and to provide an effective date for such suspensions, and to have number plates impounded by courts returned to the director.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 99 YEAS, 5 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Bateman; Belter; Berg, G.; Berg, R.; Bernstein; Bodine; Boehm; Boucher; Brokaw; Brown; Byerly; Carlisle; Carlson; Clayburgh; Coats; Dalrymple; Delzer; DeMers; DeWitz; Dorso; Enget; Erickson; Flaagan; Freier; Gabrielson; Gates; Gertholz; Gilmore; Goffe; Gorder; Gorman; Grosz; Grumbo; Hanson; Hausauer; Henegar; Hokana; Howard; Huether; Jacobson; Jensen; Kaldor; Kelsch; Kerzman; Kloubec; Kolbo; Kretschmar; Kroeber; Larson; Laughlin; Linderman; Mahoney; Martinson; Meyer; Mutzenberger; Myrdal; Nelson; Nicholas; Nichols; Nowatzki; Oban; Olsen, D.; Olson, A.; Payne; Peterson; Porter; Price; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schimke; Schindler; Schmidt; Schneider; Shide; Skar; Skjerven; Snyder; Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Thompson; Thorpe; Timm; Tollefson; Trautman; Wald; Wardner; Wentz; Whalen; Wilkie; Williams; Speaker R. Anderson

NAYS: Cleary; Kunkel; Miller; Muhs; Pyle

ABSENT AND NOT VOTING: Martin; Urlacher

HB 1167 passed and the title was agreed to.

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#### REQUEST

REP. COATS REQUESTED that his remarks be printed in the Journal, which request was granted.

Mr. Speaker, fellow members of the House in this Fifty-second Legislative Assembly:

I think, and I hope you do also, that we remember the 7 astronauts who perished in their Challenger space vehicle five years ago yesterday.

Among those who perished was Christa McAuliffe, the first ordinary American and an active practicing member of the teaching profession.

Mr. Speaker, fellow Representatives, and visitors in the Chambers today, I am in no way trying to establish any precedence in doing this. I feel not only for these 7 astronauts who perished in their Challenger, but also for those astronauts who perished in their Appollo capsule on the launching pad at Cape Canaveral.

These and all other members of the space program, including North Dakota's own astronaut Buchli, and others can stand tall today for their contributions to the space program.

Today, as in the past, concerned Americans everywhere pose the question over and over again, during and after each Apollo shot, each Challenger shot, and each Columbia shot: "What are we doing in space anyway? It's too expensive!" These people, as well as many other citizens, should realize the effectiveness of the "spy satellites", enabling the Patriot missiles to knock

out and destroy the Scud missiles, saving numerous human lives and causing vast property damage in the Persian Gulf.

I think it behooves each and every one of us to remember those astronauts who gave their all in the space program.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. MARTINSON MOVED that the House do concur in the Senate amendments to HCR 3025 as printed on SJ page 193, which motion prevailed.

MOTION

REP. KLOUBEC MOVED that the rules be suspended, and that HCR 3025 be printed in the Journal, and placed on the calendar for second reading and final passage, which motion prevailed.

HOUSE CONCURRENT RESOLUTION NO. 3025

A concurrent resolution designating House and Senate employees and fixing their compensation.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That for the Fifty-second Legislative Assembly the following persons are employed and appointed as employees of the House and Senate and are to be paid the daily wages opposite their respective names in accordance with their positions:

HOUSE

Roy Gilbreath, Chief Clerk	\$95.00
Jeane Marschke, Assistant Chief Clerk	80.00
Barbara Middaugh, Desk Reporter	89.00
Lance Hagen, Bill Clerk	74.00
Shawn Ackre, Sergeant-at-Arms	74.00
Darlyne Clausnitzer, Secretary to the Speaker	74.00
Mazie Patchen, Secretary to the Majority Leader	80.00
Al Hausauer, Staff Assistant to the Majority Leader	74.00
Melody Hanson, Secretary to the Minority Leader	80.00
Kathleen Joyce, Staff Assistant to the Minority Leader	74.00
Theola Stetson, Chief Stenographer and Payroll Clerk	74.00
Lois Schmidt, Stenographer	62.00
Sharon Jensen, Stenographer	62.00
Sandi Hohbein, Stenographer	62.00
Ardis Thompson, Stenographer	62.00
Kate Hanlon, Stenographer	62.00
Barbara Seyfert, Typist	62.00
Candace Makeeff, Typist	62.00
Judy Frink, Chief Assistant Committee Clerk	68.00
Barb Klein, Appropriations Committee Clerk	76.00
Nancy Hayes, Assistant Appropriations Committee Clerk	68.00
Breezy Kohls, Assistant Appropriations Committee Clerk	68.00
Rhonda Otto, Assistant Appropriations Committee Clerk	68.00
Judy Hoffman, Committee Clerk	68.00
Joan VonRueden, Committee Clerk	68.00
Janice Stein, Committee Clerk	68.00
Jonathan Thomson, Committee Clerk	68.00
Sandy Schafer, Committee Clerk	68.00
Andrea Howe, Committee Clerk	68.00
Kristi Sagsveen, Committee Clerk	68.00
Lucy Hugelen, Committee Clerk	68.00
Lisa Peterson, Committee Clerk	68.00
Mona Heustis, Committee Clerk	68.00
Doris Leingang, Assistant Committee Clerk	65.00
David Hougen, Deputy Sergeant-at-Arms	62.00
Jerome Moszer, Assistant Sergeant-at-Arms	58.00
Kirk Larson, Assistant Sergeant-at-Arms	58.00
Bernice Clark, Assistant Sergeant-at-Arms	58.00
John Power, Assistant Sergeant-at-Arms	58.00

Shane Burthold, Assistant Sergeant-at-Arms	58.00
Alphonse Koenigsman, Assistant Sergeant-at-Arms	58.00
Lloyd Putney, Assistant Sergeant-at-Arms	58.00
Peter Schafer, Supply Room Coordinator	58.00
Mark Zimmerman, Chief Page and Bill Book Clerk	65.00
Richard Stenberg, Assistant Chief Page and Bill Book Clerk	62.00
Cindy Kephart, Journal Page	58.00
Barbara Larson, Desk Page	58.00
Phyllis Connolly, Desk Page	58.00
Mike Boyd, Desk Page	58.00
Brett Nilles, Page and Bill Book Clerk	58.00
Tommy Debele, Page and Bill Book Clerk	58.00
Carl Strum, Page and Bill Book Clerk	58.00
Nancy Thompson, Page and Bill Book Clerk	58.00
Merry Hook, Page and Bill Book Clerk	58.00
Andi Thon, Page and Bill Book Clerk	58.00
Robbie Jewett, Page and Bill Book Clerk	58.00
Mike Peterson, Page and Bill Book Clerk	58.00
Marion Bassingwaite, Page and Bill Book Clerk	58.00
Aaron Dalke, Page and Bill Book Clerk	58.00
Kevin Carney, Page and Bill Book Clerk	58.00
Valeria Ciavarella, Page and Bill Book Clerk	58.00
Jim Weber, Page and Bill Book Clerk	58.00
John Larson, Page and Bill Book Clerk	58.00
Fay Pitzer, Page and Bill Book Clerk	58.00
Althea Yantzer, Page and Bill Book Clerk	58.00
Lorraine Moos, Telephone Attendant	58.00
Lois Borke, Telephone Attendant	58.00
Irma Holmstrom, Telephone Attendant	58.00
Betty Heinrich, Telephone Page	58.00
Peggy Puetz, Information Desk Attendant	58.00
Eli Nemer, Chief Bill and Journal Room Clerk	68.00
Herman Jacobsen, Bill Room Clerk	58.00
Ilona Richey, Bill Room Clerk	58.00
Burnetta Barth, Bill Room Clerk	58.00
John Schmidt, Bill Room Clerk	58.00
Faye Caya, Bill Room Clerk	58.00
Frank Zent, Journal Room Clerk	58.00
Hella Keller, Journal Room Clerk	58.00
Charles Holmes, Parking Lot Attendant	58.00
Eugene Reynolds, Janitor (partial pay only)	54.00
Joe Emineth, Janitor (partial pay only)	45.00
Francis Scharosch, Janitor (partial pay only)	38.00
Helen Just, Janitor (partial pay only)	37.00

## SENATE

Marion Houn, Secretary of the Senate	\$95.00
Bob Dykshorn, Assistant Secretary of the Senate	80.00
Sally Paul, Desk Reporter	89.00
Myrna Lyng, Bill Clerk	74.00
Doug Nordby, Sergeant-at-Arms	74.00
Sandi Kershaw, Secretary to Majority Leader	80.00
Wanda Scheid, Staff Assistant to Majority Leader	74.00
Jan Harmon, Secretary to Minority Leader	80.00
Dan Austin, Staff Assistant to Minority Leader	74.00
Jane Schiele, Chief Stenographer and Payroll Clerk	74.00
Michelle Schumacher, Stenographer	62.00
Roxie Dietrich, Stenographer	62.00
JoDee Fandrich, Stenographer	62.00
Mary Schmitz, Chief Committee Clerk	74.00
Carin Noriega, Appropriations Committee Clerk	76.00
Shad Stasney, Assistant Appropriations Committee Clerk	68.00
Doiores Boutilier, Committee Clerk	68.00
Shelly Brink, Committee Clerk	68.00
Jodi Friskop, Committee Clerk	68.00
Roberta Holle, Committee Clerk	68.00
Mary Marthaller, Committee Clerk	68.00

Audrey Myers, Committee Clerk	68.00
Nancy Pfennig, Committee Clerk	68.00
Colleen Popelka, Committee Clerk	68.00
Jeannette Shaw-Lynch, Committee Clerk	68.00
Rayne Thomas, Committee Clerk	68.00
Brenda Huff, Assistant Committee Clerk	65.00
Clayton Litchfield, Deputy Sergeant-at-Arms	62.00
Kevin Urness, Deputy Sergeant-at-Arms	62.00
Vernon Erickson, Assistant Sergeant-at-Arms	58.00
Wallace Becker, Assistant Sergeant-at-Arms	58.00
Chris Dahl, Assistant Sergeant-at-Arms	58.00
Diana Schlosser, Chief Page and Bill Book Clerk	65.00
Darren Huber, Desk Page	58.00
Nancy Ludwig, Journal Page	58.00
Linda Putz, Page and Bill Book Clerk	58.00
George Schempp, Page and Bill Book Clerk	58.00
James Sears, Page and Bill Book Clerk	58.00
Carol Smith, Page and Bill Book Clerk	58.00
Jeffrey Spitzer, Page and Bill Book Clerk	58.00
Renaë Doan, Page and Bill Book Clerk	58.00
Stephanie Fisher, Page and Bill Book Clerk	58.00
Brian Overton, Page and Bill Book Clerk	58.00
Clara Miller, Chief Telephone Attendant	62.00
Shirley Pasicznyk, Telephone Attendant	58.00
Bernice Asbridge, Telephone Attendant	58.00
Phyllis Rogstad, Telephone Attendant	58.00
Ruby Stadick, Telephone Attendant	58.00
Beth Bakke, Telephone Page	58.00
Mary Defender-Wilson, Information Desk Attendant	58.00
Selma Carlson, Bill Room Clerk	58.00
Patricia Hoffner, Bill Room Clerk	58.00
Delano Huston, Bill Room Clerk	58.00
Ledores Robey, Bill Room Clerk	58.00
Nettie Monroe, Journal Room Clerk	58.00
Walter Schramm, Parking Lot Attendant	58.00
Lucas Giesinger, Janitor (partial pay only)	54.00
Ronald Glaser, Janitor (partial pay only)	33.00
Keith Harrison, Janitor (partial pay only)	33.00

BE IT FURTHER RESOLVED, that each employee of the Fifty-second Legislative Assembly is entitled to an additional one dollar per day for each previous regular session of the Legislative Assembly during which that employee was paid for at least forty-five days, as either an employee of the House or the Senate, and to receive this additional compensation, which may not exceed five dollars per day, that employee must certify to the Legislative Council the year of each regular session during which that employee was employed as required by this resolution; and

BE IT FURTHER RESOLVED, that if any employee resigns, is discharged, or for other reasons terminates employment, the compensation provided by this resolution for that employee ceases effective the last day of employment.

#### SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3025: A concurrent resolution designating House and Senate employees and fixing their compensation.

#### ROLL CALL

The question being on the final adoption of the amended resolution, which has been read, the roll was called and there were 102 YEAS, 2 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Bateman; Belter; Berg, G.; Berg, R.; Bernstein; Bodine; Boehm; Boucher; Brokaw; Brown; Byerly; Carlisle; Carlson; Clayburgh; Cleary; Coats; Dalrymple; Delzer; DeMers; DeWitz; Dorso; Enget; Erickson; Flaagan; Freier; Gabrielson; Gates; Gerntholz; Gilmore; Goffe; Gorder; Gorman; Grosz; Grumbo; Hanson; Hausauer; Henegar; Hokana; Howard; Huether; Jacobson; Jensen; Kaldor; Kelsch;

Kerzman; Kloubec; Kolbo; Kretschmar; Kroeber; Kunkel; Larson; Laughlin; Linderman; Mahoney; Martinson; Meyer; Miller; Muhs; Mutzenberger; Myrda; Nelson; Nicholas; Nichols; Nowatzki; Oban; Olsen, D.; Olson, A.; Payne; Peterson; Porter; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schimke; Schindler; Schmidt; Schneider; Shide; Skar; Skjervén; Snyder; Soukup; St. Aubyn; Starke; Svedjan; Thompson; Thorpe; Timm; Tollefson; Trautman; Wald; Wardner; Wentz; Wilkie; Williams; Speaker R. Anderson

NAYS: Stofferahn; Whalen

ABSENT AND NOT VOTING: Martin; Urlacher

HCR 3025 was declared adopted on a recorded roll call vote.

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#### MOTION

REP. KLOUBEC MOVED that the rules be suspended and that HCR 3025 be messaged to the Senate immediately, which motion prevailed.

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

MR. PRESIDENT: The House has concurred in the Senate amendments to HCR 3025 and subsequently passed the same.

#### HOUSE ENROSSING AND ENROLLING REPORT

The following resolution was engrossed and enrolled: HCR 3025.

#### SIGNING OF BILLS AND RESOLUTIONS

The Speaker signed the following enrolled resolution: HCR 3025.

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

MR. PRESIDENT: The Speaker has signed and your signature is respectfully requested on: HCR 3025.

#### MOTION

REP. KLOUBEC MOVED that the House be on the Fifth order of business, and at the conclusion of the Fifth order, the House be on the Ninth order of business, and at the conclusion of the Ninth order, the House be on the Thirteenth order of business, and at the conclusion of the Thirteenth order, the House stand adjourned until 1:00 p.m., Wednesday, January 30, 1991, which motion prevailed.

#### REPORTS OF STANDING COMMITTEES

HB 1102: Committee on Judiciary (Rep. Kretschmar, Chairman) recommends DO PASS (16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1102 was placed on the Eleventh order on the calendar.

HB 1200: Committee on Finance and Taxation (Rep. Timm, Chairman) recommends DO PASS (10 YEAS, 3 NAYS, 3 ABSENT AND NOT VOTING). HB 1200 was placed on the Eleventh order on the calendar.

HB 1226: Committee on Judiciary (Rep. Kretschmar, Chairman) recommends DO PASS (11 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). HB 1226 was placed on the Eleventh order on the calendar.

HB 1255: Committee on Judiciary (Rep. Kretschmar, Chairman) recommends DO PASS (16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1255 was placed on the Eleventh order on the calendar.

HB 1288: Committee on Education (Rep. Gates, Chairman) recommends DO NOT PASS (11 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING). HB 1288 was placed on the Eleventh order on the calendar.

HB 1348: Committee on Education (Rep. Gates, Chairman) recommends DO NOT PASS (14 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1348 was placed on the Eleventh order on the calendar.

- HB 1413: Committee on Judiciary (Rep. Kretschmar, Chairman) recommends DO PASS (15 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1413 was placed on the Eleventh order on the calendar.
- HB 1415: Committee on Judiciary (Rep. Kretschmar, Chairman) recommends DO PASS (14 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1415 was placed on the Eleventh order on the calendar.
- HB 1425: Committee on Industry, Business and Labor (Rep. Dorso, Chairman) recommends DO PASS (13 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). HB 1425 was placed on the Eleventh order on the calendar.
- HB 1430: Committee on Judiciary (Rep. Kretschmar, Chairman) recommends DO PASS (16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1430 was placed on the Eleventh order on the calendar.
- HB 1440: Committee on Judiciary (Rep. Kretschmar, Chairman) recommends DO PASS (8 YEAS, 5 NAYS, 3 ABSENT AND NOT VOTING). HB 1440 was placed on the Eleventh order on the calendar.
- HB 1467: Committee on Judiciary (Rep. Kretschmar, Chairman) recommends DO PASS (16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1467 was placed on the Eleventh order on the calendar.
- HB 1480: Committee on Industry, Business and Labor (Rep. Dorso, Chairman) recommends DO PASS (15 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1480 was placed on the Eleventh order on the calendar.
- HB 1481: Committee on Judiciary (Rep. Kretschmar, Chairman) recommends DO PASS (15 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1481 was placed on the Eleventh order on the calendar.
- HB 1486: Committee on Judiciary (Rep. Kretschmar, Chairman) recommends BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION (16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1486 was placed on the Eleventh order on the calendar.
- HB 1557: Committee on Industry, Business and Labor (Rep. Dorso, Chairman) recommends DO NOT PASS (13 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). HB 1557 was placed on the Eleventh order on the calendar.
- HCR 3021: Committee on Finance and Taxation (Rep. Timm, Chairman) recommends DO PASS and BE PLACED ON THE CONSENT CALENDAR (13 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). HCR 3021 was placed on the Tenth order.

#### FIRST READING OF HOUSE CONCURRENT RESOLUTION

Reps. Scherber, Myrdal and Sens. Thane, O'Connell introduced:

HCR 3031: A concurrent resolution directing the Legislative Council to study the impact and potential benefits to be derived from the use of electronic communications in government services.

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

#### FIRST READING OF SENATE BILLS

SB 2014: A BILL for an Act to make an appropriation for defraying the expenses of the state seed department.

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

SB 2030: A BILL for an Act to create and enact a new subdivision to subsection 1 of section 23-17.2-03 of the North Dakota Century Code, relating to application of the certificate of need program to organ or tissue transplant centers; and to amend and reenact section 23-17.2-02 of the North Dakota Century Code, relating to definitions applicable to the certificate of need program governing health care facilities centers.

Was read the first time and referred to the Committee on Human Services and Veterans Affairs.

SB 2318: A BILL for an Act to amend and reenact subsection 4 of section 6-09-15 and sections 54-18-04 and 54-18-04.2 of the North Dakota Century Code, relating to the power of the Bank of North Dakota to invest funds in an export trading company and the power of the industrial commission to participate with export trading companies; and to repeal section 4-01-19.1 of the North Dakota Century Code, relating to the participation of the department of agriculture's marketing bureau with export trading companies.

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

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

ROY GILBREATH, Chief Clerk