

## JOURNAL OF THE HOUSE

## Fifty-second Legislative Assembly

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Bismarck, February 8, 1991

The House convened at 12:30 p.m., with Speaker R. Anderson presiding.

The prayer was offered by Father Daniel Maloney, Annunciation Priory, Bismarck.

The roll was called and all members were present except Representative Dorso.

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 Twenty-fourth Day and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 421, line 29, after the numerals "1580" insert ", as amended,"

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

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

MR. SPEAKER: The Senate has passed and your favorable consideration is requested on: SB 2044, SB 2090, SB 2102, SB 2187, SB 2213, SB 2237, SB 2238, SB 2350, SB 2365, SB 2366.

## MOTIONS

REP. KLOUBEC MOVED that the rules be suspended and that the House consider all amendments on the Sixth order in one motion, which motion prevailed.

REP. KLOUBEC MOVED that the rules be suspended and that all the amendments on the Sixth order of business to HB 1214, HB 1291, HB 1347, HB 1354, HB 1372, HB 1409, HB 1461, HB 1510, and HB 1574 be adopted, which motion prevailed.

HB 1354 and HB 1510, as amended, were rereferred to the Committee on Appropriations.

HB 1214, HB 1291, HB 1347, HB 1372, HB 1409, HB 1461, and HB 1574, as amended, were placed on the Eleventh order of business on the calendar for the succeeding legislative day.

**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 1007, HB 1141, HB 1152, HB 1157, HB 1201, HB 1203, HB 1248, HB 1378, HB 1431, HB 1434, HB 1449, HB 1451, HB 1497, HB 1529.

## HOUSE ENGROSSING REPORT

The following bills were engrossed: HB 1004, HB 1356, HB 1370, HB 1371, HB 1439, HB 1577, and HB 1580.

## MOTIONS

REP. KLOUBEC MOVED that HB 1330 be placed at the top of the calendar, which motion prevailed.

REP. THOMPSON MOVED that the House reconsider its action whereby the committee report was accepted and HB 1407 was placed on the Eleventh order of business on the calendar, which motion prevailed.

REP. THOMPSON MOVED that HB 1407 be rereferred to the Committee on Appropriations, which motion prevailed. Pursuant to Rep. Thompson's motion, HB 1407 was rereferred.

SECOND READING OF HOUSE BILLS

HB 1330: A BILL for an Act to amend and reenact of section 30.1-29-14 of the North Dakota Century Code, relating to the compensation of a conservator.

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 50 YEAS, 55 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Bateman; Belter; Berg, R.; Bernstein; Boehm; Brown; Carlisle; Clayburgh; Delzer; DeWitz; Dorso; Freier; Gates; Gerntholz; Gorder; Gorman; Grosz; Hausauer; Henegar; Howard; Jensen; Kelsch; Kloubec; Kretschmar; Kunkel; Larson; Martinson; Miller; Myrdal; Nicholas; Olsen, D.; Olson, A.; Payne; Porter; Price; Rydell; Schimke; Schindler; Shide; Skjerven; Soukup; St. Aubyn; Svedjan; Timm; Tollefson; Trautman; Wald; Wardner; Wentz

NAYS: Aarsvold; Anderson, B.; Berg, G.; Bodine; Boucher; Brokaw; Carlson; Cleary; Coats; Dalrymple; DeMers; Enget; Erickson; Flaagan; Gabrielson; Gilmore; Goffe; Grumbo; Hanson; Hokana; Huether; Jacobson; Kaldor; Kerzman; Kolbo; Kroeber; Laughlin; Linderman; Mahoney; Martin; Meyer; Mutzenberger; Nelson; Nichols; Nowatzki; Oban; Peterson; Pyle; Rennerfeldt; Ring; Ritter; Scherber; Schmidt; Schneider; Skar; Snyder; Starke; Stofferahn; Thompson; Thorpe; Urlacher; Whalen; Wilkie; Williams; Speaker R. Anderson

ABSENT AND NOT VOTING: Byerly

HB 1330 was declared lost.

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HB 1004: A BILL for an Act making an appropriation for defraying the expenses of the upper great plains transportation institute.

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; 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; Wilkie; Williams; Speaker R. Anderson

ABSENT AND NOT VOTING: Whalen

HB 1004 passed and the title was agreed to

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HB 1370: A BILL for an Act to amend and reenact section 65-08-01 of the North Dakota Century Code, relating to extraterritorial workers' compensation coverage; to repeal section 65-08-02 of the North Dakota

Century Code, relating to reciprocity in extraterritorial application of workers' compensation acts; and to declare an emergency.

#### 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; 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; Kloube; 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: Clayburgh

HB 1370 passed, the title was agreed to, and the emergency clause carried.

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HB 1371: A BILL for an Act to amend and reenact section 15-10-28 of the North Dakota Century Code, relating to agreements with other states' institutions of higher learning.

#### 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 98 YEAS, 7 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Bateman; Belter; Berg, G.; Bernstein; Bodine; Boehm; Boucher; Brokaw; Brown; Byerly; Carlisle; Carlson; Cleary; Coats; Dalrymple; Delzer; DeMers; DeWitz; Dorso; Enget; Flaagan; Freier; Gabrielson; Gerntholz; Gilmore; Goffe; Gorder; Gorman; Grosz; Grumbo; Hanson; Hausauer; Henegar; Hokana; Howard; Huether; Jacobson; Jensen; Kaldor; Kelsch; Kerzman; Kloube; Kolbo; Kretschmar; Kroeber; Kunkel; Larson; Laughlin; 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; Starke; Svedjan; Thompson; Thorpe; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Whalen; Wilkie; Speaker R. Anderson

NAYS: Berg, R.; Erickson; Gates; Linderman; St. Aubyn; Stofferahn; Williams

ABSENT AND NOT VOTING: Clayburgh

HB 1371 passed and the title was agreed to.

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HB 1390: A BILL for an Act to create and enact a new section to chapter 39-04 of the North Dakota Century Code, relating to issuance of distinctive motor vehicle number plates to national guard members.

## RULING BY THE SPEAKER

SPEAKER R. ANDERSON RULED that HB 1390 did not need to be rereferred to the Committee on Appropriations.

## 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 87 YEAS, 17 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

NAYS: Bateman; Brown; DeMers; DeWitz; Enget; Gabrielson; Gorder; Kerzman; Meyer; Miller; Muhs; Nelson; Nichols; Ring; Skar; Svedjan; Williams

ABSENT AND NOT VOTING: Clayburgh; Whalen

HB 1390 passed and the title was agreed to.

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HB 1580: A BILL for an Act to amend and reenact paragraph 1 of subdivision a of subsection 17 of section 52-01-01 of the North Dakota Century Code, relating to definitions of employment for purposes of unemployment compensation contributions and benefits.

## 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 103 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

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

HB 1580 passed and the title was agreed to.

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## MOTION

REP. TOLLEFSON MOVED that HB 1350 be laid over two legislative days, which motion prevailed.

SECOND READING OF HOUSE BILLS

HB 1393: A BILL for an Act providing an appropriation for the provision of professional development services to teachers and school administrators.

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 0 YEAS, 105 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

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

HB 1393 was declared lost.

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HB 1527: A BILL for an Act to require financial institutions and insurance companies to pay interest on real estate escrow accounts.

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 52 YEAS, 51 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Bateman; Berg, R.; Bernstein; Bodine; Boehm; Boucher; Brokaw; Carlson; Coats; DeMers; DeWitz; Dorso; Flaagan; Gabrielson; Gilmore; Goffe; Gorder; Grumbo; Hanson; Huether; Jacobson; Jensen; Kaldor; Kerzman; Kolbo; Kroeber; Laughlin; Mahoney; Meyer; Miller; Muhs; Mutzenberger; Nelson; Nowatzki; Oban; Peterson; Ring; Scherber; Schindler; Schneider; Skar; Skjerven; Snyder; Starke; Stofferahn; Thorpe; Tollefson; Whalen; Wilkie; Williams

NAYS: Belter; Brown; Byerly; Carlisle; Cleary; Dalrymple; Delzer; Enget; Erickson; Freier; Gates; Gerntholz; Gorman; Grosz; Hausauer; Henegar; Hokana; Howard; Kelsch; Kretschmar; Kunkel; Larson; Linderman; Martin; Martinson; Myrdal; Nicholas; Nichols; Olsen, D.; Olson, A.; Payne; Porter; Price; Pyle; Rennerfeldt; Ritter; Rydell; Schimke; Schmidt; Shide; Soukup; St. Aubyn; Svedjan; Thompson; Timm; Trautman; Urlacher; Wald; Wardner; Wentz; Speaker R. Anderson

ABSENT AND NOT VOTING: Berg, G.; Clayburgh; Kloubec

HB 1527 was declared lost for want of a Constitutional majority.

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HB 1596: A BILL for an Act to create and enact a new section to title 6, a new section to title 7, and a new section to title 47 of the North Dakota Century Code, allowing banking institutions, savings and loan associations, and other persons to pay interest on escrow accounts related to mortgages on residences.

## 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 53 YEAS, 51 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Belter; Berg, G.; Bodine; Boucher; Brokaw; Carlson; Coats; Dalrymple; DeMers; DeWitz; Enget; Flaagan; Gabrielson; Gilmore; Goffe; Gorder; Grumbo; Hanson; Huether; Jacobson; Jensen; Kaldor; Kerzman; Kolbo; Kroeber; Laughlin; Linderman; Mahoney; Meyer; Miller; Muhs; Mutzenberger; Nelson; Nichols; Nowatzki; Oban; Peterson; Pyle; Ring; Scherber; Schneider; Skar; Skjervén; Snyder; Starke; Stofferahn; Thorpe; Wentz; Whalen; Wilkie; Williams

NAYS: Bateman; Berg, R.; Bernstein; Boehm; Brown; Byerly; Carlisle; Cleary; Delzer; Dorso; Erickson; Freier; Gates; Gerntholz; Gorman; Grosz; Hausauer; Henegar; Hokana; Howard; Kelsch; Kretschmar; Kunkel; Larson; Martin; Martinson; Myrdal; Nicholas; Nicholas, D.; Olson, A.; Payne; Porter; Price; Rennerfeldt; Ritter; Rydell; Schimke; Schindler; Schmidt; Shide; Soukup; St. Aubyn; Svedjan; Thompson; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Speaker R. Anderson

ABSENT AND NOT VOTING: Clayburgh; Kloubec

HB 1596 was declared lost for want of a Constitutional majority.

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HB 1028: A BILL for an Act to create and enact two new sections to chapter 26.1-22 of the North Dakota Century Code, relating to insuring state-owned property through the state fire and tornado fund; and to amend and reenact section 26.1-22-01 of the North Dakota Century Code, relating to definitions.

## 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; Brokaw; Brown; Byerly; Carlisle; Carlson; 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; 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; Skjervén; 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: Clayburgh; Kloubec

HB 1028 passed and the title was agreed to.

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## INTRODUCTION

SPEAKER R. ANDERSON INTRODUCED P. James Roosevelt, cousin of President Theodore Roosevelt, to the Assembly.

P. JAMES ROOSEVELT: Ladies and gentlemen: Thank you very, very much. I don't know a time in my life when I have been more honored, but I don't kid myself - that honor is not for me, it is for my cousin, the twenty-sixth

President of the United States, Theodore Roosevelt, and for something specifically that he had to say which was: If it was not for his time spent in North Dakota, he never would have been President of the United States. And that is really what joins us together; and that is quite a startling statement, isn't it? Because when you think of the profound influence that he had, not only during his lifetime but on this entire century, and you attribute that to this state, we are attributing a lot. Beyond that, I would only like to say this, that were he here today and were he watching you guys in operation, there would be one thing that he would have to say and that one word would be "Bully"!

MOTIONS

REP. SCHMIDT MOVED that the remarks of P. James Roosevelt, cousin of Theodore Roosevelt, be printed in the Journal, which motion prevailed.

REP. TOLLEFSON MOVED that the House waive the reading of the title to HB 1029, which motion prevailed.

SECOND READING OF HOUSE BILLS

HB 1029: A BILL for an Act to create and enact a new section to chapter 26.1-22 of the North Dakota Century Code, relating to indirect loss insurance by the state fire and tornado fund; and to amend and reenact sections 26.1-22-01, 26.1-22-02, 26.1-22-06, 26.1-22-14, 26.1-22-15, 26.1-22-17, and 26.1-22-18 of the North Dakota Century Code, relating to the state fire and tornado fund.

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; 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: Clayburgh

HB 1029 passed and the title was agreed to.

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HB 1093: A BILL for an Act to amend and reenact section 54-06-08.1 of the North Dakota Century Code, relating to the operating fund of roughrider industries.

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 28 YEAS, 77 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Berg, R.; Carlson; Cleary; Coats; Enget; Hokana; Jacobson; Kaldor; Kerzman; Kolbo; Larson; Linderman; Meyer; Mutzenberger; Nowatzki; Oban; Peterson; Pyle; Ring; Ritter; Rydell; Schneider; Snyder; Stofferahn; Wilkie; Williams

**NAYS:** Bateman; Belter; Berg, G.; Bernstein; Bodine; Boehm; Boucher; Brokaw; Brown; Byerly; Carlisle; Dalrymple; Delzer; DeMers; DeWitz; Dorso; Erickson; Flaagan; Freier; Gabrielson; Gates; Gerntholz; Gilmore; Goffe; Gorder; Gorman; Grosz; Grumbo; Hanson; Hausauer; Henegar; Howard; Huether; Jensen; Kelsch; Kloubec; Kretschmar; Kroeber; Kunkel; Laughlin; Mahoney; Martin; Miller; Muhs; Myrdal; Nelson; Nicholas; Nichols; Olsen, D.; Olson, A.; Payne; Porter; Price; Rennerfeldt; Scherber; Schimke; Schindler; Schmidt; Shide; Skar; Skjerven; Soukup; St. Aubyn; Starke; Svedjan; Thompson; Thorpe; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Whalen; Speaker R. Anderson

**ABSENT AND NOT VOTING:** Clayburgh

HB 1093 was declared lost.

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**HB 1143:** A BILL for an Act to amend and reenact sections 15-21-15 and 54-24-09 of the North Dakota Century Code, relating to copies of state publications furnished to the state library.

#### 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 0 YEAS, 104 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

HB 1143 was declared lost.

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**HB 1233:** A BILL for an Act to create and enact a new subsection to section 15-10-19 of the North Dakota Century Code, relating to residency of students for purposes of tuition.

#### 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 28 YEAS, 75 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Bernstein; Brown; Carlson; DeWitz; Dorso; Enget; Gabrielson; Gorman; Hokana; Howard; Kolbo; Kretschmar; Kroeber; Myrdal; Olson, D.; Olson, A.; Schindler; Schneider; Shide; Skar; Skjerven; Soukup; Timm; Trautman; Wardner; Whalen; Speaker R. Anderson

**NAYS:** Anderson, B.; Bateman; Belter; Berg, G.; Berg, R.; Bodine; Boehm; Boucher; Brokaw; Byerly; Carlisle; Cleary; Coats; Dalrymple; Delzer; DeMers; Erickson; Flaagan; Freier; Gates; Gerntholz; Gilmore; Goffe; Gorder; Grosz; Grumbo; Hanson; Henegar; Huether; Jacobson; Jensen; Kaldor; Kelsch; Kerzman; Kloubec; Kunkel; Larson; Laughlin; Linderman;

Mahoney; Martin; Martinson; Miller; Muhs; Mutzenberger; Nelson; Nicholas; Nichols; Nowatzki; Oban; Payne; Peterson; Porter; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schimke; Schmidt; Snyder; St. Aubyn; Starke; Stofferahn; Svedjan; Thompson; Thorpe; Tollefson; Urlacher; Wald; Wentz; Wilkie; Williams

ABSENT AND NOT VOTING: Clayburgh; Hausauer; Meyer

HB 1233 was declared lost.

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HB 1281: A BILL for an Act to amend and reenact section 5-02-02 of the North Dakota Century Code, relating to the qualifications of an applicant for a retail license to sell alcoholic beverages.

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 0 YEAS, 103 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

NAYS: Aarsvold; Anderson, B.; Bateman; Belter; Berg, G.; Berg, R.; Bernstein; Bodine; Boehm; Boucher; Brokaw; Brown; Byerly; Carlisle; Carlson; 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; Miller; Muhs; Mutzenberger; Myrdal; Nelson; Nicholas; Nichols; Nowatzki; Oban; Olsen, D.; Olson, A.; Payne; Peterson; Porter; Price; Pyle; Rennerfeldt; Ring; Ritter; 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: Clayburgh; Meyer; Rydell

HB 1281 was declared lost.

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HB 1292: A BILL for an Act to authorize the director of the department of human services to transfer title and convey certain land owned by the state of North Dakota at the state hospital.

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 103 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Bateman; Belter; Berg, G.; Berg, R.; Bernstein; Bodine; Boehm; Boucher; Brokaw; Brown; Byerly; Carlisle; Carlson; 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; Wardner; Wentz; Whalen; Wilkie; Williams; Speaker R. Anderson

ABSENT AND NOT VOTING: Clayburgh; Muhs; Wald

HB 1292 passed and the title was agreed to.

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HB 1377: A BILL for an Act to amend and reenact section 49-09-15 of the North Dakota Century Code, relating to the recording of conveyances of utility real property other than right of way.

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; 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: Clayburgh

HB 1377 passed and the title was agreed to.

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HB 1396: A BILL for an Act to create and enact a new subsection to section 15-65-03 of the North Dakota Century Code, relating to the powers and duties of the educational telecommunications council; and to provide an appropriation.

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 17 YEAS, 88 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Berg, G.; Bernstein; Carlson; Grumbo; Hokana; Huether; Kretschmar; Linderman; Miller; Muhs; Mutzenberger; Oban; Ring; Ritter; Stofferahn; Tollefson

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

ABSENT AND NOT VOTING: Clayburgh

HB 1396 was declared lost.

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MOTION

REP. TOLLEFSON MOVED that HB 1404 be laid over one legislative day, which motion prevailed.

SECOND READING OF HOUSE BILLS

HB 1419: A BILL for an Act to amend and reenact subsection 3 of section 20.1-02-17.1 and sections 20.1-02-18.1 and 54-01.1-08 of the North Dakota Century Code, relating to functions and duties of the office of intergovernmental assistance; and to repeal chapter 54-44.5 of the North Dakota Century Code, relating to the office of intergovernmental assistance.

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 0 YEAS, 103 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

NAYS: Aarsvold; Anderson, B.; Bateman; Belter; Berg, G.; Berg, R.; Bernstein; Bodine; Boehm; Boucher; Brokaw; Brown; Byerly; Carlisle; Carlson; 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; Scherber; Schimke; Schindler; Schmidt; Schneider; Shide; Skar; Skjerven; Snyder; Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Thompson; Thorpe; Timm; Tollefson; Trautman; Urlacher; Wardner; Wentz; Whalen; Wilkie; Williams; Speaker R. Anderson

ABSENT AND NOT VOTING: Clayburgh; Rydell; Wald

HB 1419 was declared lost.

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HB 1422: A BILL for an Act to amend and reenact subsection 1 of section 23-30-02 of the North Dakota Century Code, relating to the area to be included in a hospital district.

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 100 YEAS, 3 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Bateman; Belter; Berg, G.; Berg, R.; Bernstein; Bodine; Boehm; Boucher; Brokaw; Byerly; Carlisle; Carlson; 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; 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; Whalen; Wilkie; Williams; Speaker R. Anderson

NAYS: Brown; Cleary; Nicholas

ABSENT AND NOT VOTING: Clayburgh; Urlacher; Wald

HB 1422 passed and the title was agreed to.

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HB 1456: A BILL for an Act to amend and reenact section 10-30.2-12 and subdivision q of subsection 1 of section 57-38-01.2 of the North Dakota Century Code, relating to venture capital corporations; to repeal chapter 10-30.1, subsection 13 of section 10-04-05, and subsection 13 of section 10-04-06 of the North Dakota Century Code, relating to venture capital corporations; and to provide for transition.

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 2 YEAS, 102 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Bateman; Schimke

NAYS: Aarsvold; Anderson, B.; Belter; Berg, G.; Berg, R.; Bernstein; Bodine; Boehm; Boucher; Brokaw; Brown; Byerly; Carlisle; Carlson; 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; Schindler; Schmidt; Schneider; Shide; Skar; Skjerven; Snyder; Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Thompson; Thorpe; Timm; Tollefson; Trautman; Urlacher; Wardner; Wentz; Whalen; Wilkie; Williams; Speaker R. Anderson

ABSENT AND NOT VOTING: Clayburgh; Wald

HB 1456 was declared lost.

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HB 1459: 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 governing the issuance of certificates of title for salvage and junk motor vehicles; 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 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; 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; Wardner; Wentz; Whalen; Wilkie; Williams; Speaker R. Anderson

ABSENT AND NOT VOTING: Clayburgh; Wald

HB 1459 passed and the title was agreed to.

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HB 1466: A BILL for an Act to provide an appropriation for the purchase of high technology research equipment service contracts.

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 19 YEAS, 86 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Berg, G.; Brokaw; Carlson; Cleary; Gabrielson; Gorman; Hokana; Huether; Jacobson; Kretschmar; Martinson; Muhs; Ring; Scherber; Schneider; Snyder; St. Aubyn; Thorpe; Trautman

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

ABSENT AND NOT VOTING: Clayburgh

HB 1466 was declared lost.

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HB 1484: A BILL for an Act to create and enact a new section to chapter 57-35, a new section to chapter 57-35.1, and a new section to chapter 57-35.2 of the North Dakota Century Code, relating to taxation of banks, trust companies, and building and loan associations; 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 100 YEAS, 5 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; Cleary; Coats; Dalrymple; Delzer; DeMers; DeWitz; Dorso; 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; Nowatzki; Oban; Olsen, D.; Olson, A.; Payne; Peterson; Porter; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schimke; Schindler; Schmidt; Schneider; Shide; Skar; Skjerven; Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Thompson; Thorpe; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Whalen; Wilkie; Speaker R. Anderson

NAYS: Enget; Erickson; Nichols; Snyder; Williams

ABSENT AND NOT VOTING: Clayburgh

HB 1484 passed and the title was agreed to.

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HB 1520: A BILL for an Act to amend and reenact section 39-21-45.1 of the North Dakota Century Code, relating to equipment on modified motor vehicles.

## 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 17 YEAS, 87 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Berg, G.; Bernstein; Brokaw; Byerly; DeWitz; Gates; Hokana; Laughlin; Olson, A.; Porter; Rennerfeldt; Schindler; Skar; Skjerven; Tollefson; Wald; Whalen

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

ABSENT AND NOT VOTING: Clayburgh; Stofferahn

HB 1520 was declared lost.

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## MOTION

REP. KLOUBEC MOVED that the rules be suspended and that HB 1461 and HB 1574, which were acted upon on today's Sixth order, be deemed properly engrossed and placed on the Eleventh order, as amended, for second reading and final passage, which motion prevailed.

## SECOND READING OF HOUSE BILLS

HB 1461: A BILL for an Act to create and enact a new subsection to section 57-38-60 of the North Dakota Century Code, relating to filing of agricultural employers' returns and remittances under income tax withholding laws; 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 104 YEAS, 1 NAY, 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; Cleary; Coats; Dalrymple; Delzer; DeMers; DeWitz; Dorso; Enget; Erickson; Flaagan; Freier; Gabrielson; Gates; Gerntholz; Gilmore; Goffe; 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

NAYS: Gorder

ABSENT AND NOT VOTING: Clayburgh

HB 1461 passed and the title was agreed to.

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HB 1574: A BILL for an Act to allow imposition of a city option sales tax at a regular or special city election.

MOTION

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

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 78 YEAS, 27 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Berg, G.; Berg, R.; Bernstein; Boucher; Brokaw; Brown; Carlisle; Carlson; Cleary; Coats; DeMers; Enget; Erickson; Flaagan; Freier; Gabrielson; Gates; Gerntholz; Gilmore; Goffe; Gorder; Gorman; Grosz; Hanson; Hausauer; Henegar; Howard; Jacobson; Jensen; Kelsch; Kloubec; Kolbo; Kretschmar; Kroeber; Larson; Laughlin; Martinson; Miller; Muhs; Mutzenberger; Myrdal; Nelson; Nicholas; Nowatzki; Oban; Olsen, D.; Olson, A.; Payne; Peterson; Porter; Price; Pyle; Ring; Ritter; Rydell; Scherber; Schimke; Schindler; Schneider; Shide; Skar; Skjerven; Snyder; Soukup; St. Aubyn; Starke; Svedjan; Thorpe; Timm; Tollefson; Trautman; Wald; Wardner; Wentz; Wilkie; Williams; Speaker R. Anderson

NAYS: Aarsvold; Bateman; Belter; Bodine; Boehm; Byerly; Dalrymple; Delzer; DeWitz; Dorso; Grumbo; Hokana; Huether; Kaldor; Kerzman; Kunkel; Linderman; Mahoney; Martin; Meyer; Nichols; Rennerfeldt; Schmidt; Stofferahn; Thompson; Urlacher; Whalen

ABSENT AND NOT VOTING: Clayburgh

HB 1574 passed and the title was agreed to.

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SECOND READING OF HOUSE CONCURRENT RESOLUTIONS ON CONSENT CALENDAR

HCR 3006: A concurrent resolution directing the Legislative Council to study and establish procedures necessary to implement annual sessions of the Legislative Assembly beginning in 1993 and 1994.

HCR 3017: A concurrent resolution directing the Legislative Council to study employment opportunities for older workers, including barriers, benefit and retirement program options, and workplace education and training, so that older workers can maintain their economic security.

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.

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

The resolutions were declared adopted on a voice vote.

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MOTIONS

REP. KLOUBEC MOVED that the absent member be excused, which motion prevailed.

REP. KLOUBEC MOVED that the House be on the Fifth order of business, and at the conclusion of the Fifth order, the House be on the Thirteenth order of business, and at the conclusion of the Thirteenth order, the House stand adjourned until 1:00 p.m., Monday, February 11, 1991, which motion prevailed.

#### REPORTS OF STANDING COMMITTEES

HB 1044: Committee on State and Federal Government (Rep. Martinson, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (11 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 2, line 27, replace "Ensure" with "Promote"

Page 3, line 4, replace "Instill" with "Promote"

Page 3, line 16, replace "Provide" with "Encourage"

Page 3, line 18, replace "Ensure the safety of visitors, the security of their" with "Promote a tourist environment that respects our visitor's"

Page 3, line 19, remove "belongings, and the protection of their"

Page 3, remove lines 22 and 23

Page 3, line 24, replace "m" with "l"

Page 4, line 1, replace "n" with "m" and replace "Create" with "Promote"

Page 4, line 6, replace "o" with "n"

Page 4, line 8, replace "p" with "o"

Page 4, line 11, replace "q" with "p"

Page 4, line 14, replace "r. Ensure the protection of" with "q. Take measures to protect"

Page 4, line 17, replace "s" with "r"

Page 4, line 19, replace "t" with "s"

Re-number accordingly

HB 1123: Committee on Natural Resources (Rep. A. Olson, Chairman) recommends DO PASS (15 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING) HB 1123 was placed on the Eleventh order on the calendar.

HB 1146: Committee on Natural Resources (Rep. A. Olson, Chairman) recommends DO PASS (14 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1146 was placed on the Eleventh order on the calendar.

HB 1172: Committee on Natural Resources (Rep. A. Olson, Chairman) recommends DO NOT PASS (12 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING). HB 1172 was placed on the Eleventh order on the calendar.

HB 1175: Committee on Natural Resources (Rep. A. Olson, Chairman) recommends DO PASS (14 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1175 was placed on the Eleventh order on the calendar.

HB 1180: Committee on Judiciary (Rep. Kretschmar, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (13 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 1, line 9, replace "may" with "shall"

Page 1, line 12, replace "If" with "When"

Page 2, line 1, replace "sixty" with "ninety"

ReNUMBER accordingly

HB 1193: Committee on State and Federal Government (Rep. Martinson, Chairman) recommends DO PASS (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1193 was placed on the Eleventh order on the calendar.

HB 1211: Committee on Political Subdivisions (Rep. Martin, Chairman) recommends DO NOT PASS (12 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). HB 1211 was placed on the Eleventh order on the calendar.

HB 1212: Committee on Judiciary (Rep. Kretschmar, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 1, line 1, remove "12-54.1-02,"

Page 1, line 4, after "facilities" insert "; and to repeal section 12-54.1-02 of the North Dakota Century Code, relating to good conduct sentence reduction"

Page 1, line 8, overstrike "Good conduct" and insert immediately thereafter "Performance based"

Page 1, line 10, overstrike "good conduct" and overstrike the period

Page 1, line 22, after the overstruck period insert "based upon performance criteria established through penitentiary rules. Performance criteria includes participation in court ordered or staff recommended treatment and education programs and good work performance."

Page 2, line 2, replace "inmate's sentence may be reduced" with "inmate may earn" and after "days" insert "good time"

Page 2, remove lines 4 through 21

Page 2, line 24, remove the overstrike over "~~Meritorious~~" and remove "Performance"

Page 2, line 25, overstrike "sections" and insert immediately thereafter "section" and overstrike "and 12-54.1-02,"

Page 2, line 29, remove the overstrike over "~~of meritorious conduct~~" and remove "performance"

Page 3, line 1, remove the overstrike over "~~outstanding~~" and remove the overstrike over "~~or heroic acts~~"

Page 3, line 2, remove the overstrike over "~~Such~~", remove "~~Any~~", and remove "for a special control or"

Page 3, line 3, remove "security measure"

Page 3, line 5, after "rehabilitation" insert " Any sentence reduction for special control or security measures may not exceed two days good time per month per inmate"

Page 3, line 24, overstrike "good conduct" and insert immediately thereafter "the performance", overstrike "reductions" and insert immediately thereafter "reduction", overstrike "sections" and insert immediately thereafter "section", and overstrike "and 12-54.1-02"

Page 3, line 25, overstrike "were" and insert immediately thereafter "was"

Page 3, after line 25, insert:

"SECTION 4. REPEAL. Section 12-54.1-02 of the North Dakota Century Code is repealed."

Renumber accordingly

HB 1256: Committee on Political Subdivisions (Rep. Martin, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (14 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 2, line 8, after the second "of" insert "the" and overstrike "voting"

Page 2, line 9, overstrike "in the political subdivision at the last" and insert immediately thereafter "who voted in the most recent general" and overstrike "that the office of the"

Page 2, line 10, overstrike "official sought to be recalled was on the ballot"

Renumber accordingly

HB 1260: Committee on Judiciary (Rep. Kretschmar, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (14 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 1, line 20, after "fund" insert "and the purse fund"

Page 2, line 13, after "fund" insert "and the purse fund"

Renumber accordingly

HB 1290: Committee on Judiciary (Rep. Kretschmar, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (10 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 1, line 21, replace "twenty" with "ten"

Renumber accordingly

HB 1296: Committee on Human Services and Veterans Affairs (Rep. Larson, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (13 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 1, line 6, after "is" insert "determined by a physician to be"

Page 1, line 13, after "guardian" insert "or custodian"

Page 1, line 19, after "patient" insert ", including a stepparent who has maintained significant contacts with the incapacitated person"

Page 1, line 20, after "patient" insert "who have maintained significant contacts with the incapacitated person" and remove "or"

Page 1, after line 20, insert:

"g. Grandparents of the patient;

h. Grandchildren of the patient who are at least eighteen years of age and who have maintained significant contacts with the incapacitated person; or"

Page 1, line 21, replace "g" with "i", after "close" insert "relative or", and after "patient" insert "who has maintained significant contacts with the incapacitated person"

Page 2, line 10, replace "or if" with ". If", remove "two or", and after "more" insert "than two"

Page 2, line 11, replace "and" with ", a majority of the available members of the class may make" and remove "is not unanimous among all available members"

Page 2, line 12, remove "of that class"

Page 2, after line 19, insert:

"4. No person authorized to provide informed consent pursuant to this section may provide consent for sterilization, abortion, psychosurgery, or admission to a state mental health facility or a secured unit of a long-term care facility. No effective consent pursuant to this section may be provided if the person being treated objects."

ReNUMBER accordingly

HB 1299: Committee on Political Subdivisions (Rep. Martin, Chairman) recommends DO PASS (11 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING). HB 1299 was placed on the Eleventh order on the calendar.

HB 1319: Committee on Judiciary (Rep. Kretschmar, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (15 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 1, line 11, remove "or having recently consumed"

Page 1, line 12, after "service" insert ", being under the influence of alcoholic beverages"

Page 1, line 19, overstrike "health and"

Page 1, line 20, overstrike "consolidated laboratories" and insert immediately thereafter "human services"

ReNUMBER accordingly

HB 1322: Committee on State and Federal Government (Rep. Martinson, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (10 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 1, line 13, after the period insert "If the employee refuses to sign the copy to be filed, the agency head or the agency head's designated representative shall indicate on the copy that the employee was shown the material, was requested to sign the material to verify that the material had been read, and that the employee refused to sign the copy to be filed. In the presence of the employee and a witness, the agency head or the agency head's designated representative shall sign and date a statement verifying the refusal of the employee to sign the copy to be filed. The material must then be placed in the file."

Page 1, line 15, replace "No rebutted material may" with "The employee's answer to material filed may not"

Page 1, line 17, remove "of a derogatory nature"

Page 1, line 18, after "unfounded" insert "through an established grievance procedure"

Page 2, line 2, replace "at any" with "by appointment during normal business hours"

Page 2, line 3, remove "time"

Page 2, remove lines 6 through 9

Page 2, line 10, replace "6" with "5" and after "reproduce" insert "at the employee's expense"

Page 2, line 12, replace "7" with "6"

Page 2, line 16, replace "8" with "7"

Page 2, line 19, remove "However, if these records contain derogatory"

Page 2, remove lines 20 through 23

Page 2, line 24, replace "9" with "8"

Page 3, after line 10, insert:

"SECTION 3. Public employee - Definition. As used in this Act, the term "public employee" means any person employed by the state and does not include persons employed by any political subdivision of the state."

Reumber accordingly

HB 1340: Committee on Judiciary (Rep. Kretschmar, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (9 YEAS, 5 NAYS, 2 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 1, line 16, after "in" insert "subsections 1, 5, and 6 of" and after "47-26-01" insert ". For purposes of this section, the features defined as legal fences in subsections 2, 3, and 4 of section 47-26-01 do not constitute legal fences"

Reumber accordingly

HB 1360: Committee on State and Federal Government (Rep. Martinson, Chairman) recommends DO PASS (10 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). HB 1360 was placed on the Eleventh order on the calendar.

HB 1380: Committee on State and Federal Government (Rep. Martinson, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 1, line 15, replace "two" with "a current" and replace "appraisals" with "appraisal"

Reumber accordingly

HB 1381: Committee on Transportation (Rep. Belter, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (12 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 1, line 2, replace "a penalty" with "liability for damages"

Page 1, line 8, remove "- Penalty"

Page 1, line 9, after "approaches" insert "must be given notice by the board of commissioners for that county that the encroachment has been discovered. If the landowner fails to remedy the encroachment within twenty days after receiving the notice, that landowner"

Page 1, line 17, remove "A landowner who fails to"

Page 1, remove lines 18 and 19

Renumber accordingly

HB 1382: Committee on State and Federal Government (Rep. Martinson, Chairman) recommends DO PASS (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1382 was placed on the Eleventh order on the calendar.

HB 1386: Committee on Finance and Taxation (Rep. Timm, Chairman) recommends DO NOT PASS (14 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1386 was placed on the Eleventh order on the calendar.

HB 1387: Committee on Finance and Taxation (Rep. Timm, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (13 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 1, line 13, overstrike "five" and insert immediately thereafter "ten"

Page 1, line 14, remove the overstrike over "~~Provided, however, that the~~" and remove "The period"

Page 1, remove lines 15 through 17

Page 1, line 18, remove "this state. The"

Page 2, line 21, overstrike "five" and insert immediately thereafter "ten"

Page 2, line 22, remove "The period for which an exemption may"

Page 2, remove lines 23 and 24

Page 2, line 25, remove "from agricultural commodities grown in this state."

Renumber accordingly

HB 1400: Committee on State and Federal Government (Rep. Martinson, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (8 YEAS, 6 NAYS, 1 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 1, line 7, replace "fourth Friday in" with "twenty-eighth day of"

Page 1, line 8, replace "the courage and" with "American workers who have been killed, injured, or diseased on the job."

Page 1, remove line 9

Renumber accordingly

HB 1432: Committee on Judiciary (Rep. Kretschmar, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO NOT PASS (12 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 1, line 2, replace the first "state" with "public" and remove "and elected state"

Page 1, line 3, remove "officers"

Page 1, line 7, replace "state" with "public" and remove "and elected officials"

Page 1, line 8, replace "an elected" with "a political subdivision of the" and remove "official"

Page 1, line 10, replace "a state" with "an", after "employee" insert "of the state", and replace "officer" with "a political subdivision of the state"

Page 1, line 11, replace the first "state" with "public" and remove "or elected state officer"

Page 1, line 13, replace "state" with "government" and after the period insert "This section does not apply to elected officials."

ReNUMBER accordingly

HB 1438: Committee on State and Federal Government (Rep. Martinson, Chairman) recommends DO NOT PASS (8 YEAS, 7 NAYS, 0 ABSENT AND NOT VOTING). HB 1438 was placed on the Eleventh order on the calendar.

HB 1446: Committee on Transportation (Rep. Belter, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 2, line 12, replace "expunge from the operator's" with "record the suspension separately on the driving record. This separate record is not available to the public."

Page 2, remove lines 13 through 15

ReNUMBER accordingly

HB 1452: Committee on Natural Resources (Rep. A. Olson, Chairman) recommends DO PASS (16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1452 was placed on the Eleventh order on the calendar.

HB 1470: Committee on Judiciary (Rep. Kretschmar, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION (16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 1, line 6, replace "The" with "Except for determining resident status for tuition purposes at institutions under the control of the state board of higher education, the"

Page 1, line 8, remove "for all other purposes"

ReNUMBER accordingly

HB 1492: Committee on Transportation (Rep. Belter, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

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

Page 1, after line 5, insert:

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

ReNUMBER accordingly

HB 1502: Committee on Judiciary (Rep. Kretschmar, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO NOT PASS (14 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 1, line 7, overstrike "void"

Page 1, line 18, replace "shall" with "may"

Renumber accordingly

HB 1532: Committee on State and Federal Government (Rep. Martinson, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (8 YEAS, 7 NAYS, 0 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 1, line 18, after the period insert "The election for the employee representatives is under the authority of and must be conducted in a manner prescribed by the commissioner of labor."

Page 2, line 9, after "each" insert "year of the"

Renumber accordingly

HB 1551: Committee on Transportation (Rep. Belter, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 1, line 1, after "Act" insert "to create and enact a new subsection to section 24-01-01.1 of the North Dakota Century Code, relating to definition of the director of the department of transportation; and"

Page 1, after line 3, insert:

"SECTION 1. A new subsection to section 24-01-01.1 of the 1989 Supplement to the North Dakota Century Code is created and enacted as follows:

"Director" means the director of the department of transportation."

Renumber accordingly

HB 1584: Committee on State and Federal Government (Rep. Martinson, Chairman) recommends DO PASS (8 YEAS, 7 NAYS, 0 ABSENT AND NOT VOTING). HB 1584 was placed on the Eleventh order on the calendar.

HCR 3022: Committee on Natural Resources (Rep. A. Olson, Chairman) recommends DO PASS and BE PLACED ON THE CONSENT CALENDAR (16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3022 was placed on the Tenth order.

HCR 3027: Committee on Natural Resources (Rep. A. Olson, Chairman) recommends DO PASS and BE PLACED ON THE CONSENT CALENDAR (16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3027 was placed on the Tenth order.

#### FIRST READING OF SENATE BILLS

SB 2325: A BILL for an Act to amend and reenact section 11-11-05 of the North Dakota Century Code, relating to the time of meetings of the board of county commissioners.

Was read the first time and referred to the Committee on Political Subdivisions.

SB 2333: A BILL for an Act to amend and reenact sections 11-09.1-03 and 11-09.1-04 of the North Dakota Century Code, relating to the submission of a proposed county home rule charter to a vote of qualified electors at a special election and the time of taking effect of an approved county home rule charter.

Was read the first time and referred to the Committee on Political Subdivisions.

SB 2334: A BILL for an Act to amend and reenact section 11-09-02 of the North Dakota Century Code, relating to the submission of a proposed county managership form of government to a vote at the next primary or general election or a special election called by the board of county commissioners.

Was read the first time and referred to the Committee on Political Subdivisions.

SB 2372: A BILL for an Act to create and enact two new subsections to section 25-03.1-02 of the North Dakota Century Code, relating to definitions of commitment procedures; and to amend and reenact subsection 14 of section 25-03.1-02 and section 25-03.1-43 of the North Dakota Century Code, relating to definitions used in commitment procedures and the confidentiality of records of patients in a treatment facility.

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

SB 2383: A BILL for an Act to amend and reenact section 23 of chapter 341 of the 1989 Session Laws of North Dakota, relating to reimbursement under the petroleum release compensation fund; and to declare an emergency.

Was read the first time and referred to the Committee on Industry, Business and Labor.

SB 2386: A BILL for an Act to create and enact a new section to chapter 36-21 of the North Dakota Century Code, relating to civil liability of a person for turning out livestock.

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

SB 2388: A BILL for an Act to amend and reenact subsection 1 of section 39-06-17 of the North Dakota Century Code, relating to authority to impose restrictions on a motor vehicle operator's license.

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

SB 2454: A BILL for an Act to amend and reenact section 11-15-07 of the North Dakota Century Code, relating to county fees charged and collected by the sheriff.

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

SB 2460: A BILL for an Act to amend and reenact section 63-01.1-13.1 of the North Dakota Century Code, relating to noxious weed control on game and fish land.

Was read the first time and referred to the Committee on Natural Resources.

SB 2472: A BILL for an Act to create and enact a new section to chapter 15-38 of the North Dakota Century Code, relating to certificated teachers.

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

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

ROY GILBREATH, Chief Clerk