

JOURNAL OF THE HOUSE

Fifty-second Legislative Assembly

* * * * *

Bismarck, March 7, 1991

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

The prayer was offered by Rev. Ronald Gough, First United Methodist Church, Mandan.

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

A quorum was declared by the Speaker.

HOUSE ENROLLING REPORT

The following bills were enrolled: HB 1074, HB 1080, HB 1109, HB 1239, HB 1447, and HB 1459.

SIGNING OF BILLS and RESOLUTIONS

The Speaker signed the following enrolled bills: HB 1030, HB 1034, HB 1038, HB 1055, HB 1056, HB 1065, HB 1096, HB 1104, HB 1107, HB 1115, HB 1118, HB 1198, HB 1267.

SIGNING OF BILLS and RESOLUTIONS

The Speaker signed the following enrolled bills: HB 1074, HB 1080, HB 1109, HB 1239, HB 1447, HB 1459.

SIGNING OF BILLS and RESOLUTIONS

The Speaker signed the following enrolled bills: SB 2037, SB 2042, SB 2043, SB 2086, SB 2122, SB 2127, SB 2131, SB 2141, SB 2195, SB 2251, SB 2295, SB 2299, SB 2302, SB 2482.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following bills were delivered to the Governor for his approval at the hour of 9:30 a.m., March 7, 1991: HB 1057, HB 1066, HB 1076, HB 1088, HB 1089, HB 1090, HB 1097, HB 1121, HB 1129, HB 1134, HB 1142, HB 1144, HB 1147, HB 1149, HB 1171, HB 1183, HB 1184, HB 1197, HB 1220, HB 1238, HB 1241, HB 1254, HB 1315, HB 1335, HB 1359, HB 1397, HB 1429, HB 1442, HB 1557.

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

MR. SPEAKER: The Senate has passed and your favorable consideration is requested on: SB 2572, SCR 4020.

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

MR. SPEAKER: The Senate has passed unchanged: HB 1154, HB 1181, HB 1209, HB 1307, HB 1366, HB 1371, HB 1390, HB 1398, HB 1399, HB 1501, HB 1580.

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

MR. SPEAKER: The Senate has amended and subsequently passed: HB 1035, HB 1203, HB 1424, HB 1497.

SENATE AMENDMENTS TO ENGROSSED HB 1035

Page 1, line 14, remove "trout and salmon license stamp,"

Re-number accordingly

SENATE AMENDMENTS TO ENGROSSED HB 1203

Page 1, line 18, remove the overstrike over "~~one~~"

Page 1, line 19, remove "at least three weeks"

Page 1, line 21, replace "The" with "Any other", replace "must" with "may", and replace "two" with "one"

Renumber accordingly

SENATE AMENDMENTS TO ENGROSSED HB 1424

Page 1, line 14, remove "inappropriate or"

Renumber accordingly

SENATE AMENDMENTS TO ENGROSSED HB 1497

Page 1, line 2, replace "subsections" with "subsection" and remove "and 9"

Page 1, line 20, remove "and 9" and remove the second "of"

Page 2, remove lines 3 through 8

Renumber accordingly

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

MR. SPEAKER: The Senate has failed to pass: HB 1174.

THE HOUSE RECOGNIZED THE PRESENCE OF:

Former Representative Wes Belter, Sr.

COMMUNICATION FROM GOVERNOR GEORGE A. SINNER

March 7, 1991

This is to inform you that on March 7, 1991, I signed the following: HB 1025, HB 1099, HB 1128, HB 1133, HB 1136, HB 1202, HB 1222, HB 1235, and HB 1312.

SPECIAL ORDER OF BUSINESS

SPEAKER R. ANDERSON ANNOUNCED that the House would be on a Special Order of Business.

SPEAKER R. ANDERSON INTRODUCED Dr. Wayne Sanstead, Superintendent of Public Instruction, who presented an award to Representative Myrdal.

SPEAKER R. ANDERSON APPOINTED Reps. A. Olson and Kelsch to the Escort Committee and Rep. Myrdal was escorted to the rostrum.

OR. WAYNE SANSTEAD: Mr. Speaker and members of the Assembly. Technology has become an important facet of education in North Dakota. As we struggle with reduced funds, fewer kids and more miles, technology has offered a way to address some of the issues of quality education in North Dakota.

Representative Myrdal served in the 1989 session on the House Education Committee. She took a keen interest in technology and played a key role in passage of legislation that created the Educational Telecommunications Council. After the legislative session, she was appointed to the Council and became its first chairperson. She served as a school board representative on the Council.

During her tenure the Council developed a statewide technology plan for North Dakota--a plan that unifies planning in higher education and elementary and secondary education. That plan envisions having a statewide compatible network of all educational institutions in five years--the North Dakota legislature willing, of course.

Through Representative Myrdal's leadership, we have come a long way in the past two years and on behalf of the Department of Public Instruction and the State Educational Telecommunications Council, I would like to recognize her leadership.

MOTION

REP. KLOUBEC MOVED that the remarks of Dr. Sanstead be printed in the Journal, which motion prevailed.

MOTIONS

REP. KLOUBEC MOVED that the rules be suspended and that the House consider the amendments to SB 2106, SB 2108, SB 2158, SB 2173, and SB 2266 in one motion, which motion prevailed.

REP. KLOUBEC MOVED that the rules be suspended and that the amendments to SB 2106, SB 2108, SB 2158, SB 2173, and SB 2266 be adopted, which motion prevailed.

SB 2106, SB 2108, SB 2158, SB 2173, and SB 2266, as amended, were placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MOTIONS

REP. DEMERS MOVED that the House reconsider its action whereby Engrossed SB 2475 failed to pass.

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

The question being on the motion that the House reconsider its action whereby SB 2475 failed to pass, which motion lost on a verification vote.

MOTION

REP. KLOUBEC MOVED that 250 copies of HB 1186 be reprinted, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2040: A BILL for an Act to create and enact a new section to chapter 20.1-08 of the North Dakota Century Code, relating to orders and proclamations of the governor; to amend and reenact section 20.1-12-05 of the North Dakota Century Code, relating to the operation of shooting preserves; and to repeal section 20.1-01-10 of the North Dakota Century Code, relating to the hours for hunting game birds and protected animals.

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, 1 NAY, 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; Price; Pyle; Rennerfeldt; Ritter; Rydell; Scherber; Schimke; Schindler; Schmidt; Schneider; Shide; Skar; Skjerven; Snyder; Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Thompson; Thorpe; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Whalen; Wilkie; Williams; Speaker R. Anderson

NAYS: Ring

ABSENT AND NOT VOTING: Gorman; Porter

SB 2040 passed and the title was agreed to.

THE HOUSE RECOGNIZED THE PRESENCE OF:

Former Representative Jack Olin

SECOND READING OF SENATE BILL

SB 2041: A BILL for an Act to amend and reenact section 20.1-03-01.2 of the North Dakota Century Code, relating to hunter safety instruction requirements for obtaining hunting licenses.

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 92 YEAS, 12 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

NAYS: Aarsvold; Delzer; Grosz; Kaldor; Kerzman; Meyer; Nelson; Schimke; Schmidt; Skar; Wilkie; Williams

ABSENT AND NOT VOTING: Gorman; Porter

SB 2041 passed and the title was agreed to.

MOTION

REP. TOLLEFSON MOVED that the House waive the reading of the titles to SB 2212, SB 2094, and SB 2174, which motion prevailed.

SECOND READING OF SENATE BILLS

SB 2212: A BILL for an Act to amend and reenact subsection 5 of section 57-38-34, subsections 1, 2, and 4 of section 57-38-42, sections 57-38-62, 57-38-63, and 57-38-64 of the North Dakota Century Code, relating to the requirements for information at the source tax returns, clarification of the requirements for the payment of estimated income tax, clarification of the requirements for the application for a quick refund of overpaid estimated tax by a corporation; and to provide an effective date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 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; Dorso; Enget; Erickson; Flaagan; Freier; Gabrielson; Gates; Gerntholz; Gilmore; Goffe; Gorder; Grosz; Grumbo; Hanson; Hausauer; Henegar; Hokana; Howard; Huether; Jacobson; Jensen; Kaldor; Kelsch; 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; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schimke; Schindler; Schmidt; Schneider; Shide; Skar; Skjerven; Snyder;

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

ABSENT AND NOT VOTING: Gorman; Kerzman; Porter

Engrossed SB 2212 passed and the title was agreed to.

SB 2262: A BILL for an Act relating to regulation of unsolicited telefacsimile advertising.

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 62 YEAS, 41 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Bateman; Berg, G.; Bodine; Boucher; Brokaw; Byerly; Carlson; Cleary; Coats; DeMers; Enget; Erickson; Flaagan; Freier; Gabrielson; Gilmore; Goffe; Gordner; Grumbo; Hanson; Hokana; Jacobson; Kaldor; Kerzman; Kloubec; Kolbo; Kretschmar; Kroeber; Laughlin; Linderman; Mahoney; Meyer; Miller; Mutzenberger; Myrdal; Nelson; Nicholas; Nowatzki; Oban; Olson, A.; Peterson; Pyle; Rennerfeldt; Ring; Ritter; Scherber; Schmidt; Schneider; Shide; Skar; Skjerven; Snyder; Starke; Stofferahn; Thompson; Thorpe; Timm; Whalen; Wilkie; Williams

NAYS: Belter; Berg, R.; Bernstein; Boehm; Brown; Carlisle; Clayburgh; Dalrymple; Delzer; DeWitz; Dorso; Gates; Gerntholz; Grosz; Hausauer; Henegar; Howard; Huether; Jensen; Kelsch; Kunkel; Larson; Martin; Martinson; Muhs; Nichols; Olsen, D.; Payne; Price; Rydell; Schimke; Schindler; Soukup; St. Aubyn; Svedjan; Tollefson; Trautman; Urlacher; Wardner; Wentz; Speaker R. Anderson

ABSENT AND NOT VOTING: Gorman; Porter; Wald

Engrossed SB 2262 passed and the title was agreed to.

SB 2270: A BILL for an Act to amend and reenact section 14-09-07 of the North Dakota Century Code, relating to an exemption to the requirement of a court order to change the residence of a child.

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

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

ABSENT AND NOT VOTING: Gorman; Porter

SB 2270 passed and the title was agreed to.

SB 2327: A BILL for an Act to provide authority for a borrower to direct the time of payment of property taxes by an escrow agent under a residential real estate loan; and to amend and reenact section 11-13-12 of the North Dakota Century Code, relating to the county auditor's statement regarding current taxes on deeds and other instruments.

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; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schimke; Schindler; Schmidt; Schneider; Shide; Skar; Skjerven; Snyder; Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Thompson; Thorpe; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Whalen; Wilkie; Williams; Speaker R. Anderson

ABSENT AND NOT VOTING: Gorman; Porter

SB 2327 passed and the title was agreed to.

SB 2094: A BILL for an Act to create and enact a new subsection to section 54-52-04 of the North Dakota Century Code, relating to the powers and duties of the public employees retirement board to purchase annuities for employees of development foundations associated with public institutions of higher education who become ineligible to continue in the public employees retirement system.

ROLL CALL

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

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

ABSENT AND NOT VOTING: Gorman; Porter; Wentz

Engrossed SB 2094 passed and the title was agreed to.

SB 2097: A BILL for an Act to amend and reenact section 43-17.1-05 of the North Dakota Century Code, relating to the commission on medical competency.

ROLL CALL

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

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

ABSENT AND NOT VOTING: Gorman; Porter; Rydell

SB 2097 passed and the title was agreed to.

SB 2138: A BILL for an Act to amend and reenact subsection 2 of section 43-06-01 of the North Dakota Century Code, relating to the definition of the practice of chiropractic.

ROLL CALL

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

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

ABSENT AND NOT VOTING: Gorman; Porter

SB 2138 passed and the title was agreed to.

SB 2155: A BILL for an Act to repeal section 23-01-17 of the North Dakota Century Code, relating to noise being harmful to health and safety, the

power to regulate, and hearings, appeals, penalties, and injunctions concerning noise.

ROLL CALL

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

YEAS: Aarsvold; Anderson, B.; Bateman; Belter; Berg, G.; Berg, R.; Bernstein; Bodine; Boehm; Boucher; Brokaw; Brown; Byerly; Carlisle; Carlson; Clayburgh; Cleary; Coats; Dalrymple; Delzer; DeWitz; Dorso; Enget; Erickson; Flaagan; Freier; Gabrielson; Gates; Gertholz; 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; Pyle; Rennerfeldt; Ritter; Rydell; Scherber; Schimke; Schindler; Schmidt; Schneider; Shide; Skar; Skjerven; Snyder; Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Thompson; Thorpe; Timm; Tollefson; Trautman; Urlacher; Wardner; Wentz; Whalen; Williams; Speaker R. Anderson

NAYS: DeMers; Price; Ring; Wald; Wilkie

ABSENT AND NOT VOTING: Gorman; Porter

SB 2155 passed and the title was agreed to.

SB 2162: A BILL for an Act to create and enact a new section to chapter 23-27 of the North Dakota Century Code, relating to training, testing, and certification of emergency medical services personnel.

ROLL CALL

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

YEAS: Aarsvold; Anderson, B.; Bateman; Belter; Berg, G.; Berg, R.; Bernstein; Bodine; Boehm; Boucher; Brokaw; Brown; Byerly; Carlisle; Carlson; Clayburgh; Cleary; Coats; Dalrymple; Delzer; DeMers; DeWitz; Dorso; Enget; Erickson; Flaagan; Freier; Gabrielson; Gates; Gertholz; 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; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schimke; Schindler; Schmidt; Schneider; Shide; Skar; Skjerven; Snyder; Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Thompson; Thorpe; Timm; Tollefson; Trautman; Wald; Wardner; Wentz; Whalen; Wilkie; Williams; Speaker R. Anderson

ABSENT AND NOT VOTING: Gorman; Porter; Urlacher

SB 2162 passed and the title was agreed to.

SB 2174: A BILL for an Act to amend and reenact section 5-02-04, subsection 2 of section 43-31-14, section 53-04-02, and section 57-36-02 of the North Dakota Century Code, relating to license reinstatement fees for state beer or liquor licenses, detection of deception examiner licenses, amusement game or device licenses, and tobacco distributor and dealer's licenses.

ROLL CALL

The question being on the final passage of the bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 96 YEAS, 8 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Bateman; Berg, G.; Berg, R.; Bernstein; Bodine; Boehm; Boucher; Brokaw; Byerly; Carlisle; Carlson; Clayburgh; Cleary; Coats; Dalrymple; DeMers; DeWitz; Dorso; Enget; Erickson; Flaagan; Freier; Gabrielson; Gates; Gerntholz; Gilmore; Goffe; Gorder; 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; Nicholas; Nowatzki; Oban; Olsen, D.; Olson, A.; Payne; Peterson; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schimke; Schindler; Schmidt; Schneider; Shide; Skar; Skjerven; Snyder; Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Thompson; Thorpe; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Whalen; Williams; Speaker R. Anderson

NAYS: Aarsvold; Belter; Brown; Delzer; Grosz; Nelson; Timm; Wilkie

ABSENT AND NOT VOTING: Gorman; Porter

Engrossed SB 2174 passed and the title was agreed to.

SB 2179: A BILL for an Act to amend and reenact section 15-59-02.1 of the North Dakota Century Code, relating to legislative intent and special education cost sharing.

ROLL CALL

The question being on the final passage of the bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 82 YEAS, 21 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Belter; Berg, G.; Berg, R.; Bernstein; Bodine; Brown; Byerly; Carlisle; Carlson; Clayburgh; Cleary; Coats; Dalrymple; Delzer; DeMers; Dorso; Erickson; Flaagan; Gabrielson; Gates; Gerntholz; Gilmore; Goffe; Gorder; Grosz; Grumbo; Hanson; Hausauer; Henegar; Hokana; Huether; Jacobson; Jensen; Kaldor; Kelsch; Kloubec; Kolbo; Kretschmar; Kroeber; Kunkel; Larson; Laughlin; Linderman; Mahoney; Martin; Martinson; Miller; Muhs; Mutzenberger; Nicholas; Nowatzki; Oban; Payne; Peterson; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schneider; Skar; Skjerven; Snyder; Soukup; St. Aubyn; Starke; Svedjan; Thompson; Thorpe; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Whalen; Williams; Speaker R. Anderson

NAYS: Aarsvold; Bateman; Boehm; Boucher; Brokaw; DeWitz; Enget; Freier; Howard; Kerzman; Meyer; Myrdal; Nelson; Nicholas; Olsen, D.; Olson, A.; Schimke; Schindler; Shide; Stofferahn; Wilkie

ABSENT AND NOT VOTING: Gorman; Porter; Schmidt

SB 2179 passed and the title was agreed to.

SB 2341: A BILL for an Act to authorize the department of human services to contract with insurers to provide health insurance coverage; and to provide an effective date.

MOTION

REP. MUHS 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 50 YEAS, 51 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Berg, G.; Bodine; Boucher; Brokaw; Carlson; Cleary; Coats; DeMers; Erickson; Flaagan; Gabrielson; Gates; Gilmore; Goffe; Grumbo; Hanson; Hokana; Huether; Jacobson; Jensen; Kaldor; Kerzman; Kolbo; Kroeber; Larson; Laughlin; Linderman; Meyer; Mutzenberger; Nelson; Nowatzki; Oban; Peterson; Pyle; Ring; Ritter; Rydell; Scherber; Schindler; Schneider; Skar; Skjerven; Snyder; Starke; Stofferahn; Wentz; Wilkie; Williams

NAYS: Bateman; Belter; Berg, R.; Bernstein; Boehm; Brown; Byerly; Carlisle; Dalrymple; Delzer; DeWitz; Dorso; Enget; Freier; Gerntholz; Gorder; Grosz; Hausauer; Henegar; Howard; Kelsch; Kretschmar; Kunkel; Mahoney; Martin; Martinson; Miller; Muhs; Myrdal; Nicholas; Nichols; Olsen, D.; Olson, A.; Payne; Price; Rennerfeldt; Schimke; Schmidt; Shide; Soukup; St. Aubyn; Svedjan; Thompson; Thorpe; Timm; Tollefson; Trautman; Urlicher; Wardner; Whalen; Speaker R. Anderson

ABSENT AND NOT VOTING: Clayburgh; Gorman; Kloubec; Porter; Wald

Engrossed SB 2341 was declared lost.

MOTION

REP. SCHMIDT **MOVED** that the vote by which SB 2341 failed be reconsidered and the motion to reconsider be laid on the table.

CALL OF THE HOUSE

REP. KOLBO **REQUESTED** a Call of the House, which request was granted.

Pursuant to House Rule 303, paragraph 4, the roll was called by the Chief Clerk and the Sergeant-at-Arms was furnished with the Roll Call which showed the following members to be absent without leave: Gorman, Porter.

MOTION

REP. KOLBO **MOVED** that the House rescind the Call of the House, which motion prevailed.

The question being on the motion that the vote by which SB 2341 failed to pass be reconsidered and the motion to reconsider be laid on the table, which motion lost on a verification vote.

SECOND READING OF SENATE BILLS

SB 2375: A BILL for an Act to amend and reenact section 26.1-17-04 of the North Dakota Century Code, relating to the board of directors for nonprofit health service corporations.

ROLL CALL

The question being on the final passage of the bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 93 YEAS, 11 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Bateman; Belter; Berg, G.; Berg, R.; Bodine; Boehm; Boucher; Brokaw; 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; Olson, A.; Peterson; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schindler; Schmidt; Schneider; Skar; Skjerven; Snyder; St. Aubyn; Starke; Stofferahn; Thorpe; Timm;

Tollefson; Trautman; Urlacher; Wardner; Wentz; Wilkie; Williams;
Speaker R. Anderson

NAYS: Bernstein; Brown; Olsen, D.; Payne; Schimke; Shide; Soukup; Svedjan;
Thompson; Wald; Whalen

ABSENT AND NOT VOTING: Gorman; Porter

Engrossed SB 2375 passed and the title was agreed to.

SB 2377: A BILL for an Act to create and enact a new section to chapter 57-15 of the North Dakota Century Code, relating to a levy for long-distance learning technology.

ROLL CALL

The question being on the final passage of the bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 95 YEAS, 8 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

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

NAYS: Aarsvold; Clayburgh; Flaagan; Huether; Jacobson; Kaldor; Soukup; Wilkie

ABSENT AND NOT VOTING: Gorman; Porter; Whalen

Engrossed SB 2377 passed and the title was agreed to.

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

ROLL CALL

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

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

ABSENT AND NOT VOTING: Gorman; Porter

SB 2383 passed, the title was agreed to, and the emergency clause carried.

SB 2399: A BILL for an Act to amend and reenact section 30.1-28-14 of the North Dakota Century Code, relating to guardianships established before July 1, 1990.

ROLL CALL

The question being on the final passage of the bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 95 YEAS, 8 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

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

NAYS: Brown; Enget; Gilmore; Kaldor; Schneider; Stofferahn; Whalen; Williams

ABSENT AND NOT VOTING: Gorman; Porter; Urlacher

SB 2399 passed and the title was agreed to.

SB 2449: A BILL for an Act to amend and reenact section 21-09-05 of the North Dakota Century Code, relating to validation of bonds issued by public bodies of the state prior to July 1, 1991.

ROLL CALL

The question being on the final passage of the bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 97 YEAS, 6 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; DeMers; DeWitz; Dorso; Enget; Erickson; Flaagan; Freier; Gabrielson; Gates; Gerntholz; Gilmore; Goffe; Gorder; 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; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schimke; Schindler; Schneider; Shide; Skar; Skjerven; Snyder; Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Thorpe; Timm; Tollefson; Trautman; Wald; Wardner; Wentz; Wilkie; Williams; Speaker R. Anderson

NAYS: Delzer; Grosz; Ritter; Schmidt; Thompson; Whalen

ABSENT AND NOT VOTING: Gorman; Porter; Urlacher

SB 2449 passed and the title was agreed to.

SB 2455: A BILL for an Act to amend and reenact subsection 4 of section 48-02-04 and section 48-02-05.1 of the North Dakota Century Code, relating to bid requirements and acceptance for building and repair contracts and contents of bid advertisements and awarding contracts.

ROLL CALL

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

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

ABSENT AND NOT VOTING: Gorman; Porter; Urlacher

Engrossed SB 2455 passed and the title was agreed to.

SB 2462: A BILL for an Act to create and enact a new section to chapter 54-17 of the North Dakota Century Code, relating to the establishment of a housing acquisition program; and to amend and reenact section 54-17-07.2 of the North Dakota Century Code, relating to definitions with respect to housing acquisition and finance programs.

ROLL CALL

The question being on the final passage of the bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 97 YEAS, 6 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

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

NAYS: Brown; Delzer; Freier; Grosz; Howard; Soukup

ABSENT AND NOT VOTING: Gorman; Porter; Urlacher

Engrossed SB 2462 passed and the title was agreed to.

MOTION

REP. GATES MOVED that the House reconsider its action whereby SB 2067 passed, which motion prevailed. Speaker R. Anderson rereferred SB 2067 to the Committee on Education.

REQUESTS

REP. SOUKUP REQUESTED that the record show that he intended to vote "Yea" on SB 2377, which request was granted.

REP. KLOUBEC REQUESTED that the record show that Rep. Gorman was in Medcenter One Hospital and Rep. Porter was in Denver, Colorado, which request was granted.

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

MR. SPEAKER: The President has signed: HB 1074, HB 1080, HB 1109, HB 1239, HB 1447, HB 1459.

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

MR. SPEAKER: The President has signed: HB 1030, HB 1034, HB 1038, HB 1055, HB 1056, HB 1065, HB 1096, HB 1104, HB 1107, HB 1115, HB 1118, HB 1198, HB 1267.

MOTIONS

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

REP. KLOUBEC MOVED that the House be on the Fifth order of business, and at the conclusion of the Fifth order, the House be on the Thirteenth order of business, and at the conclusion of the Thirteenth order, the House stand adjourned until 12:30 p.m., Friday, March 8, 1991, which motion prevailed.

FIRST READING OF SENATE CONCURRENT RESOLUTION

SCR 4020: A concurrent resolution for the amendment of section 6 of article IX of the Constitution of North Dakota, relating to certain exchanges of land and mineral rights.

Was read the first time and referred to the Joint Constitutional Revision Committee.

REPORTS OF STANDING COMMITTEES

SB 2073, as engrossed: Committee on State and Federal Government (Rep. Martinson, Chairman) recommends DO PASS (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2073 was placed on the Fourteenth order on the calendar.

SB 2080: Committee on State and Federal Government (Rep. Martinson, Chairman) recommends DO PASS (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2080 was placed on the Fourteenth order on the calendar.

SB 2093, as engrossed: Committee on State and Federal Government (Rep. Martinson, Chairman) recommends DO PASS (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2093 was placed on the Fourteenth order on the calendar.

SB 2095, as engrossed: Committee on State and Federal Government (Rep. Martinson, Chairman) recommends DO PASS (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2095 was placed on the Fourteenth order on the calendar.

SB 2102, as engrossed: Committee on State and Federal Government (Rep. Martinson, Chairman) recommends DO PASS (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2102 was placed on the Fourteenth order on the calendar.

SB 2152, as engrossed: Committee on State and Federal Government (Rep. Martinson, Chairman) recommends DO PASS (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2152 was placed on the Fourteenth order on the calendar.

SB 2181, as engrossed: Committee on Human Services and Veterans Affairs (Rep. Larson, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (9 YEAS, 4 NAYS, 2 ABSENT AND NOT VOTING). The Proposed amendment was placed on the Sixth order on the calendar.

Page 1, line 8, replace "that" with "in which disciplinary action is imposed against a physician"

Page 1, line 9, remove "results in the suspension or revocation of a physician's license"

Page 1, line 13, remove "further"

Renumber accordingly

SB 2196, as engrossed: Committee on State and Federal Government (Rep. Martinson, Chairman) recommends DO PASS (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2196 was placed on the Fourteenth order on the calendar.

SB 2210, as engrossed: Committee on Judiciary (Rep. Kretschmar, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (9 YEAS, 7 NAYS, 0 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 2, line 20, after "coverage" insert "and the person was at least partially at fault for causing the accident"

Page 3, line 7, replace "occured" with "occurred and the victim's intoxication was a factor causing the criminally injurious conduct"

Page 3, line 27, remove the underscored comma

Page 3, line 28, remove "and is not eligible for any further benefits"

Page 3, line 29, remove "relative to the claim"

Page 5, line 5, replace "court records and law enforcement records may only be" with "or law enforcement records obtained under chapter 27-20 may be released to the parties, their counsel, and representatives in proceedings before the board and must be sealed at the conclusion of the proceedings."

Page 5, remove lines 6 and 7

Renumber accordingly

SB 2214, as engrossed: Committee on Judiciary (Rep. Kretschmar, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION (15 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 2, line 5, after the underscored period insert "For purposes of this subdivision, property does not include a residence or other real estate where a coowner, whether by joint tenancy, tenancy in common, or tenancy by the entireties, of the residence or other real estate, has not been convicted of the criminal offense that was facilitated by the use or intended use of the property."

Page 4, line 2, replace "not dependent upon" with "arising out of"

Page 4, line 3, remove ", or conviction of," and after "offense" insert ", but not dependent upon a conviction of the criminal offense,"

Renumber accordingly

SB 2274: Committee on Judiciary (Rep. Kretschmar, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (15 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 1, line 9, replace "or" with ". If the plaintiff has not been a resident of this state for the six months preceding commencement of the action, a divorce may be granted if the plaintiff in good faith has been a resident of this state for the six months immediately preceding".

Page 1, line 15, replace "or" with ". If the plaintiff has not been a resident of this state for the six months preceding commencement of the action, a decree of separation may be granted if the plaintiff in good faith has been a resident of this state for the six months immediately preceding".

Renumber accordingly

SB 2329, as engrossed: Committee on Judiciary (Rep. Kretschmar, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 1, line 9, replace "thirty" with "thirty-five"

Renumber accordingly

SB 2351: Committee on Judiciary (Rep. Kretschmar, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 1, line 3, after "commission" insert "; and to provide an expiration date"

Page 2, after line 15, insert:

"SECTION 2. EXPIRATION DATE. This Act is effective through June 30, 1995, and after that date is ineffective."

Renumber accordingly

SB 2353: Committee on Finance and Taxation (Rep. Timm, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (14 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 1, line 9, overstrike "1987" and insert immediately thereafter "1991"

Page 1, after line 17, insert:

"This statement must be immediately followed by the date and the signature of the person to indicate that the person is specifically and knowingly waiving the exemption, which must be a separate signature from that person's signature to the entire mortgage contract."

Renumber accordingly

SB 2356, as engrossed: Committee on Agriculture (Rep. Nicholas, Chairman) recommends DO PASS (15 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2356 was placed on the Fourteenth order on the calendar.

SB 2422: Committee on Finance and Taxation (Rep. Timm, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (13 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 1, line 11, overstrike "one year" and insert immediately thereafter "two years"

Renumber accordingly

SB 2534: Committee on Industry, Business and Labor (Rep. Dorso, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (14 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 1, line 4, remove "43-28-03,"

Page 1, line 5, remove "43-28-04,"

Page 1, line 18, overstrike "council on education" and insert immediately thereafter "commission on dental accreditation"

Page 3, line 24, overstrike "dentistry" and insert immediately thereafter "dental examiners"

Page 3, line 29, after the period insert "The minimum requirement may not be less than forty hours during the preceding five years of licensure."

Page 5, remove lines 3 through 29

Page 6, remove lines 1 through 29

Page 7, remove lines 1 through 6

Renumber accordingly

SCR 4011: Committee on Natural Resources (Rep. A. Olson, Chairman) recommends DO PASS (10 YEAS, 1 NAY, 5 ABSENT AND NOT VOTING). SCR 4011 was placed on the Fourteenth order on the calendar.

SCR 4020: Joint Constitutional Revision Committee (Rep. Kretschmar, Chairman) recommends DO PASS (10 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4020 was placed on the Fourteenth order on the calendar.

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

MR. PRESIDENT: The Speaker has signed and your signature is respectfully requested on: HB 1074, HB 1080, HB 1109, HB 1239, HB 1447, HB 1459.

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

MR. PRESIDENT: The Speaker has signed: SB 2037, SB 2042, SB 2043, SB 2086, SB 2122, SB 2127, SB 2131, SB 2141, SB 2195, SB 2251, SB 2295, SB 2299, SB 2302, SB 2482.

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

MR. PRESIDENT: The Speaker has signed and your signature is respectfully requested on: HB 1030, HB 1034, HB 1038, HB 1055, HB 1056, HB 1065, HB 1096, HB 1104, HB 1107, HB 1115, HB 1118, HB 1198, HB 1267.

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

MR. PRESIDENT: The House has passed and your favorable consideration is requested on: HCR 3035.

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

MR. PRESIDENT: The House has amended and subsequently passed: SB 2115, SB 2134, SB 2333.

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

MR. PRESIDENT: The House has passed unchanged: SB 2084, SB 2153, SB 2160, SB 2218, SB 2248, SB 2304, SB 2330, SB 2343, SB 2408, SB 2452, SB 2566.

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

ROY GILBREATH, Chief Clerk