

JOURNAL OF THE HOUSE

Fifty-second Legislative Assembly

* * * * *

Bismarck, February 22, 1991

The House convened at 9:00 a.m., with Speaker R. Anderson presiding.

The prayer was offered by Pastor Mark Kolbo, United Lutheran Church, Brocket.

The roll was called and all members were present except Representatives Gorman and Ritter.

A quorum was declared by the Speaker.

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

Page 783, line 33, after the word "Day" insert ", which motion prevailed"

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

LIST OF CURRENTLY REGISTERED LOBBYISTS
FIFTY-SECOND LEGISLATIVE SESSION
PURSUANT TO RULE 203(1)

INDEX

-A-

Adams, Cliff W.	Teamster Joint Council 82 Teamster Local Union 116
Ahlness, Paul L.	ND Medical Association
Alexander, Lynn E.	The Nature Conservancy
Allen, Earl	Tax Payers Union, Inc.
Amundson, Joe D.	Teamsters Joint Council 82 Teamsters Local Union 116
Andersen, Eric P.	AVO Financial Services ND Consumer Finance Association
Anderson, Dale O.	Greater North Dakota Association
Anderson, Harold L.	Alchem, Ltd. ND Dental Association ND Funeral Directors Association ND Hospital Association Northwest Airlines
Anderson, Howard C., Jr.	ND Pharmaceutical Association ND State Board of Pharmacy
Anderson, Sonna M.	ND Funeral Directors Association
Andrews, Conrad W.	Myron G. Nelson Fund
Anseth, Leslie K.	I.B.E.W. Local Union 714 PAC

Armstrong, Myrt	Mental Health Association of North Dakota
Asplund, Kathy D.	ND Credit Union League
Austin, James A.	Blue Cross/Blue Shield of North Dakota
Austin, Timothy J.	Greater North Dakota Association ND Coalition of Health Treatment Providers ND Consulting Engineers Council, Inc. ND County Judges Association Professional Rehabilitation Management Red River and Western Railroad Red River Human Services Foundation Smokeless Tobacco Council, Inc. Soo Line Railroad USPCI and Subsidiaries
Axtman, Benjamin	Baker Electric Cooperative, Inc.
-B-	
Baar-Hoechst, Wanda	Transportation Communications Union
Bard, Dean F.	ND Real Estate Commission ND Small Organized Schools
Barfield, Robert A.	West River Mutual Aid Telephone Corporation
Bartle, Patty W.	Association for Retarded Citizens of North Dakota (ARC)
Beeks, William A.	ND Agricultural Aviation Association
Belsly, Robert J.	Nodak Mutual Insurance Company
Bender, Lawrence	Associated General Contractors General Motors Corporation R.J. Reynolds Tobacco Company
Benz, Darold	Coal Conversion Counties
Berge, John N.	The American Legion, Department of North Dakota
Bergstad, Dick O.	International Brotherhood Electrical Workers ND Building Construction Trade Council ND Electrical Workers Council
Bernhoft, Otto	ND Retired Teachers Association
Berry, Shirley	ND Association of Builders
Bertoch, Ronald H.	BNI Coal, Ltd.
Bertsch, Kenneth J.	Nodak Mutual Insurance Company North Dakota Farm Bureau

Birst, Clinton E., Reverend	Alliance Action ND Alliance ND Home School Association
Bjornson, Scott K.	ND Grain Dealers Association
Blazer, Brenda L.	ND Association of EMTs/ECTs
Boesflug, Joe A.	Dickinson Fire Department ND Firemen's Association
Bourgois, Lorraine A.	ND Nurses Association
Bowersox, Bruce D.	Community Hospital Home Association
Boyd, Dennis W. E.	MDU Resources, Inc.
Boyd, Sue K.	Communication Workers of America Local Union 7301 Communication Workers of America Local Union 7303 Missouri Slope Central Labor Council
Bradley, Patrick J.	First Bank of North Dakota, National Association
Braeger, Scott F.	James Valley Electric Cooperative, Inc.
Bragg, Karen L.	Bragg, Karen L.
Brown, John H.	Amway Corporation
Buell, Jenny W.	ND Academy of Anesthesiology ND Academy of Ophthalmology ND Medical Auxiliary
Buffaloe, William B.	Rhone Poulens Ag Company
Busche, Helen	ND Education Association
Butcher, Dina S.	Ag Coalition American Coalition for Ethanol ND Grain Growers Association U.S. Durum Growers Association
Bye, Kermit E.	American Express Travel Related Services, Inc. Myron G. Nelson Fund, Inc. ND Consumer Finance Association ND Judges Association Norwest Financial, Inc.
-C-	
Campbell, David B.	ND Chapter of the Appraisal Institute
Carlson, Bruce R.	ND Association of Rural Electric Cooperatives
Carlson, Hjalmer, Jr.	ND Waste Handlers Association, Inc.
Carlson, Ray	West River Mutual Aid Telephone Corporation

Carlson, Robert C.	Bismarck Fire and Inspection Department
Carlson, Robert L.	ND Farmers Union
Cashman, Carol A.	ND Academy of Anesthesiology ND Academy of Ophthalmology
Caya, Clifford E.	Disabled Workers of North Dakota
Christianson, Keith L.	Christianson, Keith L.
Cichy, Joseph J.	ND State Board of Dental Examiners
Collins, Jim R.	Cass County Wildlife Club
Cook, Charles E.	American Freedom Coalition of North Dakota, Inc.
Cool, Janet E.	Exxon Company USA
Corwin, Virginia T.	ND Association of Nurse Anesthetists ND Optometric Association Philip Morris Inc.
Craven, C. J.	I.A.F.F. Local Union 1157
Cross, Norman	ND Association of Telephone Cooperatives
Crothers, David	ND Association of Telephone Cooperatives
-D-	
Debacker, William J.	ND Cable Television Association
DeKrey, W. Warren	Community Banks for Competition Norwest Bank North Dakota N.A. Norwest Corporation Norwest Insurance Norwest Investment Services Norwest Mortgage
Denning, Jill D.	ND Coalition for Adult Literacy ND Newspaper Association
Diemert, Dan	ND Association of Telephone Cooperatives
Dieterle, Myron Henry	ND Weed Control Association
Dietz, Nancy J.	ND Chapter of the Wildlife Society (NDCTWS)
Dirk, Joseph D.	The Moose Lodge
Doan, Jerry A.	ND Ag Coalition
Dockter, Walter L.	ND Veterans' Coordinating Council
Donnelley, Elise M.	Aging Network of North Dakota
Dooley, Patrick J.	Northern States Power Company
Dunn, Eddie	Greater North Dakota Association

Dwyer, John W.	ND Lignite Council
Dwyer, Michael A.	ND Manufactured Housing Association ND Water Resource Districts Association ND Water Users Association ND Weather Modification Association

-E-

Easton, Howard F.	ANG Coal Gasification Company Basin Cooperative Services Basin Electric Power Cooperative Dakota Coal Company Dakota Gasification Company
Edman, Matt	Minnkota Power Cooperative
Elkin, Richard A.	Burlington Northern Railroad
Ellingson, Orlando (Duke) V.	ND Veterans' Coordinating Council
Enewold, Richard H.	AT&T
Engelhardt, Kyle	ND Long-Term Care Association
Erhart, Doug M.	Brotherhood of Maintenance of Way Employees
Erickson, David	ND Bankers Association
Ernst, LeRoy H.	ND Motor Carriers Association
Evans, David L.	ND Chiropractic Association

-F-

Fabricius, Al	Nodak Mutual Insurance Company
Fahy, Vern	Garrison Conservancy District
Falk, Dennis L.	Prairie Public Broadcasting, Inc.
Farrell, Joe E.	National Multi Housing Council ND Apartment Association
Feiring, Janell R.	ND Stockmen's Association
Fergel, Virginia L.	ND Right to Life Association
Fettig, Irv S.	I.B.E.W. Local Union 1593
Fladeland, Michael L.	Industrial Development Association
Fleck, Ernest R.	Burlington Resources, Inc. Charitable Gaming Association of North Dakota
Flom, Harold J.	International Union of Operating Engineers
Foss, Marilyn K.	Independent Community Banks of North Dakota
Foy, Richard L.	Professional Firefighters of North Dakota

Frederick, Vernard	Mor-Gran-Sou Electric Cooperative, Inc.
French, Kent	North Dakotans for Better Government
Friesz, Gerard T.	ND Public Employees Association, Inc.
Funston, David A.	ND Building Trades

-G-

Gaebe, Lance D.	ND State University Student Government
Gass, Carol	National Women's Health Action Fund ND Choice Coalition
Gaydos, Mark S.	Independent North Dakota State Employees Association
Gehrke, Gene M.	ND Township Officers Association
Gendreau, Keith	ND Long-Term Care Association
Georgeson, Aldon R.	ND Veterans' Coordinating Council
Gerber, Beata M.	Transplant Association of the Prairie, Inc.
Gerber, James L.	Transplant Association of the Prairie, Inc.
Gibbins, Victor H.	Gibbins, Victor H.
Giese, Archie	Mor-Gran-Sou Electric Cooperative, Inc.
Giese, John	Norwest Bank North Dakota N.A. Norwest Corporation Norwest Insurance Norwest Mortgage
Gifford, C. Lynn	National Abortion Rights Action League of North Dakota ND Women's Political Caucus
Gilbertson, Joel W.	American Insurance Association
Gilderhus, R. S.	Red River Human Services Foundation
Gilman, Donald E.	ND Firemen's Association
Glaesemann, Vernon	ND Association of Rural Elec. Cooperatives
Glatt, Joe G.	ND Association of Rural Elec. Cooperatives
Godfread, Carolyn	Natural Science Society The Nature Conservancy
Goetzfried, Anthony (Tony) L.	Teamsters Local Union 123 Teamsters Union Joint Council 82

Graveline, Robert J.	American Petroleum Institute Rocky Mountain Oil and Gas Association
Gray, Dwaine	Industrial Development Association
Grenz, Donavin L.	ND County Judges Association
Grosz, Richard W.	ND Board of Registry in Podiatry
Grosz, William J.	ND Pharmaceutical Association ND State Board of Pharmacy
-H-	
Haaland, Susan M.	Plains Art Museum
Hager, Bruce A.	United Transportation Union
Hager, Tim	ND Long-Term Care Association
Hagerty, Gail	ND County Judges Association
Haggard, Clarence C.	The Old Non-Partisan League
Hallock, Jim	Norwest Bank North Dakota N.A. Norwest Corporation Norwest Insurance Norwest Investment Services Norwest Mortgage
Hamerlik, Michael F.	Blue Cross/Blue Shield of North Dakota Lincoln Mutual Life & Casualty Insurance Company
Hancock, Keith	Direct Selling Association (D.S.A.)
Hansen, Thomas E.	Norwest Bank North Dakota N.A. Norwest Corporation Norwest Insurance Norwest Investment Services Norwest Mortgage
Hansen, Wayne	ND Long-Term Care Association
Hanson, Russell L.	Association of Former Public Employees Independent ND State Employees Association National Association of Social Workers National Electrical Contractors Association ND Association of Plumbing, Heating, and Mechanical Contractors ND Coalition for Impaired Health Professional ND Retired Teachers Association ND Wildlife Federation Society for Higher Education Professionals United Sportsmen of North Dakota
Hardy, Rick	ND Grain Dealers Association
Hart, Susan B	Soil and Water Conservation Society, North Dakota Chapter

Hatlestad, Walt	ND Education Association
Haugaard, Anne	ND Retired Teachers Association
Haugland, Erling (Curly)	Citizens Non-Partisan Coalition
Hausauer, Albert R.	National Association of Social Workers National Electrical Contractors Association ND Association of Plumbing, Heating, and Mechanical Contractors ND Conference of Social Welfare Society of Higher Education Professionals United Sportsmen of North Dakota
Hausauer, Richard	BEK Communications Cooperative ND Association of Telephone Cooperatives
Hauser, Charles W.	United Sportsmen of North Dakota
Hays, Roger A.	ND Student Association
Healy, Richard L.	ND Bankers Association
Hegle, Ken E.	Minot Telephone Company Northern States Power Company
Heick, Alicia M.	ND NAACOG
Heinrich, Duane	ND Association of Telephone Cooperatives
Helferich, Harold E.	Mandan Rural Fire Protection District and Department
Helgeson, Harlan	ND Association of Rural Electric Cooperatives
Hellevang, Kenneth J.	Society of Higher Education Professionals
Helm, Lesly D.	Amoco Oil
Heroff, Doris Jean Ann	American Civil Liberties Union North Dakota Chapter Pro Choice
Hertsgaard, Craig	Sugarbeet Growers Association
Hetland, David	ND Association of Rural Electric Cooperatives Square Butte Electric Cooperative
Hiatt, Loren D.	AT&T
Hight, Warren L.	ND Association of Telephone Cooperatives Souris River Telecommunications Cooperatives
Hill, Dennis	ND Association of Rural Electric Cooperatives
Hill, James S.	State Bar Association of North Dakota

Hill, Robert A.	ND Association of Telephone Cooperatives
Hjelmstad, Jerald A.	ND League of Cities
Hoffner, Serenus P.	Director of Adult Basic and Secondary Education Director of Vocational Technical Education
Hogue, David J.	ND Association of Nurse Anesthetists
Hoime, Bryan L.	ND Township Officers Association
Horner, Wayne J.	ND Land Title Association
Hovey, Michael A.	Association of Former Public Employees Independent ND State Employees Association National Electrical Contractors Association ND Association of Plumbing, Heating, and Mechanical Contractors ND Conference of Social Welfare ND Retired Teachers Association ND Wildlife Federation Society for Higher Education Professionals
Howe, Robert	ND Hospital Association
	-I-
Ibach, Joe J.	ND Chapter of the Appraisal Institute
Issel, Christine C.	ND Reflexology Association
	-J-
Jacobson, Gary	ANG Coal Gasification Company Basin Cooperative Services Basin Electric Power Cooperative Dakota Gasification Company
Jacobson, John E.	National Association of Fundraising Ticket Manufacturers
Jacobson, Randy D.	ND Teamsters
Jahner, Melvin	ND Waste Handlers Association, Inc.
Jakes, Kenneth M.	American Association of Retired Persons-AARP
Jenkins, Bob	ND Long-Term Care Association
Jensen, Nadiean R.	American Federation of State, County, Municipal Workers
Jepson, Gary	ND Fur Takers, Inc.
Jochim, Gary	Mor-Gran-Sou Electric Cooperative, Inc.
Johnson, Judith Ekberg	Meyer Broadcasting Company ND Cable Television Association

Johnson, Loren L.	Minnkota Power Cooperative
Johnson, Mark A.	ND Association of Counties (NDACO)
Johnson, Marlowe E.	Ottertail Power Company
Johnson, Mary Ann	Knife River Coal Mining Company
Johnson, Robert E.	ND League of Cities
Johnson, Vernon L.	ND Association of Rural Electric Cooperatives
Jones, Brian E.	ND State University
Jongerius, Cheryl L.	ND Senior Services Project Division Association
Jungroth, James R.	Paul Bjornson Robert Munsey
Junker, Harley	ND Association of Telephone Cooperatives
-K-	
Kaiser, Marvin L.	Little Knife Prod. Royalty Owners Association Myron G. Nelson Venture Capital Corporation
Kallberg, Robert J.	ND Trial Lawyers Association
Kambeitz, Melvin A.	US West Communications
Karls, Kenneth	Charitable Gaming Association of North Dakota Cystic Fibrosis Association of North Dakota
Keller, August	The North American Coal Corporation
Kelly, Kathleen M.	Common Cause North Dakota
Kelsch, Thomas D.	ND Coalition of Health Treatment Providers ND Consulting Engineers Council, Inc. ND County Judges Association Professional Rehabilitation Management Red River and Western Railroad Red River Human Services Foundation
Kelsch, Thomas F.	Greater North Dakota Association ND Coalition of Health Treatment Provider ND Consulting Engineers Council, Inc. ND County Judges Association Professional Rehabilitation Management Red River and Western Railroad Smokeless Tobacco Council, Inc Soo Line Railroad USPCI and Subsidiaries
Kemnitz, David L.	ND AFL-CIO

Kinzler, Brunno	ND Association of Telephone Cooperatives
Klein, Renee	National Association of Social Workers ND Chapter ND Conference of Social Workers ND Wildlife Federation
Klemin, Lawrence R.	Alliance of American Insurers ND Waste Handlers Association, Inc.
Klesalek, James	ND Association of Rural Electric Cooperatives
Klima, Kent	ND Association of Telephone Cooperatives
Klundt, Larry A.	ND Council of School Administrators
Knutson, Gary L.	ND Agricultural Association
Koch, Wilhelm (Bill)	Mor-Gran-Sou Electric Cooperative, Inc.
Konrad, Harvey	ND Association of Telephone Cooperatives
Koppi, Jerome	ANG Coal Gasification Company Basin Cooperative Services Basin Electric Power Cooperative Dakota Coal Company Dakota Gasification Company
Krabseth, Blake A.	Minot Convention and Visitors Bureau ND Convention and Visitors Bureau
Kramer, Brian K.	Nodak Mutual Insurance Company (NMIC) ND Farm Bureau (NDFB)
Kranda, Todd	Greater North Dakota Association ND Coalition of Health Treatment Providers ND Consulting Engineers Council, Inc. ND County Judges Association Professional Rehabilitation Management Red River and Western Railroad Smokeless Tobacco Council, Inc. Soo Line Railroad USPCI and Subsidiaries
Krandaz, Todd	Red River Human Services Foundation
Kranz, Nadene	American Lung Association of North Dakota Tobacco Free North Dakota
Kreidt, Gary	ND Long-Term Care Association
Krenz, Vernon	ND Association of Telephone Cooperatives
Kroemer, Frederick D.	Classic Roadsters, Ltd.

Kuehne, Richard F.	Professional Firefighters of North Dakota
Kuntz, Daniel S.	American Council of Life Insurers American Family Life Assurance Company American West Insurance Company Center Mutual Insurance Company Dakota Fire Insurance Company Health Insurance Association of America Lincoln Mutual Life and Casualty Insurance Company Manhattan National Life Insurance Company Motion Picture Association of America National Association of Independent Insurers Nodak Mutual Insurance Company ND Grain Dealers Association Northern Bottling Company Pioneer Mutual Life Insurance Company Provident Life Insurance Company State Farm Insurance Companies Surety Mutual Life and Casualty Insurance Company Western States Life Insurance Company
Kuntz, Frank J.	Kuntz, Frank J.
-L-	
Lamp, Robert L.	Automobile Dealers Association of North Dakota ND Implement Dealers Association
Langager, Eric D.	North American Conscience Lobby
Larson, Chester M.	ND Township Officers Association
Larson, Joseph F. II	ND Hearing Aid Society
Lembke, Claus	National Multi Housing Council ND Association of Realtors
Lembke, Marsha M.	Industrial Development Association National Federation of Independent Business ND Association of Builders
Lenzi, John C.	National Rifle Association of America
Levchak, Deborah	ANG Coal Gasification Company Basin Cooperative Services Basin Electric Power Cooperative Dakota Coal Company Dakota Gasification Company
Lewis, Darrell E.	ND Pilots Association
Lewis, Patti J.	ND Farm Bureau
Leyland, Geoffrey S.	Prairie Public Broadcasting, Inc.
Lickteig, Tim	ND Coalition of Health Providers
Linderkamp, Sharon A.	American Freedom Coalition

Lindquist, Jan B.	ND Aerial App Association
Link, Arthur A.	Independent Community Banks of North Dakota ND Council on Gambling Problems
Link, James	Minn Dak Farmers Cooperatives
Linnell, Gordy	I.B.E.W. Local Union 1426
Litchfield, Don	Greater North Dakota Association
Loken, Stuart G.	ND Education Association
Long, Carol A.	ND Right to Life Association
Loos, Doug	ND Consulting Engineers Council, Inc.
Lorenz, Troy L.	Burlington Resources, Inc. Charitable Gaming Association of North Dakota
Lucas, William A.	ND Pharmaceutical Association ND State Board of Pharmacy
Lund, Kenneth V., Jr.	ND Association of Telephone Cooperatives Northwest Communications Cooperative
Lynnes, Wesley J.	I.B.E.W. Local Union 1426

-M-

MacIntosh, Scott A.	US West Communications
MacIver, Dave	Bismarck-Mandan Area Chamber of Commerce
MacMartin, John L.	Minot Area Chamber of Commerce
Magnusson, Keith C.	ND Bankers Association
Mahoney, Michael M.	Landowners Association of North Dakota
Maier, David R.	Del-Mar Vending Company ND Candy and Tobacco Wholesalers
Marchand, Lloyd E.	ND Association of the Blind
Marcil, William C.	Greater North Dakota Association
Martin, Raymond J.	Citizens Non-Partisan Coalition
Martz, Wally C.	ND Bankers Association
Massey, Sheryl	ANG Coal Gasification Company Basin Cooperative Services Basin Electric Power Cooperative Dakota Coal Company Dakota Gasification Company
Mattern, Frank J.	Cooperative Power

Mattern, Jerry L.	I.B.E.W. Local Union 1593
McBride, Karen L.	ND Waste Handlers Association, Inc. The Alliance of American Insurers
McCay, Charles	Farm Credit Services of Fargo, ACA Farm Credit Services of Grand Forks Farm Credit Services of Mandan, PCA/FLCA Farm Credit Services of Northwest North Dakota, ACA
McDonald, Jack T.	American Institute of Architects North Dakota Chapter Mini-Mart, Inc. National Basketball Association National Football League ND Manufactured Housing Association ND Physical Therapy Association ND State Examining Committee for Physical Therapists ND Broadcasters Association ND Cable Television Association ND Newspaper Association ND State Board of Architecture
McGauvran, John	Nodak Mutual Insurance Company ND Farm Bureau
McMerty, Laurence D.	American Coalition for Ethanol Association Management Services
Meehan, Thomas J.	Amoco Oil
Meidinger, Stanley	ND Association of Telephone Cooperatives
Meiers, David L.	ND Beverage Retailers Association ND Hospitality Association
Meyer, Walter A.	USPCI and Subsidiaries
Miller, Patrick C.	ND Lignite Council
Moench, James M.	ND Farmers Union
Moorhead, Richard	ND State Board of Architecture
Morin, Allen F.	Burlington Northern Railroad Company
Morrison, John W.	Burlington Resources, Inc. Charitable Gaming Association of North Dakota
Moser, Lynn R.	Independent Petroleum Association of Mountain States
Moser, Wade	ND Stockmen's Association
Mosser, James L.	Nemont Telephone Cooperative, Inc.
Mutchler, Robert	ND Chapter, American Institute of Architects

Myers, Michael R.	ND Association of Nurse Anesthetists
	-N-
Nelson, Chris M.	ND Livestock Marketing Association
Nelson, Dan	Greater North Dakota Association
Nelson, David A.	Capital Dimensions, Inc. Myron G. Nelson Fund, Inc.
Nelson, Gary L.	Independent Community Banks of North Dakota Ironworkers Local Union 793
Nelson, Norlan	Reservation Telephone Cooperative
Nitschke, Alton A.	Charles Bailly and Company ND Bankers Association
Norby, Barbara H.	ND School Board Association
Novak, Joe	ND Veterans' Coordinating Council
	-O-
Oberg, Gerald	ND Association of Rural Electric Cooperatives
O'Brien, Joseph J.	ND Veterans' Coordinating Council
Oleary, John	Industrial Development Association
O'Neill, Peter D.	Grand Forks Firefighters Local Union 1099
Olheiser, Bob	Long-Term Care Association Nodak Bonds, Inc.
Olson, Jack L.	ND Bowhunters Association
Olson, John M.	Association of Retarded Citizens Concerned Agents for ND Seniors (CANOS) Congress Inc. National Association of Securities Dealers National Basketball Association National Football League ND Bankers Association ND Clerks of Court Association ND Liquor Wholesalers ND State Board of Cosmetology ND Trial Lawyers Association Philip Morris Inc. Saks News, Inc. Society for Higher Education Professionals Waste Management of North America, Inc.
Olson, Kent A.	Professional Insurance Agents of North Dakota
Olson, Sidney	ND Association of Rural Electric Cooperatives

Ostenson, Bev	American Federation of State Employees/AFT ND Public Employees Association
Ott, Richard D.	ND School Board Association
Owens, Bob	ND Long-Term Care Association
Oxton, John B.	ND Township Officers Association
	-P-
Palecek, Bonnie M.	ND Council on Abused Women's Service
Parker, William C.	First American Bank West
Paul, Rick	ND Coalition of Health Treatment Providers
Paulson, Arnold C.	ND Credit Union League
Paulson, Gary W.	ND Bankers Association
Payne, Arline	ND Long-Term Care Association
Pearce, William P.	MDU Resources Group, Inc.
Perkins, Lloyd	ND Association of Rural Electric Cooperatives
Peske, David J.	ND Medical Association
Peterson, Curt L.	Associated General Contractors of North Dakota (AGC/ND) ND Land Improvement Contractors (ASC) ND Ready-Mix and Concrete Products (AS)
Peterson, David L.	American Board of Trial Advocates ND Shorthand Reporters Association ND Trial Lawyers Association State Bar Association of North Dakota
Peterson, Dean B.	Bellaire Corporation The North American Coal Corporation
Pfenning, Renee M.	I.B.E.W. Local Union 1593 ND State Building and Construction Trades Council ND AFL-CIO Teamsters Local Union 123 and Joint Council 82
Pierson, Jerry W.	Minn Dak Farmers Cooperative
Pierson, John W.	Norwest Bank North Dakota N.A. Norwest Corporation Norwest Insurance Norwest Investment Services Norwest Mortgage
Pifer, Kevin D.	Nodak Mutual Insurance Company ND Farm Bureau
Pitts, Ryan M.	Fargo Clinic

Poling, Fletcher	ANG Coal Gasification Company Basin Cooperative Services Basin Electric Power Cooperative Dakota Coal Company Dakota Gasification Company
Pope, Robert J.	Honeywell, Inc.
Puppe, Gary L.	ND Association of Soil Conservation
Purdy, Mark F.	ND Association of Rural Electric Cooperatives
	-R-
Rau, Oscar	ND Association of Telephone Cooperatives
Redlin, Earl H.	The American Legion, Department of North Dakota
Reich, Ted	West River Mutual Aid Telephone Corporation
Reinarts, Bruce A.	ND Chapter American Society of Farm Managers
Renner, Dennis J.	Norwest Bank North Dakota N.A. Norwest Corporation Norwest Insurance Norwest Investment Services Norwest Mortgage
Richardson, John	West River Mutual Aid Telephone Corporation
Richau, Arly	Abate of North Dakota Dakota Race Management ND Chiropractic Association
Richman, Mark	ND Association of Realtors (NDAR)
Ridgeway, Lowell J.	American Petroleum Institute Rocky Mountain Oil and Gas Association
Rigley, Ida H.	ND Nurses Association
Ringuette, Paula	ND Catholic Conference
Risch, John J. III	United Transportation Union
Rock, Michael	USPCI and Subsidiaries
Rolfson, Calvin N.	ND Association of Counties ND Bankers Association ND Board of Nursing ND Board of Social Work Examiners ND Occupational Therapy Association ND Savings and Loan Associations
Ronning Kapsner, Carol	ND Society of Anesthesiologists
Rosby, Gordon	ND Chapter American Institute of Architects

Rose, Wanda	ND Board of Nursing
Runge, Gregory Ian	American Civil Liberties Union (ACLU)
Ruplinger, Julie A.	Dakota Resource Council
Rustebakke, David A.	Nodak Mutual Insurance Company ND Farm Bureau
Rutherford, Gary J.	Classic Roadsters, Ltd.
Ryan, Richard D.	ND Veterans' Coordinating Council

-S-

Sagsveen, Murray G	Garrison Diversion Conservancy District Nodak Bonds, Inc. ND Army National Guard ND Medical Association
Sakariassen, John R.	Saks News, Inc.
Salisbury, Harry	American Association of Retired Persons - AARP ND Retired Teachers Association
Sand, Nancy K.	ND Education Association
Sands, Ernest M.	Anheuser-Busch Companies
Sands, William E.	Northern States Power Company
Schafer, John A.	The American Legion, Department of North Dakota
Schauer, Ronald R.	ND Hearing Aid Society
Schlosser, Bill	ND Association of Realtors
Schlosser, James D.	ND Bankers Association
Schlosser, Jerry	ND Association of Realtors (NDAR)
Schmid, Howard	Nodak Mutual Insurance Company ND Farm Bureau
Schmidt, David M.	The American Legion, Department of North Dakota
Schmitz, Orell D.	National Association of Securities Dealers ND Liquor Wholesalers ND State Board of Dental Examiners ND Trial Lawyers Association Saks News, Inc.
Schneider, Thomas J.	ND County Judges Association
Schnell, Larry	ND Livestock Marketing Association
Schubloom, James	National Electrical Contractors Association

Schultz, Steve A.	Otter Tail Power Company
Schumacher-Feiler, Paula J.	ND Association of Nurse Anesthetists
Schweitzer, Alex	ND Long-Term Care Association
Schwertfeger, Thomas	Ford Motor Company
Seaworth, Janet D.	ND Beer Wholesalers Association
Seher, Shirley	ND Council of Public Employees ND Public Employees Association, Inc.
Selland, Ernest B.	Minot Telephone Company Northern States Power Company
Severson, Al M.	Norwest Bank North Dakota N.A. Norwest Corporation Norwest Insurance Norwest Investment Services Norwest Mortgage
Shalhoob, William	Greater North Dakota Association ND Hospitality Association
Shannonhouse, Hugh	USPCI and Subsidiaries
Sherbert, Norman R.	General Motors Corporation (Attn: J. E. Berry)
Simmers, Robert H.	ND Aviation Council
Sims, John L.	Mor-Gran-Sou Electric Cooperative, Inc.
Skaret, Jim	ND Consulting Engineers Council, Inc.
Skauge, Steven D.	Island Park Activity Center (IPAC) Lutheran Social Services of North Dakota
Skibicki, Bernard L.	ND Sports Fishing Congress
Skjei, Jane	National Abortion Rights Action League of North Dakota ND Women's Political Caucus
Sloan, Gene D.	Reservation Telephone Cooperative
Smith, J. T., Jr.	ND Veterans' Coordinating Council
Smith, Thomas O.	American Council of Life Insurers American Family Life Assurance Company American West Insurance Company Center Mutual Insurance Company Dakota Fire Insurance Company Health Insurance Association of America Lincoln Mutual Life and Casualty Insurance Company Manhattan National Life Insurance Company Motion Picture Association of America

	National Association of Independent Insurers Nodak Mutual Insurance Company ND Grain Dealers Association Northern Bottling Company Pioneer Mutual Life Insurance Company Provident Life Insurance Company State Farm Insurance Companies Surety Mutual Life and Casualty Insurance Company Western States Life Insurance Company
Snortland, Howard J.	American Association of Retired Persons - AARP Association of Former Public Employees ND Retired Teachers Association
Sogard, David B.	Minnkota Power Cooperative
Sorenson, Truman H.	Teamsters Joint Council 82 Teamsters Local Union 581
Spencer, Robert A.	Baker Electric Cooperative, Inc.
Splonskowski, Jerry	ND Association of Builders
Sprynczynatyk, Connie M.	ND Alliance for Arts Education ND Dietetic Association ND Recreation and Park Association ND Snowmobile Association
Stadig, Loren L.	United Power Association (UPA)
Staiger, Bonnie R.	ND Psychological Association
Stefonowicz, Ruth	ND Education Association
Stegman, Doug	Sugarbeet Growers Association
Stein, Marlys R.	Citizens Non-Partisan Coalition Stein Construction and Development
Steiner, Vicky L.	ND Association of Oil and Gas Producing Counties
Steinkopf, Gerald E.	US West Communications
Stigen, Wally M.	Otter Tail Power Company
Stottler, Lauren C.	US West Communications
Strege, Steven D.	ND Grain Dealers Association
Stromme, Floyd J.	Independent Community Banks Independent Bank
Stroup, Chuck	Industrial Development Association
Summers, Jane F.	ND Chapter American Civil Liberties Union
Sund, Orlo	James Valley Electric Cooperative, Inc

Swanson, Ken A.	Honeywell, Inc.
Sweeney, Patrick	ND Weather Modification Association
Swenson, Leo A.	ND Veterans' Coordinating Council
Syverson, Gayle L.	ND Veterans' Coordinating Council
-T-	
Tande, Marilyn	ND Long-Term Care Association
Tanous, Wayne J.	MDU Resources Group, Inc.
Tavis, Todd E.	Tavis Candy Company
Thomas, Arnold R.	ND Hospital Association
Thompson, Alfred A.	American Association of Retired Persons - AARP
Thompson, Donald L.	Open Door Center
Thompson, Tom	ND Association of Plumbing, Heating, and Mechanical Contractors
Thoreson, Kathy D.	Lutheran Social Services
Thune, Gary	American Insurance Association ND School Board Association
Tipton, Kevin W.	Distilled Spirits Council of the U.S., Inc.
Tishmack, Jerome	BEK Communications Cooperative ND Association of Telephone Cooperatives
Tjaden, Rod	Greater North Dakota Association
Torgerson, Les	State Bar Association of North Dakota
Torstenson, Jerry H.	Dakota Resource Council
Tossett, Wesley O.	Ag Coalition Landowners Association of North Dakota
Traynor, Terrance O.	ND Association of Counties (NDACO)
Tschider, Greg	ND Credit Union League
Tschider, Morris A.	Independent Insurance Agents of North Dakota
Tuominen, Fred R.	Systems Builders Association, Dakota Chapter
Tupa, Thomas C.	Association of Former Public Employees Independent North Dakota State Employees Association National Association of Social Workers National Electrical Contractor Association ND Association of Plumbing, Heating,

and Mechanical Contractors
 ND Coalition for Impaired Health
 Professionals
 ND Association of Retired Teachers
 ND Conference of Social Welfare
 ND Wildlife Federation
 Society for Higher Education
 Professionals
 United Sportsmen of North Dakota

Turner, Jay O.

Meyer Broadcasting Company
 ND Cable Television Association

Twete, Curtis O.

The American Legion,
 Department of North Dakota

-U-

Ullmann, William E.

West River Mutual Aid
 Telephone Corporation

Unhjem, Michael B.

Blue Cross/Blue Shield
 of North Dakota

Useldinger, Vernon A.

The American Legion,
 Department of North Dakota

-V-

Vaaler, Martin

Vaaler, Martin

Valley, Thomas L.

Motor Vehicle Manufacturers
 Association of U.S., Inc.

Vandenburg, Peter C.

Systems Builders Association,
 Dakota Chapter

Varnson, Ben

Landowners Association of
 North Dakota
 ND United Joint Water
 Resource Board

Verwest, Nolan

ND Township Officers Association

Vivatson, Robert

Sugarbeet Growers Association

Voge, Arlon

ND Livestock Marketing Association

-W-

Wagner, Vernon E.

ND Medical Association

Wahlert, Teresa A.

US West Communications

Walton, Ray H.

Association of Weights and Measures
 Scalemen
 ND States Attorneys Association

Ward, Patrick J.

American Council of Life Insurers
 American Family Life
 Assurance Company
 American West Insurance Company
 Center Mutual Insurance Company
 Dakota Fire Insurance Company
 Health Insurance Association
 of America
 Lincoln Mutual Life and Casualty

	Insurance Company Manhattan National Life Insurance Company Motion Picture Association of America National Association of Independent Insurers Nodak Mutual Insurance Company ND Grain Dealers Association Northern Bottling Company Pioneer Mutual Life Insurance Company Provident Life Insurance Company State Farm Insurance Companies Surety Mutual Life and Casualty Insurance Company Western States Life Insurance Company
Warner, Shelly	ND Long-Term Care Association
Webster, Mel	ND Long-Term Care Association
Wefald, Robert O.	Federated Investors, Inc. State Bar Association of North Dakota
Westby, Joseph A.	ND Education Association
Wheeler, Arthur W.	ND Petroleum Marketers Association ND Retail Association
Wheeler, Gerridee	Blue Cross/Blue Shield of North Dakota ND Society of Anesthesiologists Ophthalmology and Otolaryngology
Wheeler, R. W.	Direct Marketing Association/ Dehart and Darr
Wheelihan, David M.	ND Association of Rural Electric Cooperatives
Whited, Michael	Professional Soil Classifiers Association of North Dakota
Williamson, Lyle	MCI Telecommunications Corporation
Witteman, David P.	Minot Farm Credit Services
Wold, Richard O.	ND Bankers Association
Wolf, Albert A.	Benedictine Health Systems, Inc. BHS Long-Term Care, Inc. Independent Community Banks of North Dakota National Basketball Association National Football League ND Long-Term Health Care Association Tobacco Institute
Woodmansee, Tom E.	ND Grocers Association

-Y-

Yantes, Ken S.

Yantes, Ken S.

Yantzer, Myron

ND AFL-CIO

Youngberg, Jerry

ND Association of Realtors (NDAR)

Ystebo, David H.

Cass Clay Creamery, Inc.
Greater North Dakota Association

-Z-

Ziegler, Ken

ANG Coal Gasification Company
Basin Cooperative Services
Basin Electric Power Cooperative
Dakota Gasification Company

REQUEST

REP. PYLE REQUESTED that the record show that she intended to vote "Yea" on HB 1563, which request was granted.

MOTION

REP. KLOUBEC MOVED that HB 1021 be placed at the head of the Sixth order on the calendar, which motion prevailed.

SIXTH ORDER OF BUSINESS

REP. THOMPSON MOVED that the amendments to HB 1021, as recommended by a Majority of the Committee on Appropriations as printed on pages 761-763 of the House Journal, be adopted, and when so adopted, recommends the same DO PASS.

RULING BY THE SPEAKER

SPEAKER R. ANDERSON RULED that if the Majority Report proposed amendments to HB 1021 are adopted, the proposed amendments of the Minority Report will not be voted upon; however, if the Majority Report proposed amendments are defeated, the Minority Report proposed amendments will be voted upon.

REQUEST

REP. STOFFERAHN REQUESTED a recorded roll call vote on the motion to adopt the Majority Report proposed amendments to HB 1021, which request was granted.

ROLL CALL

The question being on the motion to adopt the Majority Report proposed amendments to HB 1021, the roll was called and there were 57 YEAS, 47 NAYS, 2 ABSENT AND NOT VOTING.

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

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

ABSENT AND NOT VOTING: Gorman; Ritter

The motion to adopt the Majority Report proposed amendments to HB 1021 passed.

HB 1021, as amended by the Majority Report, was placed on the Eleventh order of business for second reading and final passage.

MOTION

REP. KLOUBEC MOVED that HB 1021 be deemed properly engrossed and placed at the head of the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1021: A BILL for an Act making an appropriation for defraying the expenses of the department of corrections and rehabilitation; and providing for an appropriation from the North Dakota state penitentiary land fund.

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, 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; Gordier; 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; 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: Gorman; Ritter

HB 1021 passed and the title was agreed to.

SIXTH ORDER OF BUSINESS

REP. THOMPSON MOVED that the amendments to HB 1016, as recommended by a Majority of the Committee on Appropriations, as printed on pages 757-759 of the House Journal, be adopted, and when so adopted, recommends the same DO PASS.

RULING BY THE SPEAKER

SPEAKER R. ANDERSON RULED that if the Majority Report proposed amendments to HB 1016 are adopted, the proposed amendments of the Minority Report will not be voted upon; however, if the Majority Report proposed amendments are defeated, the Minority Report proposed amendments will be voted upon.

REQUEST

REP. DEMERS REQUESTED a recorded roll call vote on the motion to adopt the Majority Report proposed amendments to HB 1016, which request was granted.

ROLL CALL

The question being on the motion to adopt the Majority Report proposed amendments to HB 1016, the roll was called and there were 57 YEAS, 47 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Bateman; Belter; Berg, R.; Bernstein; Boehm; Brown; Byerly; Carlisle; Clayburgh; Dalrymple; Delzer; DeWitz; Dorso; Freier; Gates; Gerntholz;

Gorder; Grosz; Hausauer; Henegar; Howard; Jensen; Kelsch; Kloubec; Kretschmar; Kunkel; Larson; Martin; Martinson; Miller; Muhs; Myrdal; Nicholas; Olsen, D.; Olson, A.; Payne; Porter; Price; Rennerfeldt; Rydell; Schimke; Schindler; Schmidt; Shide; Soukup; St. Aubyn; Svedjan; Thompson; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Whalen; Speaker R. Anderson

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

ABSENT AND NOT VOTING: Gorman; Ritter

The motion to adopt the Majority Report proposed amendments to HB 1016 passed.

HB 1016, as amended by the Majority Report was placed on the Eleventh order of business on the calendar.

MOTION

REP. KLOUBEC MOVED that HB 1016 be deemed properly engrossed and placed at the head of the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1016: A BILL for an Act making an appropriation for defraying the expenses of the various divisions under the supervision of the director of the department of transportation; and to provide a statement of legislative intent.

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, 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; 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; 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: Gorman; Ritter

HB 1016 passed and the title was agreed to.

SIXTH ORDER OF BUSINESS

REP. THOMPSON MOVED that the amendments to HB 1079, as recommended by a Majority of the Committee on Appropriations, be adopted, as printed on page 766 of the House Journal, and when so adopted, recommends the same DO PASS.

RULING BY THE SPEAKER

SPEAKER R. ANDERSON RULED that if the Majority Report proposed amendments to HB 1079 are adopted, the proposed amendments of the Minority Report will not be voted upon; however, if the Majority Report proposed amendments are defeated, the Minority Report proposed amendments will be voted upon.

REQUEST

REP. ST. AUBYN REQUESTED a recorded roll call vote on the motion to adopt the Majority Report proposed amendments to HB 1079, which request was granted.

ROLL CALL

The question being on the motion to adopt the Majority Report proposed amendments to HB 1079, the roll was called and there were 57 YEAS, 47 NAYS, 2 ABSENT AND NOT VOTING.

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

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

ABSENT AND NOT VOTING: Gorman; Ritter

The motion to adopt the Majority Report proposed amendments to HB 1079 passed.

HB 1079, as amended by the Majority Report, was placed on the Eleventh order of business on the calendar.

MOTION

REP. KLOUBEC MOVED that HB 1079 be deemed properly engrossed and placed at the head of the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE BILL.

HB 1079: A BILL for an Act to amend and reenact subsection 10 of section 12.1-32-02, sections 12.1-32-02.1, 19-03.1-23, and 54-21-25 of the North Dakota Century Code, relating to sentencing alternatives, prison terms for certain offenders, penalties for unlawful manufacture, delivery, or possession of controlled substances, and authority to contract with other governmental agencies for prisoners and juvenile delinquents; to provide a penalty; and to provide an appropriation.

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 63 YEAS, 41 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Bateman; Belter; Berg, R.; Bernstein; Bodine; Boehm; Brown; Byerly; Carlisle; Clayburgh; Dalrymple; Delzer; DeWitz; Dorso; Enget; Erickson; Freier; Gates; Gerntholz; Gorder; Grosz; Hausauer; Henegar; Howard; Jensen; Kelsch; Kloubec; Kolbo; Kunkel; Larson; Mahoney; Martin; Martinson; Miller; Muhs; Myrdal; Nicholas; Oban; Olsen, D.; Olson, A.; Payne; Porter; Price; Rennerfeldt; Rydell; Schimke; Schindler; Schmidt; Shide; Soukup; St. Aubyn; Svedjan; Thompson; Timm;

Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Whalen; Speaker R. Anderson

NAYS: Anderson, B.; Berg, G.; Boucher; Brokaw; Carlson; Cleary; Coats; DeMers; Flaagan; Gabrielson; Gilmore; Goffe; Grumbo; Hanson; Hokana; Huether; Jacobson; Kaldor; Kerzman; Kretschmar; Kroeber; Laughlin; Linderman; Meyer; Mutzenberger; Nelson; Nichols; Nowatzki; Peterson; Pyle; Ring; Scherber; Schneider; Skar; Skjerven; Snyder; Starke; Stofferahn; Thorpe; Wilkie; Williams

ABSENT AND NOT VOTING: Gorman; Ritter

HB 1079 passed and the title was agreed to.

MOTION

REP. KLOUBEC MOVED that HB 1524 be placed at the head of the calendar, which motion prevailed.

MOTION

REP. KLOUBEC MOVED that the House waive the reading of the title to HB 1524, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1524: A BILL for an Act to create and enact a new section to chapter 54-34 and a new section to chapter 57-39.2 of the North Dakota Century Code, relating to allocation of certain sales and use tax revenues to fund a rural economic development program under the economic development commission; to amend and reenact section 57-39.2-26 of the North Dakota Century Code, relating to allocation of sales tax revenue; and to provide an appropriation.

ROLL CALL

The question being on the final passage of the amended bill, which has been read and is PLACED ON THE CALENDAR WITHOUT RECOMMENDATION, the roll was called and there were 60 YEAS, 44 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Belter; Berg, G.; Berg, R.; Bernstein; Bodine; Boucher; Brown; Byerly; Carlisle; Dalrymple; Delzer; DeWitz; Dorso; Enget; Flaagan; Freier; Gerntholz; Grosz; Howard; Kaldor; Kelsch; Kloubec; Kretschmar; Larson; Laughlin; Linderman; Mahoney; Martin; Martinson; Miller; Myrdal; Nelson; Nicholas; Nichols; Nowatzki; Olsen, D.; Olson, A.; Porter; Pyle; Rennerfeldt; Rydell; Schindler; Schmidt; Shide; Skar; Skjerven; St. Aubyn; Starke; Stofferahn; Svedjan; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Wilkie; Speaker R. Anderson

NAYS: Bateman; Boehm; Brokaw; Carlson; Clayburgh; Cleary; Coats; DeMers; Erickson; Gabrielson; Gates; Gilmore; Goffe; Gorder; Grumbo; Hanson; Hausauer; Henegar; Hokana; Huether; Jacobson; Jensen; Kerzman; Kolbo; Kroeber; Kunkel; Meyer; Muhs; Mutzenberger; Oban; Payne; Peterson; Price; Ring; Scherber; Schimke; Schneider; Snyder; Soukup; Thompson; Thorpe; Wentz; Whalen; Williams

ABSENT AND NOT VOTING: Gorman; Ritter

HB 1524 passed and the title was agreed to.

MOTIONS

REP. KLOUBEC MOVED that the House stand in recess for 15 minutes until 10:45 a.m., which motion prevailed.

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

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 Eleventh order, which motion prevailed.

REPORT OF STANDING COMMITTEE

HB 1003: Committee on Appropriations (Rep. Thompson, Chairman) A MAJORITY of your committee (Reps. G. Berg, Brokaw, DeMers, Kaldor, Laughlin, R. Berg, Jensen, Payne, Rydell, Meyer, Nowatzki, Starke, Stofferahn, Wilkie, Wentz) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS.

Page 1, line 3, remove "and"

Page 1, line 5, after "Code" insert "; and to amend and reenact sections 15-10-18.3 and 15-10-18.5 of the North Dakota Century Code, relating to tuition waivers"

Page 2, after line 1, insert:

"Institutional public relations and development 500,000"

Page 2, line 2, replace "796,200" with "1,130,400"

Page 2, line 12, replace "15,671,791" with "16,505,991"

Page 2, after line 12, insert:

"Less budget adjustment 158,039"

Page 2, line 14, replace "10,872,371" with "11,548,532"

Page 2, after line 21, insert:

"Less budget adjustment 122,175"

Page 2, line 22, replace "7,610,232" with "7,720,232"

Page 2, line 23, replace "9,159,964" with "8,927,789"

Page 3, after line 1, insert:

"Less budget adjustment 41,294"

Page 3, line 3, replace "3,058,828" with "3,017,534"

Page 3, line 9, replace "78,078" with "101,078"

Page 3, line 10, replace "5,241,121" with "5,264,121"

Page 3, after line 10, insert:

"Less budget adjustment 38,264"

Page 3, line 12, replace "2,811,348" with "2,796,084"

Page 3, line 15, replace "88,891,044" with "88,947,230"

Page 3, line 16, replace "25,657,659" with "24,832,659"

Page 3, line 18, replace "2,648,546" with "6,308,546"

Page 3, line 19, replace "119,396,251" with "122,287,437"

Page 3, after line 19, insert:

"Less budget adjustment 1,038,505"

Page 3, line 20, replace "44,335,686" with "45,361,128"

Page 3, line 21, replace "75,060,565" with "75,887,804"

Page 3, line 24, replace "71,157,572" with "71,054,659"

Page 3, line 27, replace "1,720,245" with "2,320,245"

Page 3, line 28, replace "96,068,530" with "96,565,617"

Page 3, after line 28, insert:

"Less budget adjustment 843,378"

Page 4, line 1, replace "33,793,198" with "34,093,198"

Page 4, line 2, replace "62,275,332" with "61,629,041"

Page 4, line 8, replace "471,382" with "621,382"

Page 4, line 9, replace "26,524,900" with "26,674,900"

Page 4, after line 9, insert:

"Less budget adjustment 268,292"

Page 4, line 11, replace "19,723,456" with "19,605,164"

Page 4, line 17, replace "200,899" with "245,899"

Page 4, line 18, replace "14,316,062" with "14,361,062"

Page 4, after line 18, insert:

"Less budget adjustment 131,310"

Page 4, line 20, replace "9,681,635" with "9,595,325"

Page 4, line 26, replace "220,213" with "310,213"

Page 4, line 27, replace "9,202,891" with "9,292,891"

Page 4, after line 27, insert:

"Less budget adjustment 90,912"

Page 4, line 29, replace "6,644,248" with "6,643,336"

Page 5, line 3, replace "24,020,399" with "23,920,433"

Page 5, line 7, replace "30,295,066" with "30,195,100"

Page 5, after line 7, insert:

"Less budget adjustment 243,046"

Page 5, line 9, replace "18,103,387" with "17,760,375"

Page 5, after line 16, insert:

"Less budget adjustment 117,178"

Page 5, line 18, replace "8,679,850" with "8,562,672"

Page 5, after line 25, insert:

"Less budget adjustment 41,285"

Page 5, line 27, replace "3,058,142" with "3,016,857"

Page 6, line 1, replace "509,232" with "523,672"

Page 6, line 4, replace "630,232" with "644,672"

Page 6, after line 4, insert:

"Less budget adjustment 8,190"

Page 6, line 6, replace "592,232" with "598,482"

Page 6, after line 13, insert:

"Less budget adjustment 18,989"

Page 6, line 15, replace "1,406,606" with "1,387,617"

Page 6, after line 21, insert:

"Less budget adjustment 371,748"

Page 6, line 23, replace "27,536,900" with "27,165,152"

Page 7, line 1, replace "258,664,864" with "258,141,764"

Page 7, line 2, replace "182,797,393" with "190,530,347"

Page 7, line 3, replace "441,462,257" with "448,672,111"

Page 8, line 14, after "The" insert "operating expenses, higher education contingency fund," and after "grants" insert a comma

Page 8, line 15, after "in" insert "subdivision 1 of"

Page 8, line 18, remove "for grants"

Page 8, line 20, replace "other states" with "Minnesota"

Page 8, line 21, replace "from reciprocal agreements" with "pursuant to the reimbursement provisions of the Minnesota-North Dakota public higher education and vocational technical education tuition reciprocity agreement"

Page 8, after line 25, insert:

"SECTION 10. ESTIMATED INCOME. Subdivision 5 of section 1 includes the sum of \$1,025,442, or so much thereof as may be necessary, in the estimated income line item from the net proceeds from issuance of parts a and b of the December 1990 certificates of participation approved by the board of higher education to be used for the financing of capital projects for the biennium beginning July 1, 1991, and ending June 30, 1993.

SECTION 11. APPROPRIATION. There is hereby appropriated the sum of \$6,297,512, or so much thereof as may be necessary, to the university of North Dakota from proceeds of the December 1990 issue of certificates of participation approved by the board of higher education. These funds shall not be expended for any purpose except for costs of issuance. The funds shall be deposited by the university of North Dakota in an interest-bearing account for the purpose of making the payments on this issue. The issue shall be repaid immediately, if possible.

SECTION 12. LEGISLATIVE INTENT. It is the intent of the legislative assembly that Dickinson state university may add the necessary positions for an air traffic controllers program if the board

of higher education approves a cooperative air traffic controller program between the university of North Dakota and Dickinson state university.

SECTION 13. AMENDMENT. Section 15-10-18.3 of the 1989 Supplement to the North Dakota Century Code is amended and reenacted as follows:

15-10-18.3. Free tuition in North Dakota institutions of higher education. Any dependent, as defined in section 15-10-18.2 upon being duly accepted for enrollment into any North Dakota state-supported institution of higher education or state-supported technical or vocational school, ~~shall be allowed to obtain a bachelor's degree, or certificate of completion, for so long as he is eligible, free of any~~ may be granted a waiver of tuition and fee charges, except those charged to retire outstanding bonds; provided, however, that such. The waiver must be based upon a showing of financial need, using the same criteria as that used to determine eligibility for federal financial aid under Title IV of the Higher Education Act of 1965, as amended. ~~The waiver applies only to a bachelor's degree or certificate of completion that is earned within a thirty-six-month or eight-semester period or its equivalent; and further provided that tuition and fee charges shall not include costs for aviation flight charges or expenses. Once a person qualifies as a dependent under sections 15-10-18.2 and 15-10-18.3, there shall be no removal from the benefits of this section due to such an occurrence as the return of the prisoner of war or person missing in action.~~

SECTION 14. AMENDMENT. Section 15-10-18.5 of the 1989 Supplement to the North Dakota Century Code is amended and reenacted as follows:

15-10-18.5. Free tuition in North Dakota institutions of higher education for survivor of firefighter or peace officer. Should a firefighter or peace officer die as a direct result of injuries received while engaged in the performance of official duties under circumstances dangerous to human life, the survivor, upon being duly accepted for enrollment into any North Dakota state-supported institution of higher education or state-supported technical or vocational school, ~~must be allowed to obtain a bachelor's degree, or certificate of completion, for so long as the survivor is eligible, free~~ may be granted a waiver of any tuition and fee charges, except those charged to retire outstanding bonds; provided, however, that the. The waiver must be based upon a showing of financial need, using the same criteria as that used to determine eligibility for federal financial aid under Title IV of the Higher Education Act of 1965, as amended. The waiver applies only to a bachelor's degree or certificate of completion that is earned within a thirty-six-month or eight-semester period or its equivalent; and further provided that tuition and fee charges may not include costs for aviation flight charges or expenses."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

PROPOSED GENERAL FUND CHANGES TO HOUSE BILL NO. 1003

	1991-93 Executive <u>Budget</u>	Salaries and Wages Add Funds for Salary <u>Package</u>	Other Adjustments	Other Additions	Adjusted Level <u>of Funding</u>	Budget Adjustment <u>Line Item (1.35%)</u>	Total Net General Fund <u>Adjustments</u>	House <u>Recommendation</u>
North Dakota University System	\$ 10,872,371		\$ 500,000 ¹	\$ 334,200 ¹	\$ 11,706,571	\$ (158,039)	\$676,161	\$ 11,548,532
Bismarck State College	9,159,964		(110,000) ²		9,049,964	(122,175)	(232,175)	8,927,789
UND-Lake Region	3,058,828				3,058,828	(41,294)	(41,294)	3,017,534
UND-Williston	2,811,348			23,000 ⁶	2,834,348	(38,264)	(15,264)	2,796,084
University of North Dakota	75,060,565	\$ 179,186	(123,000) ³	1,809,558 ⁷	76,926,309	(1,038,505)	827,239	75,887,804
North Dakota State University	62,275,332	100,490	(203,403) ⁴	300,000 ⁸	62,472,419	(843,378)	(646,291)	61,629,041
State College of Science	19,723,456			150,000 ⁹	19,873,456	(268,292)	(118,292)	19,605,164
Dickinson State University	9,681,635			45,000 ¹⁰	9,726,635	(131,310)	(86,310)	9,595,325
Mayville State University	6,644,248			90,000 ¹¹	6,734,248	(90,912)	(912)	6,643,336
Minot State University	18,103,387	29,747	(129,713) ⁵		18,003,421	(243,046)	(343,012)	17,760,375
Valley City State University	8,679,850				8,679,850	(117,178)	(117,178)	8,562,672
NDSU-Bottineau	3,058,142				3,058,142	(41,285)	(41,285)	3,016,857
State Toxicologist	592,232	14,440			606,672	(8,190)	(6,250)	598,482
Forest Service	1,406,606				1,406,606	(18,989)	(18,989)	1,387,617
UND-Medical Center	27,536,900				27,536,900	(371,748)	(372,748)	27,165,152
Total	<u>\$258,664,864</u>	<u>\$323,863</u>	<u>\$ (66,116)</u>	<u>\$2,751,758</u>	<u>\$261,674,369</u>	<u>\$(3,532,605)</u>	<u>\$(523,100)</u>	<u>\$258,141,764</u>

¹ DEPARTMENT 215 - NORTH DAKOTA UNIVERSITY SYSTEM

This amendment adds \$500,000 from the general fund to be distributed by the board to institutions for which funding was reduced for public relations and development positions. Any additional public relations and development positions must be funded from other sources.

This amendment restores slots in the professional student exchange program for the 1991-93 biennium that were excluded in the executive budget recommendations. The restored slots are as follows:

<u>Veterinary Medicine</u>		
1991-92	4 freshmen @ \$18,400	\$ 73,600
1992-93	4 freshmen, 4 sophomores @ \$18,400	147,200
<u>Dentistry</u>		
1991-92	2 freshmen @ \$12,100	24,200
1992-93	2 freshmen, 2 sophomores @ \$12,300	49,200
<u>Optometry</u>		
1991-92	2 freshmen @ \$6,600	13,200
1992-93	2 freshmen, 2 sophomores @ \$6,700	<u>26,800</u>
Total general fund		\$334,200

- ² Bismarck State College - Changes funding source for director of development to other funds \$(110,000)
- ³ UND - Removes funding for public relations position (123,000)
- ⁴ NDSU - Removes funding for vice president for university advancement - FTE authorization remains (203,403)
- ⁵ Minot State University - Removes funding for development position - FTE remains (129,713)

⁶ DEPARTMENT 229 - UND-WILLISTON

Adds \$23,000 from the general fund for capital improvements.

Other additions:

⁷ DEPARTMENT 232 - UNIVERSITY OF NORTH DAKOTA

This amendment makes the following changes:

Capital improvements -	
Smokestack	\$2,000,000
Gas boiler	1,750,000
Operating expenses -	
Add funds for telephone system	
Engineering planning - 1991-92	100,000
Lease costs - 1992-93	375,000
Reduce funds for payment on certificates of participation	<u>(1,300,000)</u>
Total changes	\$2,925,000
Less increased income (Section 10)	<u>(1,025,442)</u>
General fund increase	<u>\$1,899,558</u>

In addition, this amendment appropriates \$6,297,512 (consisting of \$5,500,000 available funds and \$797,512 for financing reserves and other costs of issuance) of proceeds from the December 1990 issue of certificates of participation to repay the costs of issuance immediately if possible. These funds were originally anticipated to be used for the UND smokestack, gas boiler, and telecommunications switching equipment but will now be repaid.

The following is a summary of proposed related House changes:

	<u>General Fund Effect</u>
<u>Savings</u>	
Savings from UND refinancing	\$(1,025,442)
Fund lease payments in HB 1019 from capital construction funds only	(2,723,118)
Delete funding for payment on UND's certificate of participation	<u>(1,300,000)</u>
Subtotal	<u>\$(5,048,560)</u>
<u>Appropriations</u>	
Smokestack - UND	\$ 2,000,000
Gas boiler - UND	1,750,000
Telephone system - UND	
Planning - 1991-92	100,000
Lease rental - 1992-93	<u>375,000</u>
Subtotal	<u>\$ 4,225,000</u>
Net general fund savings including the general fund savings relating to the \$2,723,118 of lease payments in HB 1019	<u>\$ 823,560</u>

In addition, this amendment deletes \$90,000 from the general fund from capital improvements to be used at Mayville State University for handicapped access projects.

⁸ DEPARTMENT 235 - NORTH DAKOTA STATE UNIVERSITY

Adds \$300,000 from the general fund and \$300,000 from other funds for capital improvements relating to National Science Foundation grant to modernize Dunbar Hall.

⁹ DEPARTMENT 238 - COLLEGE OF SCIENCE

Adds \$150,000 from the general fund for capital improvements including replacing a portion of the steam line.

¹⁰ DEPARTMENT 239 - DICKINSON STATE UNIVERSITY

Adds \$45,000 from the general fund for plant maintenance delayed to fund electrical distribution costs during 1989-91.

¹¹ DEPARTMENT 240 - MAYVILLE STATE UNIVERSITY

Adds \$90,000 from the general fund for capital improvements to provide a total of \$200,000 for handicapped access projects.

REPORT OF STANDING COMMITTEE

HB 1003: Committee on Appropriations (Rep. Thompson, Chairman) A MINORITY of your committee (Reps. Thompson, Hausauer, Dalrymple, Gertnholz, Wald, Howard, Myrdal, Schmidt) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS.

Page 1, line 3, remove "and"

Page 1, line 5, after "Code" insert "; and to amend and reenact sections 15-10-18.3 and 15-10-18.5 of the North Dakota Century Code, relating to tuition waivers"

Page 2, after line 1, insert:

"Institutional public relations and development

500,000"

Page 2, line 2, replace "796,200" with "1,130,400"

Page 2, line 12, replace "15,671,791" with "16,505,991"

Page 2, after line 12, insert:

"Less budget adjustment 351,197"

Page 2, line 14, replace "10,872,371" with "11,355,374"

Page 2, after line 21, insert:

"Less budget adjustment 271,499"

Page 2, line 22, replace "7,610,232" with "7,720,232"

Page 2, line 23, replace "9,159,964" with "8,778,465"

Page 3, after line 1, insert:

"Less budget adjustment 91,765"

Page 3, line 3, replace "3,058,828" with "2,967,063"

Page 3, line 9, replace "78,078" with "101,078"

Page 3, line 10, replace "5,241,121" with "5,264,121"

Page 3, after line 10, insert:

"Less budget adjustment 85,030"

Page 3, line 12, replace "2,811,348" with "2,749,318"

Page 3, line 15, replace "88,891,044" with "88,947,230"

Page 3, line 16, replace "25,657,659" with "24,832,659"

Page 3, line 18, replace "2,648,546" with "6,308,546"

Page 3, line 19, replace "119,396,251" with "122,287,437"

Page 3, after line 19, insert:

"Less budget adjustment 2,307,789"

Page 3, line 20, replace "44,335,686" with "45,361,128"

Page 3, line 21, replace "75,060,565" with "74,618,520"

Page 3, line 24, replace "71,157,572" with "71,054,659"

Page 3, line 27, replace "1,720,245" with "2,320,245"

Page 3, line 28, replace "96,068,530" with "96,565,617"

Page 3, after line 28, insert:

"Less budget adjustment 1,874,173"

Page 4, line 1, replace "33,793,198" with "34,093,198"

Page 4, line 2, replace "62,275,332" with "60,598,246"

Page 4, line 8, replace "471,382" with "621,382"

Page 4, line 9, replace "26,524,900" with "26,674,900"

Page 4, after line 9, insert:

"Less budget adjustment	596,204"
Page 4, line 11, replace "19,723,456" with "19,277,252"	
Page 4, line 17, replace "200,899" with "245,899"	
Page 4, line 18, replace "14,316,062" with "14,361,062"	
Page 4, after line 18, insert:	
"Less budget adjustment	291,799"
Page 4, line 20, replace "9,681,635" with "9,434,836"	
Page 4, line 26, replace " <u>220,213</u> " with " <u>310,213</u> "	
Page 4, line 27, replace "9,202,891" with "9,292,891"	
Page 4, after line 27, insert:	
"Less budget adjustment	202,027"
Page 4, line 29, replace "6,644,248" with "6,532,221"	
Page 5, line 3, replace "24,020,399" with "23,920,433"	
Page 5, line 7, replace "30,295,066" with "30,195,100"	
Page 5, after line 7, insert:	
"Less budget adjustment	540,103"
Page 5, line 9, replace "18,103,387" with "17,463,318"	
Page 5, after line 16, insert:	
"Less budget adjustment	260,396"
Page 5, line 18, replace "8,679,850" with "8,419,454"	
Page 5, after line 25, insert:	
"Less budget adjustment	91,744"
Page 5, line 27, replace "3,058,142" with "2,966,398"	
Page 6, line 1, replace "509,232" with "523,672"	
Page 6, line 4, replace "630,232" with "644,672"	
Page 6, after line 4, insert:	
"Less budget adjustment	18,200"
Page 6, line 6, replace "592,232" with "588,472"	
Page 6, after line 13, insert:	
"Less budget adjustment	42,198"
Page 6, line 15, replace "1,406,606" with "1,364,408"	
Page 6, after line 21, insert:	
"Less budget adjustment	826,107"
Page 6, line 23, replace "27,536,900" with "26,710,793"	

Page 7, line 1, replace "258,664,864" with "253,824,138"

Page 7, line 2, replace "182,797,393" with "190,530,347"

Page 7, line 3, replace "441,462,257" with "444,354,485"

Page 8, line 14, after "The" insert "operating expenses, higher education contingency fund," and after "grants" insert a comma

Page 8, line 15, after "in" insert "subdivision 1 of"

Page 8, line 18, remove "for grants"

Page 8, line 20, replace "other states" with "Minnesota"

Page 8, line 21, replace "from reciprocal agreements" with "pursuant to the reimbursement provisions of the Minnesota-North Dakota public higher education and vocational technical education tuition reciprocity agreement"

Page 8, after line 25, insert:

"SECTION 10. ESTIMATED INCOME. Subdivision 5 of section 1 includes the sum of \$1,025,442, or so much thereof as may be necessary, in the estimated income line item from the net proceeds from issuance of parts a and b of the December 1990 certificates of participation approved by the board of higher education to be used for the financing of capital projects for the biennium beginning July 1, 1991, and ending June 30, 1993.

SECTION 11. APPROPRIATION. There is hereby appropriated the sum of \$6,297,512, or so much thereof as may be necessary, to the university of North Dakota from proceeds of the December 1990 issue of certificates of participation approved by the board of higher education. These funds shall not be expended for any purpose except for costs of issuance. The funds shall be deposited by the university of North Dakota in an interest-bearing account for the purpose of making the payments on this issue. The issue shall be repaid immediately, if possible.

SECTION 12. LEGISLATIVE INTENT. It is the intent of the legislative assembly that Dickinson state university may add the necessary positions for an air traffic controllers program if the board of higher education approves a cooperative air traffic controller program between the university of North Dakota and Dickinson state university.

SECTION 13. AMENDMENT. Section 15-10-18.3 of the 1989 Supplement to the North Dakota Century Code is amended and reenacted as follows:

15-10-18.3. Free tuition in North Dakota institutions of higher education. Any dependent, as defined in section 15-10-18.2 upon being duly accepted for enrollment into any North Dakota state-supported institution of higher education or state-supported technical or vocational school, shall be allowed to obtain a bachelor's degree or certificate of completion, for so long as he is eligible, free of any ~~may be granted a waiver of tuition and fee charges, except those charged to retire outstanding bonds; provided, however, that such~~ The waiver must be based upon a showing of financial need, using the same criteria as that used to determine eligibility for federal financial aid under title IV of the Higher Education Act of 1965, as amended. ~~The waiver applies only to a bachelor's degree or certificate of completion that is earned within a thirty-six-month or eight-semester period or its equivalent; and further provided that tuition and fee charges shall not include costs for aviation flight charges or expenses. Once a person qualifies as a dependent under sections~~

15-10-18.2 and 15-10-18.3, there shall be no removal from the benefits of this section due to such an occurrence as the return of the prisoner of war or person missing in action.

SECTION 14. AMENDMENT. Section 15-10-18.5 of the 1989 Supplement to the North Dakota Century Code is amended and reenacted as follows:

15-10-18.5. Free tuition in North Dakota institutions of higher education for survivor of firefighter or peace officer. Should a firefighter or peace officer die as a direct result of injuries received while engaged in the performance of official duties under circumstances dangerous to human life, the survivor, upon being duly accepted for enrollment into any North Dakota state-supported institution of higher education or state-supported technical or vocational school, ~~must be allowed to obtain a bachelor's degree, or certificate of completion, for so long as the survivor is eligible, free may be granted a waiver of any tuition and fee charges, except those charged to retire outstanding bonds, provided, however, that the~~ The waiver must be based upon a showing of financial need, using the same criteria as that used to determine eligibility for federal financial aid under Title IV of the Higher Education Act of 1965, as amended. The waiver applies only to a bachelor's degree or certificate of completion that is earned within a thirty-six-month or eight-semester period or its equivalent; and further provided that tuition and fee charges may not include costs for aviation flight charges or expenses."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

PROPOSED GENERAL FUND CHANGES TO HOUSE BILL NO. 1003

	1991-93 Executive <u>Budget</u>	Salaries and Wages Add Funds for Salary <u>Package</u>	Other Adjustments	Other Additions	Adjusted Level of Funding	Budget Adjustment Line Item (33)	Total Net General Fund Adjustments	House Recommendation
North Dakota University System	\$ 10,872,371		\$ 500,000 ¹	\$ 334,200 ¹	\$ 11,706,571	\$ (351,197)	\$ 483,003	\$ 11,355,374
Bismarck State College	9,159,964		(110,000) ²		9,049,964	(271,499)	(381,499)	8,778,465
UND-Lake Region	3,058,828				3,058,828	(91,765)	(91,765)	2,967,063
UND-Williston	2,811,348			23,000 ⁶	2,834,348	(85,030)	(62,030)	2,749,318
University of North Dakota	75,060,565	\$ 179,186	(123,000) ³	1,809,558 ⁷	76,926,309	(2,307,789)	(442,045)	74,618,520
North Dakota State University	62,275,332	100,490	(203,403) ⁴	300,000 ⁸	62,472,419	(1,874,173)	(1,677,086)	60,598,246
State College of Science	19,723,456			150,000 ⁹	19,873,456	(596,204)	(446,204)	19,277,252
Dickinson State University	9,681,635			45,000 ¹⁰	9,726,635	(291,799)	(246,799)	9,434,836
Mayville State University	6,644,248			90,000 ¹¹	6,734,248	(202,027)	(112,027)	6,532,221
Minot State University	18,103,387	29,747	(129,713) ⁵		18,003,421	(540,103)	(640,069)	17,463,318
Valley City State University	8,679,850				8,679,850	(260,396)	(260,396)	8,419,454
NDSU-Bottineau	3,058,142				3,058,142	(91,744)	(91,744)	2,966,398
State Toxicologist	592,232	14,440			606,672	(18,200)	(3,760)	588,472
Forest Service	1,406,606				1,406,606	(42,198)	(42,198)	1,364,408
UND-Medical Center	27,536,900				27,536,900	(826,107)	(826,107)	26,710,793
Total	<u>\$258,664,864</u>	<u>\$323,863</u>	<u>\$ (66,116)</u>	<u>\$2,751,758</u>	<u>\$261,674,369</u>	<u>\$(7,850,231)</u>	<u>\$(4,840,726)</u>	<u>\$253,824,138</u>

¹ DEPARTMENT 215 - NORTH DAKOTA UNIVERSITY SYSTEM

This amendment adds \$500,000 from the general fund to be distributed by the board to institutions for which funding was reduced for public relations and development positions. Any additional public relations and development positions must be funded from other sources.

This amendment restores slots in the professional student exchange program for the 1991-93 biennium that were excluded in the executive budget recommendations. The restored slots are as follows:

<u>Veterinary Medicine</u>		
1991-92	4 freshmen @ \$18,400	\$ 73,600
1992-93	4 freshmen, 4 sophomores @ \$18,400	147,200
<u>Dentistry</u>		
1991-92	2 freshmen @ \$12,100	24,200
1992-93	2 freshmen, 2 sophomores @ \$12,300	49,200
<u>Optometry</u>		
1991-92	2 freshmen @ \$6,600	13,200
1992-93	2 freshmen, 2 sophomores @ \$6,700	<u>26,800</u>
Total general fund		\$334,200

- ² Bismarck State College - Changes funding source for director of development to other funds \$ (110,000)
- ³ UND - Removes funding for public relations position (123,000)
- ⁴ NDSU - Removes funding for vice president for university advancement - FTE authorization remains (203,403)
- ⁵ Minot State University - Removes funding for development position - FTE remains (129,713)

⁶ DEPARTMENT 229 - UND-WILLISTON

Adds \$23,000 from the general fund for capital improvements.

Other additions:

⁷ DEPARTMENT 232 - UNIVERSITY OF NORTH DAKOTA

This amendment makes the following changes:

Capital improvements -	
Smokestack	\$2,000,000
Gas boiler	1,750,000
Operating expenses -	
Add funds for telephone system	
Engineering planning - 1991-92	100,000
Lease costs - 1992-93	375,000
Reduce funds for payment on certificates of participation	<u>(1,300,000)</u>
Total changes	\$2,925,000
Less increased income (Section 10)	<u>(1,025,442)</u>
General fund increase	<u>\$1,899,558</u>

In addition, this amendment appropriates \$6,297,512 (consisting of \$5,500,000 available funds and \$797,512 for financing reserves and other costs of issuance) of proceeds from the December 1990 issue of certificates of participation to repay the costs of issuance immediately if possible. These funds were originally anticipated to be used for the UND smokestack, gas boiler, and telecommunications switching equipment but will now be repaid.

The following is a summary of proposed related House changes:

General
Fund Effect

Savings

Savings from UND refinancing	\$(1,025,442)
Fund lease payments in HB 1019 from capital construction funds only	(2,723,118)
Delete funding for payment on UND's certificate of participation	<u>(1,300,000)</u>
Subtotal	<u>\$ (5,048,560)</u>

Appropriations

Smokestack - UND	\$ 2,000,000
Gas boiler - UND	1,750,000
Telephone system - UND	
Planning - 1991-92	100,000
Lease rental - 1992-93	375,000
Subtotal	<u>\$ 4,225,000</u>
Net general fund savings including the general fund savings relating to the \$2,723,118 of lease payments in HB 1019	<u>\$ 823,560</u>

In addition, this amendment deletes \$90,000 from the general fund from capital improvements to be used at Mayville State University for handicapped access projects.

8 DEPARTMENT 235 - NORTH DAKOTA STATE UNIVERSITY

Adds \$300,000 from the general fund and \$300,000 from other funds for capital improvements relating to National Science Foundation grant to modernize Dunbar Hall.

9 DEPARTMENT 238 - COLLEGE OF SCIENCE

Adds \$150,000 from the general fund for capital improvements including replacing a portion of the steam line.

10 DEPARTMENT 239 - DICKINSON STATE UNIVERSITY

Adds \$45,000 from the general fund for plant maintenance delayed to fund electrical distribution costs during 1989-91.

11 DEPARTMENT 240 - MAYVILLE STATE UNIVERSITY

Adds \$90,000 from the general fund for capital improvements to provide a total of \$200,000 for handicapped access projects.

The reports of the majority and the minority were placed on the Sixth order of business on the calendar.

REPORT OF STANDING COMMITTEE

HB 1005: Committee on Appropriations (Rep. Thompson, Chairman) A MAJORITY of your committee (Reps Thompson, Hausauer, Dalrymple, Gerntholz, Wald, R. Berg, Howard, Jensen, Myrdal, Payne, Schmidt, Rydell, Wentz (refused to sign), Wilkie) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS.

Page 1, line 3, remove "to provide a"

Page 1, line 4, remove "statement of legislative intent;"

Page 1, line 16, replace "18,393,009" with "18,339,479"

Page 1, line 17, replace "3.618.524" with "3.571.754"

Page 1, line 18, replace "466,000" with "454,011"

Page 1, line 19, replace "22,477,533" with "22,365,244"

Page 1, line 21, replace "10,652,026" with "10,539,737"

Page 2, line 10, replace "30,844,811" with "30,568,610"

Page 2, line 11, replace "5,082,000" with "4,979,216"

Page 2, line 12, replace "1,389,000" with "1,371,280"

Page 2, line 13, replace "539,614" with "519,735"

Page 2, line 15, replace "38,155,425" with "37,738,841"

Page 2, line 17, replace "21,912,083" with "21,495,499"

Page 2, line 20, replace "863,121" with "878,521"

Page 2, line 24, replace "1,419,297" with "1,434,697"

Page 2, line 26, replace "1,027,621" with "1,043,021"

Page 3, line 9, replace "475,586" with "481,686"

Page 3, line 13, replace "771,886" with "777,986"

Page 3, line 15, replace "515,817" with "521,917"

Page 3, line 18, replace "548,298" with "549,698"

Page 3, line 22, replace "803,798" with "805,198"

Page 3, line 24, replace "596,154" with "597,554"

Page 3, line 27, replace "423,686" with "430,686"

Page 4, line 2, replace "749,686" with "756,686"

Page 4, line 4, replace "380,586" with "387,586"

Page 4, line 7, replace "631,695" with "643,995"

Page 4, line 11, replace "841,395" with "853,695"

Page 4, line 13, replace "499,395" with "511,695"

Page 4, line 16, replace "1.172.031" with "1.181.331"

Page 4, line 20, replace "1,895,931" with "1,905,231"

Page 4, line 22, replace "912.094" with "921,394"

Page 5, line 3, replace "943,839" with "1,254,689"

Page 5, line 4, replace "98,200" with "130,000"

Page 5, line 5, replace "39,000" with "50,000"

Page 5, line 6, replace "1,081,039" with "1,434,689"

Page 5, line 7, replace "37,601,043" with "37,123,670"

Page 5, line 8, replace "33,200,361" with "33,554,011"

Page 5, line 9, replace "70,801,404" with "70,677,681"

Page 6, line 2, replace "3" with "2"

Page 6, line 7, replace "1992" with "1993"

Page 6, line 14, replace "1992" with "1993"

Page 6, line 24, after "the" insert "legislative council, the public service commission, and the"

Page 7, replace lines 18 through 26 with:

"SECTION 7. LAND RECLAMATION RESEARCH CENTER - FUNDING. The amount of \$623,533, included in the special funds appropriation line item in subdivision 12 of section 1 of this Act, is from funds to be transferred by the industrial commission from the lignite research fund for the biennium beginning July 1, 1991, and ending June 30, 1993, as provided in House Bill No. 1019. In addition to the \$623,533 referred to above, the special funds appropriation line item in subdivision 12 of section 1 includes \$136,080 of funds that the industrial commission may transfer from the lignite research fund to the land reclamation research center during the biennium beginning July 1, 1991, and ending June 30, 1993."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 630 - NDSU - EXTENSION SERVICE

This amendment makes the following changes to the NDSU - Extension Service executive budget recommendation:

- Funding provided in the executive budget is reduced by \$325,972 from the general fund as follows: (The executive budget recommendation for 240 authorized FTE positions at the NDSU - Extension Service is not changed.)

	<u>General Fund Reduction</u>
Salaries and wages	\$(267,213)
Operating expenses	(46,770)
Equipment	<u>(11,989)</u>
Total	\$(325,972)

- Funding to continue salary increases given as a result of the 1990 two percent unallotment, in addition to the \$200,000 included in the executive budget, is provided in the amount of \$213,683 from the general fund. The amount includes a four percent salary increase on the unallotment amount.

- The total change to the NDSU - Extension Service executive budget recommendation is a general fund decrease of \$112,289, from \$10,652,026 to \$10,539,737.

DEPARTMENT 640 - MAIN RESEARCH STATION

This amendment provides funding to continue salary increases given as a result of the 1990 two percent unallotment in the amount of \$457,100 from the general fund. The amount includes a four percent salary increase on the unallotment amount. The amounts added to salaries and wages of the Main Research Station and the branch centers is as follows:

Main Research Station	\$405,600
Dickinson Research Center	15,400
Hettinger Research Center	6,100
Langdon Research Center	1,400

North Central Research Center	7,000
Williston Research Center	12,300
Carrington Research Center	<u>9,300</u>
Total	<u>\$457,100</u>

This amendment reduces funding for the Main Research Station by \$822,184 from the general fund as follows: (The executive budget recommendation for 353.52 authorized FTE positions at the Main Research Station is not changed.)

	<u>General Fund</u> <u>Reduction</u>
Salaries and wages	\$(681,801)
Operating expenses	(102,784)
Equipment	(17,720)
Capital improvements	<u>(19,879)</u>
Total	<u>\$(822,184)</u>

Section 4 of the bill authorizes the transfer of funds among the entities of the Agricultural Experiment Station upon approval of the Board of Higher Education and the Emergency Commission. This amendment includes the Northern Crops Institute in the section.

The total change to the Main Research Station's executive budget recommendation is a general fund reduction of \$416,584, from \$21,912,083 to \$21,495,499.

DEPARTMENT 651 - LAND RECLAMATION RESEARCH CENTER

This amendment provides that the Land Reclamation Research Center may accept and spend up to \$759,613 of funds received from the Industrial Commission, an increase of \$353,650 over the executive budget recommendation. The increase is as follows:

Salaries and wages	\$310,850
Operating expenses	31,800
Equipment	<u>11,000</u>
Total	<u>\$353,650</u>

House Bill No. 1019 provides that the Industrial Commission shall transfer \$623,533 from the lignite research fund to the Land Reclamation Research Center during the 1991-93 biennium. The Land Reclamation Research Center may request the additional \$136,080 authorized in this bill from the lignite research fund through the Industrial Commission on a competitive grant basis.

In addition, this amendment extends the dates upon which projects identified are to be concluded from June 30, 1992, to June 30, 1993, and provides that in addition to providing annual reports to the Industrial Commission, the Land Reclamation Research Center must provide annual reports to the Legislative Council and the Public Service Commission.

In total for this bill, this amendment reduces funding from the general fund by \$477,373, from \$37,601,043 to \$37,123,670; and increases funding from special funds by \$353,650, from \$33,200,361 to \$33,554,011.

REPORT OF STANDING COMMITTEE

HB 1005: Committee on Appropriations (Rep. Thompson, Chairman) A MINORITY of your committee (Reps. G. Berg, Brokaw, DeMers, Kaldor, Laughlin, Meyer, Nowatzki, Starke, Stofferahn) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS.

Page 1, line 3, remove "to provide a"

Page 1, line 4, remove "statement of legislative intent;"

Page 1, line 16, replace "18,393,009" with "18,428,550"

Page 1, line 17, replace "3,618,524" with "3,587,344"

Page 1, line 18, replace "466,000" with "458,008"

Page 1, line 19, replace "22,477,533" with "22,473,902"

Page 1, line 21, replace "10,652,026" with "10,648,395"

Page 2, line 10, replace "30,844,811" with "30,880,270"

Page 2, line 11, replace "5,082,000" with "5,026,200"

Page 2, line 12, replace "1,389,000" with "1,379,380"

Page 2, line 13, replace "539,614" with "528,822"

Page 2, line 15, replace "38,155,425" with "38,114,672"

Page 2, line 17, replace "21,912,083" with "21,871,330"

Page 2, line 20, replace "863,121" with "878,521"

Page 2, line 24, replace "1,419,297" with "1,434,697"

Page 2, line 26, replace "1,027,621" with "1,043,021"

Page 3, line 9, replace "475,586" with "481,686"

Page 3, line 13, replace "771,886" with "777,986"

Page 3, line 15, replace "515,817" with "521,917"

Page 3, line 18, replace "548,298" with "549,698"

Page 3, line 22, replace "803,798" with "805,198"

Page 3, line 24, replace "596,154" with "597,554"

Page 3, line 27, replace "423,686" with "430,686"

Page 4, line 2, replace "749,686" with "756,686"

Page 4, line 4, replace "380,586" with "387,586"

Page 4, line 7, replace "631,695" with "643,995"

Page 4, line 11, replace "841,395" with "853,695"

Page 4, line 13, replace "499,395" with "511,695"

Page 4, line 16, replace "1.172.031" with "1,181,331"

Page 4, line 20, replace "1,895,931" with "1,905,231"

Page 4, line 22, replace "912,094" with "921,394"

Page 5, line 3, replace "943,839" with "1,254,689"

Page 5, line 4, replace "98,200" with "130,000"

Page 5, line 5, replace "39,000" with "50,000"

Page 5, line 6, replace "1.081.039" with "1,434,689"

Page 5, line 7, replace "37,601,043" with "37,608,159"

Page 5, line 8, replace "33,200,361" with "33,554,011"

Page 5, line 9, replace "70,801,404" with "71,162,170"

Page 6, line 2, replace "3" with "2"

Page 6, line 7, replace "1992" with "1993"

Page 6, line 14, replace "1992" with "1993"

Page 6, line 24, after "the" insert "legislative council, the public service commission, and the"

Page 7, replace lines 18 through 26 with:

"SECTION 7. LAND RECLAMATION RESEARCH CENTER - FUNDING. The amount of \$623,533, included in the special funds appropriation line item in subdivision 12 of section 1 of this Act, is from funds to be transferred by the industrial commission from the lignite research fund for the biennium beginning July 1, 1991, and ending June 30, 1993, as provided in House Bill No. 1019. In addition to the \$623,533 referred to above, the special funds appropriation line item in subdivision 12 of section 1 includes \$136,080 of funds that the industrial commission may transfer from the lignite research fund to the land reclamation research center during the biennium beginning July 1, 1991, and ending June 30, 1993."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 630 - NDSU - EXTENSION SERVICE

This amendment makes the following changes to the NDSU - Extension Service executive budget recommendation:

- Funding provided in the executive budget is reduced by \$217,314 from the general fund as follows: (The executive budget recommendation for 240 authorized FTE positions at the NDSU - Extension Service is not changed.)

General Fund Reduction

Salaries and wages	\$ (178,142)
Operating expenses	(31,180)
Equipment	(7,992)
Total	<u>\$ (217,314)</u>

- Funding to continue salary increases given as a result of the 1990 two percent unallotment, in addition to the \$200,000 included in the executive budget, is provided in the amount of \$213,683 from the general fund. The amount includes a four percent salary increase on the unallotment amount.
- The total change to the NDSU - Extension Service executive budget recommendation is a general fund decrease of \$3,631, from \$10,652,026 to \$10,648,395.

DEPARTMENT 640 - MAIN RESEARCH STATION

This amendment provides funding to continue salary increases given as a result of the 1990 two percent unallotment in the amount of \$457,100 from the general fund. The amount includes a four percent salary increase on the unallotment amount. The amounts added to salaries and wages of the Main Research Station and the branch centers is as follows:

Main Research Station	\$405,600
Dickinson Research Center	15,400

Hettinger Research Center	6,100
Langdon Research Center	1,400
North Central Research Center	7,000
Williston Research Center	12,300
Carrington Research Center	9,300
Total	<u>\$457,100</u>

This amendment reduces funding for the Main Research Station by \$446,353 from the general fund as follows: (The executive budget recommendation for 353.52 authorized FTE positions at the Main Research Station is not changed.)

General Fund Reduction

Salaries and wages	\$ (370,141)
Operating expenses	(55,800)
Equipment	(9,620)
Capital improvements	<u>(10,792)</u>
Total	<u>\$(446,353)</u>

Section 4 of the bill authorizes the transfer of funds among the entities of the Agricultural Experiment Station upon approval of the Board of Higher Education and the Emergency Commission. This amendment includes the Northern Crops Institute in the section.

The total change to the Main Research Station's executive budget recommendation is a general fund reduction of \$40,753, from \$21,912,083 to \$21,871,330.

DEPARTMENT 651 - LAND RECLAMATION RESEARCH CENTER

This amendment provides that the Land Reclamation Research Center may accept and spend up to \$759,613 of funds received from the Industrial Commission, an increase of \$353,650 over the executive budget recommendation. The increase is as follows:

Salaries and wages	\$310,850
Operating expenses	31,800
Equipment	11,000
Total	<u>\$353,650</u>

House Bill No. 1019 provides that the Industrial Commission shall transfer \$623,533 from the lignite research fund to the Land Reclamation Research Center during the 1991-93 biennium. The Land Reclamation Research Center may request the additional \$136,080 authorized in this bill from the lignite research fund through the Industrial Commission on a competitive grant basis.

In addition, this amendment extends the dates upon which projects identified are to be concluded from June 30, 1992, to June 30, 1993, and provides that in addition to providing annual reports to the Industrial Commission, the Land Reclamation Research Center must provide annual reports to the Legislative Council and the Public Service Commission.

The reports of the majority and the minority were placed on the Sixth order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1006: A BILL for an Act making an appropriation for defraying the expenses of the department of health and consolidated laboratories of the state of North Dakota; to provide an appropriation from the solid waste management fund; and to provide for an appropriation from the abandoned motor vehicle disposal fund.

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; Clayburgh; Cleary; Coats; Dalrymple; Delzer; DeMers; DeWitz; Enget; Erickson; Flaagan; Freier; Gabrielson; Gates; Gerntholz; Gilmore; Goffe; Gorder; 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; 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: Dorso; Gorman; Ritter

HB 1006 passed and the title was agreed to.

MOTION

REP. KLOUBEC MOVED that the House waive the reading of the titles to all bills on today's calendar, which motion prevailed.

SECOND READING OF HOUSE BILLS

HB 1008: A BILL for an Act making an appropriation for defraying the expenses of the aeronautics commission.

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; Enget; Erickson; Flaagan; Freier; Gabrielson; Gates; Gerntholz; Gilmore; Goffe; Gorder; 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; 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: Dorso; Gorman; Kloubec; Ritter; Whalen

HB 1008 passed and the title was agreed to.

HB 1011: A BILL for an Act making an appropriation for defraying the expenses of the securities commissioner.

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 102 YEAS, 0 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;

Enget; Erickson; Flaagan; Freier; Gabrielson; Gates; Gerntholz; Gilmore; Goffe; Gorder; 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; 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: Dorso; Gorman; Kloubec; Ritter

HB 1011 passed and the title was agreed to.

HB 1018: A BILL for an Act making an appropriation for defraying the expenses of the children's services coordinating committee.

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; Enget; Erickson; Flaagan; Freier; Gabrielson; Gates; Gerntholz; Gilmore; Goffe; Gorder; 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; 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

ABSENT AND NOT VOTING: Dorso; Gorman; Kloubec; Peterson; Ritter

HB 1018 passed and the title was agreed to.

HB 1023: A BILL for an Act to provide an appropriation relating to pay equity adjustments; to provide requirements for the expenditure of funds for pay equity adjustments; and to provide for progress reports to the legislative council.

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 102 YEAS, 0 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; Enget; Erickson; Flaagan; Freier; Gabrielson; Gates; Gerntholz; Gilmore; Goffe; Gorder; 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; 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: Dorso; Gorman; Kloubec; Ritter

HB 1023 passed and the title was agreed to.

HB 1031: A BILL for an Act to amend and reenact section 50-24.4-15 of the North Dakota Century Code, relating to reimbursement of nursing home providers for property-related costs.

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 96 YEAS, 7 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Belter; Berg, G.; Bernstein; Bodine; Boucher; Brokaw; Byerly; Carlisle; Carlson; Clayburgh; Cleary; Coats; Dalrymple; Delzer; DeMers; DeWitz; Enget; Erickson; Flaagan; Freier; Gabrielson; Gates; Gerntholz; Gilmore; Goffe; Gorder; 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; Rydell; Scherber; Schimke; Schindler; Schmidt; Schneider; Shide; Skar; Skjerven; Snyder; Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Thorpe; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Wilkie; Williams

NAYS: Bateman; Berg, R.; Boehm; Brown; Thompson; Whalen; Speaker R. Anderson

ABSENT AND NOT VOTING: Dorso; Gorman; Ritter

Reengrossed HB 1031 passed and the title was agreed to.

HB 1043: A BILL for an Act relating to proposed legislation mandating health insurance coverage; and to provide an appropriation.

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 66 YEAS, 37 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Belter; Berg, G.; Berg, R.; Bernstein; Boehm; Brown; Byerly; Carlisle; Clayburgh; Dalrymple; Delzer; DeWitz; Enget; Freier; Gates; Gerntholz; Goffe; Gorder; Grosz; Grumbo; Hausauer; Henegar; Howard; Jensen; Kaldor; Kelsch; Kloubec; Kretschmar; Kunkel; Larson; Linderman; Martin; Martinson; Meyer; Miller; Muhs; Myrdal; Nicholas; Nichols; Nowatzki; Oban; Olsen, D.; Payne; Porter; Price; Rennerfeldt; Rydell; Schimke; Schindler; Schmidt; Shide; Skjerven; Soukup; St. Aubyn; Svedjan; Thompson; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Whalen; Wilkie; Speaker R. Anderson

NAYS: Anderson, B.; Bateman; Bodine; Boucher; Brokaw; Carlson; Cleary; Coats; DeMers; Erickson; Flaagan; Gabrielson; Gilmore; Hanson; Hokana; Huether; Jacobson; Kerzman; Kolbo; Kroeber; Laughlin; Mahoney; Mutzenberger; Nelson; Olson, A.; Peterson; Pyle; Ring; Scherber; Schneider; Skar; Snyder; Starke; Stofferahn; Thorpe; Wentz; Williams

ABSENT AND NOT VOTING: Dorso; Gorman; Ritter

Reengrossed HB 1043 passed and the title was agreed to.

HB 1384: A BILL for an Act to provide for durable powers of attorney for health care; 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 94 YEAS, 9 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Belter; Berg, G.; Berg, R.; Bodine; Boucher; Brokaw; Byerly; Carlisle; Carlson; Clayburgh; Cleary; Coats; Dalrymple; DeMers; DeWitz; Enget; Erickson; Flaagan; Freier; Gabrielson; Gates; Gerntholz; Gilmore; Goffe; Gorder; 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; Rydell; Scherber; Schimke; Schindler; Schmidt; Schneider; Skar; Skjerven; Snyder; Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Thorpe; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Wilkie; Williams; Speaker R. Anderson

NAYS: Bateman; Bernstein; Boehm; Brown; Delzer; Olsen, D.; Shide; Thompson; Whalen

ABSENT AND NOT VOTING: Dorso; Gorman; Ritter

HB 1384 passed and the title was agreed to.

REQUESTS

REP. RENNERFELDT REQUESTED that the record show that he intended to vote "Yea" on HB 1515, which request was granted.

SECOND READING OF HOUSE BILL

HB 1477: A BILL for an Act to provide for utilization review of health care services; and to provide a penalty.

MOTION

REP. BATEMAN 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 64 YEAS, 38 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Bateman; Berg, G.; Bodine; Boehm; Boucher; Brokaw; Byerly; Carlson; Clayburgh; Cleary; Coats; Dalrymple; DeMers; Enget; Erickson; Flaagan; Freier; Gabrielson; Gilmore; Goffe; Gorder; Hanson; Hausauer; Hokana; Huether; Jacobson; Jensen; Kaldor; Kelsch; Kerzman; Kolbo; Kretschmar; Kroeber; Laughlin; Linderman; Mahoney; Martinson; Meyer; Mutzenberger; Nelson; Nichols; Nowatzki; Oban; Olson, D.; Peterson; Pyle; Ring; Scherber; Schimke; Schneider; Shide; Skar; Skjerven; Snyder; St. Aubyn; Starke; Stofferahn; Svedjan; Thompson; Thorpe; Wilkie; Williams

NAYS: Belter; Berg, R.; Bernstein; Brown; Carlisle; Delzer; DeWitz; Gates; Gerntholz; Grosz; Grumbo; Henegar; Howard; Kloubec; Kunkel; Larson; Martin; Miller; Muhs; Myrdal; Nicholas; Olson, A.; Payne; Porter; Price; Rennerfeldt; Rydell; Schindler; Schmidt; Soukup; Timm; Tollefson; Trautman; Urlacher; Wardner; Wentz; Whalen; Speaker R. Anderson

ABSENT AND NOT VOTING: Dorso; Gorman; Ritter; Wald

HB 1477 passed and the title was agreed to.

HOUSE ENGROSSING REPORT

The following bills were engrossed: HB 1110 (emergency clause removed), HB 1515, HB 1579.

HOUSE ENGROSSING REPORT

The following bills were engrossed: HB 1016, HB 1021, HB 1079.

SECOND READING OF HOUSE BILL

HB 1494: A BILL for an Act to provide for the regulation of certain health care professions; to provide a continuing appropriation; and to provide an appropriation.

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 25 YEAS, 76 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Berg, R.; Bernstein; Bodine; Boucher; Byerly; Carlisle; Enget; Freier; Gates; Gilmore; Gorder; Hausauer; Henegar; Kretschmar; Larson; Linderman; Martin; Payne; Rennerfeldt; Rydell; Schmidt; Skar; Skjerven; St. Aubyn; Svedjan

NAYS: Aarsvold; Anderson, B.; Bateman; Belter; Berg, G.; Boehm; Brokaw; Brown; Carlson; Clayburgh; Cleary; Coats; Dalrymple; Delzer; DeMers; DeWitz; Erickson; Flaagan; Gabrielson; Gerntholz; Goffe; Grosz; Grumbo; Hanson; Hokana; Howard; Huether; Jacobson; Jensen; Kaldor; Kelsch; Kerzman; Kloubec; Kolbo; Kroeber; Kunkel; Laughlin; Mahoney; Martinson; Meyer; Miller; Muhs; Mutzenberger; Myrdal; Nelson; Nichols; Nowatzki; Oban; Olsen, D.; Olson, A.; Peterson; Porter; Price; Pyle; Ring; Scherber; Schimke; Schindler; Schneider; Shide; Snyder; Soukup; Starke; Stofferahn; Thompson; Thorpe; Timm; Tollefson; Trautman; Urlacher; Wardner; Wentz; Whalen; Wilkie; Williams; Speaker R. Anderson

ABSENT AND NOT VOTING: Dorso; Gorman; Nicholas; Ritter; Wald

HB 1494 was declared lost.

MOTION

REP. KLOUBEC MOVED that the House stand in recess until 1:00 p.m., which motion prevailed.

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

SECOND READING OF HOUSE BILLS

HB 1511: A BILL for an Act to direct the department of human services to negotiate a new lease; to authorize the industrial commission, acting as the state building authority, to issue loan notes to make funds available for the acquisition of lands and the construction and equipping of a regional human service center facility or the purchase of an existing facility; to provide for the termination of a current lease; to provide an appropriation; to provide for an effective date; 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 65 YEAS, 38 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Belter; Berg, G.; Bodine; Boucher; Brokaw; Carlson; Clayburgh; Cleary; Coats; Dalrymple; DeMers; Enget; Erickson; Flaagan; Gabrielson; Gates; Gerntholz; Gilmore; Goffe; Hanson; Hausauer; Henegar; Hokana; Huether; Jacobson; Jensen; Kaldor; Kerzman; Kolbo; Larson; Laughlin; Linderman; Mahoney; Meyer; Mutzenberger; Myrdal; Nelson; Nichols; Nowatzki; Oban; Olsen, D.; Olson, A.; Peterson; Porter; Price; Pyle; Ring; Rydell; Scherber; Schneider; Skar; Skjerven; Snyder; St. Aubyn; Starke; Stofferahn; Svedjan; Thorpe; Trautman; Wald; Wardner; Wentz; Wilkie; Williams

NAYS: Aarsvold; Bateman; Berg, R.; Bernstein; Boehm; Brown; Byerly; Carlisle; Delzer; DeWitz; Freier; Gorder; Grosz; Grumbo; Howard; Kelsch; Kloubec; Kretschmar; Kroeber; Kunkel; Martin; Martinson; Miller; Muhs; Nicholas; Payne; Rennerfeldt; Schimke; Schindler; Schmidt; Shide; Soukup; Thompson; Timm; Tollefson; Urlacher; Whalen; Speaker R. Anderson

ABSENT AND NOT VOTING: Dorso; Gorman; Ritter

HB 1511 passed, the title was agreed to, but the emergency clause lost.

HB 1528: A BILL for an Act to create and enact a new section to chapter 23-01.1 and a new subsection to section 23-01.1-02 of the North Dakota Century Code, relating to publication of physicians' fee information; to amend and reenact section 23-01.1-04 of the North Dakota Century Code, relating to data acquired by the health care data committee; and to repeal section 23-01.1-03 of the North Dakota Century Code, relating to a directory of licensed physicians.

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

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

NAYS: Bateman; Belter; Bernstein; Boehm; Brown; Byerly; Carlisle; Clayburgh; Cleary; Dalrymple; Delzer; DeWitz; Freier; Gates; Gerntholz; Goffe; Grosz; Hausauer; Henegar; Howard; Kelsch; Kloubec; Kretschmar; Kunkel; Larson; Martin; Martinson; Miller; Myrdal; Nicholas; Olsen, D.; Olson, A.; Payne; Porter; Rennerfeldt; Rydell; Schimke; Schmidt; Shide; Soukup; St. Aubyn; Svedjan; Thompson; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Whalen; Speaker R. Anderson

ABSENT AND NOT VOTING: Dorso; Gorman; Ritter

HB 1528 was declared lost for want of a Constitutional majority.

REQUEST

REP. WALD REQUESTED that the record show that he intended to vote "Nay" on HB 1384, which request was granted.

SECOND READING OF HOUSE BILL

HB 1558: A BILL for an Act to provide mandatory fees upon conviction for certain offenses, deposit of the fees in the domestic violence prevention fund, and grants from the fund; and to provide an appropriation.

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 102 YEAS, 0 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; Enget; Erickson; Flaagan; Freier; Gabrielson; Gates; Gerntholz; Gilmore; Goffe; Gorder; 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; 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: Dorso; Gorman; Ritter; Whalen

HB 1558 passed and the title was agreed to.

MOTION

REP. KLOUBEC MOVED that HB 1559 be placed at the bottom of the Eleventh order, which motion prevailed.

SECOND READING OF HOUSE BILLS

HB 1569: A BILL for an Act to amend and reenact section 54-38-07 of the North Dakota Century Code, relating to establishment of facilities for the treatment of drug dependent persons by the department of human services.

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 75 YEAS, 27 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Bateman; Belter; Berg, R.; Bernstein; Boehm; Brokaw; Byerly; Carlisle; Cleary; Coats; Dalrymple; Delzer; DeWitz; Enget; Erickson; Flaagan; Freier; Gabrielson; Gates; Gerntholz; Gilmore; Goffe; Gorder; Grosz; Hausauer; Henegar; Hokana; Howard; Kaldor; Kelsch; Kloubec; Kolbo; Kretschmar; Larson; Laughlin; Martin; Martinson; Muhs; Mutzenberger; Myrdal; Nicholas; Nichols; Nowatzki; Oban; Olsen, D.; Payne; Peterson; Porter; Price; Pyle; Rennerfeldt; Rydell; Schimke; Schindler; Schmidt; Shide; Skar; Skjerven; Snyder; Soukup; St. Aubyn; Stofferahn; Svedjan; Thompson; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Wilkie; Speaker R. Anderson

NAYS: Berg, G.; Bodine; Boucher; Brown; Carlson; Clayburgh; DeMers; Grumbo; Hanson; Huether; Jacobson; Jensen; Kerzman; Kroeber; Kunkel; Linderman; Mahoney; Meyer; Miller; Nelson; Olson, A.; Ring; Scherber; Schneider; Starke; Thorpe; Williams

ABSENT AND NOT VOTING: Dorso; Gorman; Ritter; Whalen

HB 1569 passed and the title was agreed to

HB 1586: A BILL for an Act to create and enact a new section to chapter 43-12.1 of the North Dakota Century Code, relating to a special temporary nursing license by endorsement; and to declare an emergency.

MOTION

REP. BERNSTEIN 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 41 YEAS, 60 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Belter; Boehm; Boucher; Brokaw; Delzer; DeWitz; Enget; Erickson; Flaagan; Freier; Gilmore; Gorder; Grosz; Grumbo; Henegar; Hokana; Howard; Jacobson; Kolbo; Laughlin; Linderman; Meyer; Myrdal; Nelson; Nichols; Nowatzki; Olsen, D.; Olson, A.; Peterson; Schimke; Schindler; Schmidt; Shide; Skar; Skjerven; Starke; Stofferahn; Thompson; Timm; Whalen; Speaker R. Anderson

NAYS: Aarsvold; Anderson, B.; Bateman; Berg, G.; Berg, R.; Bernstein; Bodine; Brown; Byerly; Carlisle, Carlson; Clayburgh, Cleary; Coats; DeMers; Gabrielson; Gates; Gerntholz; Goffe, Hanson; Hausauer; Huether; Jensen; Kaldor; Kelsch; Kerzman; Kloubec; Kretschmar; Kroeber; Kunkel; Larson; Mahoney; Martin; Martinson; Miller; Muhs; Mutzenberger; Nicholas; Oban; Payne; Porter; Price; Pyle; Rennerfeldt; Ring; Rydell; Scherber; Schneider; Snyder, Soukup; St. Aubyn; Svedjan; Thorpe; Tollefson; Trautman; Urlacher, Wardner; Wentz; Wilkie; Williams

ABSENT AND NOT VOTING: Dalrymple; Dorso; Gorman; Ritter; Wald

HB 1586 was declared lost.

HB 1595: A BILL for an Act relating to payments of an unsolicited premium by a third party on behalf of a medical assistance recipient for nonmedical assistance covered items.

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, 1 NAY, 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; Delzer; DeMers; DeWitz; Enget; Erickson; Flaagan; Freier; Gabrielson; Gates; Gerntholz; Gilmore; Goffe; Gorder; 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; Rydell; 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: Scherber

ABSENT AND NOT VOTING: Dalrymple; Dorso; Gorman; Ritter

HB 1595 passed and the title was agreed to.

HB 1542: A BILL for an Act to amend and reenact section 5-03-07 of the North Dakota Century Code, relating to the rate of alcoholic beverage wholesaler privilege tax; and to provide an effective date.

MOTION

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

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 16 YEAS, 86 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Brokaw; Cleary; Enget; Gates; Gilmore; Gorder; Kerzman; Laughlin; Muhs; Peterson; Price; Ring; Scherber; Skar; Wentz

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

ABSENT AND NOT VOTING: Dalrymple; Dorso; Gorman; Ritter

HB 1542 was declared lost.

HB 1555: A BILL for an Act to establish a state-community matching physician loan repayment program; and to provide an appropriation.

ROLL CALL

The question being on the final passage of the amended bill, which has been read and is PLACED ON THE CALENDAR WITHOUT RECOMMENDATION, the roll was called and there were 95 YEAS, 7 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Bateman; Belter; Berg, G.; Berg, R.; Bernstein; Bodine; Boehm; Boucher; Brokaw; Carlisle; Carlson; Clayburgh; Cleary; Coats; Delzer; DeMers; DeWitz; Enget; Erickson; Flaagan; Freier; Gabrielson; Gates; Gerntholz; Gilmore; Goffe; Gorder; Grosz; Grumbo; Hanson; Hausauer; Henegar; Hokana; 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.; Payne; Peterson; Porter; Price; Pyle; Rennerfeldt; Ring; Rydell; Scherber; Schimke; Schindler; Schmidt; Schneider; Shide; Skar; Skjerven; Snyder; Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Thorpe; Tollefson; Trautman; Urlacher; Wardner; Wentz; Wilkie; Williams; Speaker R. Anderson

NAYS: Brown; Byerly; Huether; Thompson; Timm; Wald; Whalen

ABSENT AND NOT VOTING: Dalrymple; Dorso; Gorman; Ritter

HB 1555 passed and the title was agreed to.

MOTION

REP. KLOUBEC MOVED that the House be on the Sixth order of business to consider HB 1003 and HB 1005, which motion prevailed.

SIXTH ORDER OF BUSINESS

REP. THOMPSON MOVED that the amendments to HB 1003, as recommended by a Majority of the Committee on Appropriations, be adopted, and when so adopted recommends the same DO PASS.

RULING BY THE SPEAKER

SPEAKER R. ANDERSON RULED that if the Majority Report proposed amendments to HB 1003 are adopted, the proposed amendments of the Minority Report will not be voted upon; however, if the Majority Report proposed amendments are defeated, the Minority Report proposed amendments will be voted upon.

MOTION

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

The question being on the motion to adopt the proposed Majority Report amendments to HB 1003.

The motion to adopt the proposed Majority Report amendments to HB 1003 passed on a verification vote.

HB 1003, as amended by the Majority Report, was placed on the Eleventh order of business on the calendar

MOTION

REP. KLOUBEC MOVED that HB 1003 be deemed properly engrossed and placed at the head of the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1003: A BILL for an Act to provide an appropriation for defraying the expenses of the North Dakota university system and the various institutions of higher learning under the supervision of the state board of higher education; to provide an exemption to the provisions of section 54-44.1-11 of the North Dakota Century Code; and to amend and reenact sections 15-10-18.3 and 15-10-18.5 of the North Dakota Century Code, relating to tuition waver.

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, 27 NAYS, 1 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Belter; Berg, G.; Berg, R.; Bernstein; Bodine; Boucher; Brokaw; Carlisle; Carlson; Clayburgh; Cleary; Coats; Dalrymple; DeMers; Erickson; Flaagan; Gabrielson; Gates; Gerntholz; Gilmore; Goffe; Grumbo; Hanson; Hausauer; Henegar; Hokana; Huether; Jacobson; Jensen; Kaldor; Kelsch; Kloubec; Kolbo; Kretschmar; Kroeber; Kunkel; Larson; Laughlin; Linderman; Mahoney; Martin; Martinson; Mutzenberger; Nelson, Nicholas; Nichols; Nowatzki; Oban; Payne; Peterson; Porter, Price; Pyle; Ring; Rydell; Scherber; Schindler; Schneider; Skar; Snyder; St. Aubyn; Starke; Stofferahn; Svedjan; Thorpe; Timm; Toilefson, Trautman; Urlacher; Wald; Wardner; Wentz; Wilkie, Williams

NAYS: Bateman; Boehm; Brown; Byerly; Delzer; DeWitz; Enget; Freier; Gorder; Grosz; Howard; Kerzman; Meyer; Miller; Muhs; Myrdal; Olsen, D.; Olson, A.; Rennerfeldt; Schimke; Schmidt; Shide; Skjerven; Soukup; Thompson; Whalen; Speaker R. Anderson

ABSENT AND NOT VOTING: Dorso; Gorman; Ritter

HB 1003 passed and the title was agreed to.

SIXTH ORDER OF BUSINESS

REP. THOMPSON MOVED that the amendments to HB 1005, as recommended by a Majority of the Committee on Appropriations, be adopted, and when so adopted recommends the same DO PASS.

RULING BY THE SPEAKER

SPEAKER R. ANDERSON RULED that if the Majority Report proposed amendments to HB 1005 are adopted, the proposed amendments of the Minority Report will not be voted upon; however, if the Majority Report proposed amendments are defeated, the Minority Report proposed amendments will be voted upon.

The question being on the motion to adopt the Majority Report amendments to HB 1005.

The motion to adopt the Majority Report proposed amendments to HB 1005 lost.

SIXTH ORDER OF BUSINESS

REP. THOMPSON MOVED that the amendments to HB 1005, as recommended by a Minority of the Committee on Appropriations be adopted, and when so adopted recommends the same DO PASS.

The question being on the motion to adopt the proposed Minority Report amendments to HB 1005.

The motion to adopt the Minority Report proposed amendments to HB 1005 passed on a verification vote.

HB 1005, as amended by the Minority Report, was placed on the Eleventh order of business on the calendar.

MOTION

REP. KLOUBEC MOVED that HB 1005 be deemed properly engrossed and placed at the head of the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE BILLS

HB 1005: A BILL for an Act making an appropriation for defraying the expenses of the North Dakota state university extension service, the northern crops institute, and the North Dakota agricultural experiment station; and to provide a contingent appropriation.

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; Enget; Erickson; Flaagan; Freier; Gabrielson; Gates; Gerntholz; Gilmore; Goffe; Gorder; 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; Rydell; Scherber; Schimke; Schindler; Schmidt; Schneider; Shide; Skar; Skjervan; Snyder; Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Thorpe; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Wilkie; Williams; Speaker R. Anderson

ABSENT AND NOT VOTING: Dorso; Gorman; Ritter; Thompson; Whalen

HB 1005 passed and the title was agreed to.

HB 1559: A BILL for an Act to provide for negotiation and arbitration rights and procedures for public employees of institutions of higher education; to provide a penalty; to provide an appropriation; 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 NOT PASS, the roll was called and there were 48 YEAS, 54 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Berg, G.; Bodine; Boucher; Brown; Carlson; Coats; DeMers; Gabrielson; Gerntholz; Gilmore; Goffe; Gorder; Grumbo; Hanson; Hokana; Jacobson; Jensen; Kaldor; Kloubec; Kolbo; Kretschmar; Kroeber; Linderman; Mahoney; Mutzenberger; Myrdal; Nelson; Nowatzki; Oban; Olson, A.; Peterson; Price; Pyle; Ring; Scherber; Schneider; Skar; Skjerven; Snyder; Starke; Stofferahn; Thompson; Thorpe; Wentz; Whalen; Williams

NAYS: Bateman; Belter; Berg, R.; Bernstein; Boehm; Brokaw; Byerly; Carlisle; Clayburgh; Cleary; Dalrymple; Delzer; DeWitz; Enget; Erickson; Flaagan; Freier; Gates; Grosz; Hausauer; Henegar; Howard; Huether; Kelsch; Kerzman; Kunkel; Larson; Laughlin; Martin; Martinson; Meyer; Miller; Muhs; Nicholas; Nichols; Olsen, D.; Porter; Rennerfeldt; Rydell; Schimke; Schindler; Schmidt; Shide; Soukup; St. Aubyn; Svedjan; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Wilkie; Speaker R. Anderson

ABSENT AND NOT VOTING: Dorso; Gorman; Payne; Ritter

HB 1559 was declared lost.

HOUSE ENROSSING REPORT

The following bill was engrossed: HB 1511 (emergency clause removed).

MOTIONS

REP. KLOUBEC MOVED that the Clincher be put on all bills that action was taken on today, which motion prevailed.

REP. KLOUBEC MOVED that all bills acted on today be messaged to the Senate, which motion prevailed.

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

REP. KLOUBEC MOVED that the House stand adjourned until 1:00 p.m., Wednesday, February 27, 1991, which motion prevailed.

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

ROY GILBREATH, Chief Clerk