

## JOURNAL OF THE HOUSE

## Fifty-third Legislative Assembly

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Bismarck, February 8, 1993

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

The prayer was offered by the Rev. Garry Crites, Peace United Church of Christ, New Salem.

The roll was called and all members were present.

A quorum was declared by the Speaker.

## HOUSE ENROSSING AND ENROLLING REPORT

The following bills were engrossed: HB 1062, HB 1163, HB 1222, HB 1224, HB 1226, HB 1229, HB 1262, HB 1274, HB 1276, HB 1278, HB 1319, HB 1331, HB 1340, HB 1357, HB 1363, HB 1367, HB 1373, HB 1377, HB 1380, HB 1480, HB 1508.

## MESSAGE TO THE HOUSE FROM THE SENATE (CAROL SIEGERT, SECRETARY)

MR. SPEAKER: The Senate has passed and your favorable consideration is requested on: SB 2040, SB 2070, SB 2093, SB 2150, SB 2199, SB 2284, SB 2294, SB 2343, SB 2352, SB 2354, SB 2355, SB 2356, SB 2369, SB 2410, SB 2429, SB 2453, SB 2460, SB 2508.

## MESSAGE TO THE HOUSE FROM THE SENATE (CAROL SIEGERT, SECRETARY)

MR. SPEAKER: The Senate has passed and your favorable consideration is requested on: SCR 4026.

## MESSAGE TO THE SENATE FROM THE HOUSE (ROY GILBREATH, CHIEF CLERK)

MADAM PRESIDENT: The House has passed and your favorable consideration is requested on: HB 1036, HB 1061, HB 1142, HB 1214, HB 1253, HB 1264, HB 1364, HB 1370, HB 1378, HB 1385, HB 1393, HB 1395, HB 1401, HB 1410, HB 1429, HB 1444, HB 1450, HB 1492, HB 1495, HB 1506, HB 1507.

## MESSAGE TO THE SENATE FROM THE HOUSE (ROY GILBREATH, CHIEF CLERK)

MADAM PRESIDENT: The House has passed unchanged: SB 2075, SB 2268, SCR 4006.

## MOTION

REP. RYDELL MOVED that HB 1373, which is on the Eleventh order, be rereferred to the Human Services Committee, which motion prevailed. Pursuant to Rep. Rydell's motion, HB 1373 was rereferred.

## SIXTH ORDER OF BUSINESS

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

REP. FREIER MOVED that the rules be suspended and that the amendments on the Sixth order of business to HB 1008, HB 1084, HB 1179, HB 1181, HB 1193, HB 1201, HB 1266, HB 1281, HB 1360, HB 1382, HB 1415, HB 1424, HB 1430, HB 1455, HB 1462, HB 1488, HB 1491, SB 2122, SB 2123, and SB 2133 be adopted, which motion prevailed.

HB 1179, HB 1193, and HB 1266, as amended, were rereferred to the Appropriations Committee.

HB 1008, HB 1084, HB 1181, HB 1201, HB 1281, HB 1360, HB 1382, HB 1415, HB 1424, HB 1430, HB 1455, HB 1462, HB 1488, and HB 1491, as amended, were

placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SB 2122, SB 2123, and SB 2133, as amended, were placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

#### MOTION

REP. MARTIN MOVED that HB 1360, as amended, be rereferred to the Political Subdivisions Committee, which motion prevailed. Pursuant to Rep. Martin's motion, HB 1360 was rereferred.

#### SECOND READING OF HOUSE BILL

HB 1163: A BILL for an Act to amend and reenact section 65-02-08 of the North Dakota Century Code, relating to workers compensation bureau rulemaking power and payment of attorneys' fees; 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 69 YEAS, 29 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Austin; Bateman; Belter; Bernstein; Boehm; Brown; Byerly; Carlisle; Carlson, A.; Christopherson; Clayburgh; Dalrymple; DeWitz; Dobrinski; Dorso; Drovdal; Freier; Froseth; Gates; Gerntholz; Gorder; Gorman; Grosz; Grumbo; Hagle; Hausauer; Henegar; Holm; Howard; Huether; Jacobs; Johnson; Keiser; Kempenich; Klein; Kretschmar; Kunkel; Maragos; Martin; Martinson; Monson; Nicholas; Nichols; Olsen, D.; Olson, A.; Payne; Poolman; Porter; Price; Rennerfeldt; Rydell; Schindler; Shide; Skarphol; Soukup; St. Aubyn; Stenehjem; Svedjan; Sveen; Timm; Tollefson; Torgerson; Wald; Wanzek; Wardner; Wentz; Wilkie; Speaker R. Berg

**NAYS:** Allmaras; Berg, J.; Bodine; Boucher; Brodshaug; Carlson, C.; Cleary; Coats; Glassheim; Goffe; Gulleson; Hanson; Hokana; Kaldor; Kelsch; Kerzman; Kilichowski; Kroeber; Laughlin; Mahoney; Mutzenberger; Nelson; Ness; Oban; Pyle; Ring; Sitz; Stenson; Thorpe

Engrossed HB 1163 passed and the title was agreed to.

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#### SECOND READING OF HOUSE BILL

HB 1222: A BILL for an Act to create a North Dakota workers' compensation insurance company; to amend and reenact section 54-17-07 of the North Dakota Century Code, relating to the duties of the industrial commission; 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 98 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Allmaras; Austin; Bateman; Belter; Berg, J.; Bernstein; Bodine; Boehm; Boucher; Brodshaug; Brown; Byerly; Carlisle; Carlson, A.; Carlson, C.; Christopherson; Clayburgh; Cleary; Coats; Dalrymple; DeWitz; Dobrinski; Dorso; Drovdal; Freier; Froseth; Gates; Gerntholz; Glassheim; Goffe; Gorder; Gorman; Grosz; Grumbo; Gulleson; Hagle; Hanson; Hausauer; Henegar; Hokana; Holm; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Kilichowski; Klein; Kretschmar; Kroeber; Kunkel; Laughlin; Mahoney; Maragos; Martin; Martinson; Monson; Mutzenberger; Nelson; Ness; Nicholas; Nichols; Oban; Olsen, D.; Olson, A.; Payne; Poolman; Porter; Price; Pyle; Rennerfeldt; Ring; Rydell; Schindler; Shide; Sitz; Skarphol; Soukup; St. Aubyn; Stenehjem; Stenson; Svedjan; Sveen;

Thorpe; Timm; Tollefson; Torgerson; Wald; Wanzek; Wardner; Wentz; Wilkie; Speaker R. Berg

Engrossed HB 1222 passed and the title was agreed to.

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#### SECOND READING OF HOUSE BILL

**HB 1224:** A BILL for an Act to amend and reenact sections 65-02-15, 65-02-17, and 65-02-18 of the North Dakota Century Code, relating to arbitration on workers' compensation claims; to repeal section 65-02-16 of the North Dakota Century Code, relating to removal of a binding arbitration panel member; 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 80 YEAS, 18 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Allmaras; Austin; Bateman; Belter; Berg, J.; Bernstein; Boehm; Brown; Byerly; Carlisle; Carlson, A.; Carlson, C.; Christopherson; Clayburgh; Dalrymple; DeWitz; Dobrinski; Dorso; Drovdal; Freier; Froseth; Gates; Gerntholz; Glassheim; Goffe; Gorder; Gorman; Grosz; Grumbo; Hagle; Hanson; Hausauer; Henegar; Hokana; Holm; Howard; Jacobs; Johnson; Keiser; Kempenich; Klein; Kretschmar; Kroeber; Kunkel; Laughlin; Maragos; Martin; Martinson; Monson; Mutzenberger; Ness; Nicholas; Olsen, D.; Olson, A.; Payne; Poolman; Porter; Price; Pyle; Rennerfeldt; Rydell; Schindler; Shide; Sitz; Skarphol; Soukup; St. Aubyn; Stenehjem; Svedjan; Sveen; Timm; Tollefson; Torgerson; Wald; Wanzek; Wardner; Wentz; Wilkie; Speaker R. Berg

**NAYS:** Bodine; Boucher; Brodshaug; Cleary; Coats; Gulleeson; Huether; Kaldor; Kelsch; Kerzman; Kilichowski; Mahoney; Nelson; Nichols; Oban; Ring; Stenson; Thorpe

Engrossed HB 1224 passed and the title was agreed to.

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#### SECOND READING OF HOUSE BILL

**HB 1226:** A BILL for an Act to create and enact a new section to chapter 16.1-08 of the North Dakota Century Code, relating to restrictions on campaign contributions; to amend and reenact section 16.1-10-01 of the North Dakota Century Code, relating to corrupt practices; 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 NOT PASS, the roll was called and there were 5 YEAS, 93 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Bateman; Byerly; Glassheim; Ring

**NAYS:** Allmaras; Austin; Belter; Berg, J.; Bernstein; Bodine; Boehm; Boucher; Brodshaug; Brown; Carlisle; Carlson, A.; Carlson, C.; Christopherson; Clayburgh; Cleary; Coats; Dalrymple; DeWitz; Dobrinski; Dorso; Drovdal; Freier; Froseth; Gates; Gerntholz; Goffe; Gorder; Gorman; Grosz; Grumbo; Gulleeson; Hagle; Hanson; Hausauer; Henegar; Hokana; Holm; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Kilichowski; Klein; Kretschmar; Kroeber; Kunkel; Laughlin; Mahoney; Maragos; Martin; Martinson; Monson; Mutzenberger; Nelson; Ness; Nicholas; Nichols; Oban; Olsen, D.; Olson, A.; Payne; Poolman; Porter; Price; Pyle; Rennerfeldt; Rydell; Schindler; Shide; Sitz; Skarphol; Soukup; St. Aubyn; Stenehjem; Stenson; Svedjan; Sveen;

Thorpe; Timm; Tollefson; Torgerson; Wald; Wanzek; Wardner; Wentz; Wilkie; Speaker R. Berg

Engrossed HB 1226 was declared lost.

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**THE HOUSE RECOGNIZED THE PRESENCE OF:**

Former Representative Richard Kouba.

**SECOND READING OF HOUSE BILL**

**HB 1229:** A BILL for an Act to amend and reenact section 23-06-03.1 of the North Dakota Century Code, relating to the deposit or transfer of payments made on pre-need funeral contracts.

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

**YEAS:** Aarsvold; Allmaras; Austin; Bateman; Belter; Berg, J.; Bernstein; Bodine; Boehm; Boucher; Brodshaug; Brown; Byerly; Carlisle; Carlson, A.; Carlson, C.; Christopherson; Clayburgh; Coats; Dalrymple; DeWitz; Dobrinski; Dorso; Drovdal; Freier; Froseth; Gates; Gerntholz; Glassheim; Goffe; Gorder; Gorman; Grosz; Grumbo; Gulleston; Hagle; Hanson; Hausauer; Henegar; Hokana; Holm; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Kilichowski; Klein; Kretschmar; Kroeber; Kunkel; Laughlin; Mahoney; Maragos; Martin; Martinson; Monson; Mutzenberger; Nelson; Ness; Nicholas; Nichols; Oban; Olsen, D.; Olson, A.; Payne; Poolman; Porter; Pyle; Rennerfeldt; Ring; Rydell; Schindler; Shide; Sitz; Skarphol; Soukup; St. Aubyn; Stenehjem; Stenson; Svedjan; Sveen; Thorpe; Timm; Tollefson; Torgerson; Wald; Wanzek; Wardner; Wentz; Wilkie; Speaker R. Berg

**NAYS:** Cleary; Price

Engrossed HB 1229 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1262:** A BILL for an Act to amend and reenact subsection 29 of section 65-01-02 of the North Dakota Century Code, relating to the definition of wages for workers' compensation purposes.

**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 95 YEAS, 2 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Allmaras; Austin; Bateman; Belter; Berg, J.; Bernstein; Bodine; Boehm; Boucher; Brodshaug; Brown; Byerly; Carlisle; Carlson, A.; Carlson, C.; Christopherson; Clayburgh; Coats; Dalrymple; DeWitz; Dobrinski; Dorso; Drovdal; Freier; Froseth; Gates; Gerntholz; Glassheim; Goffe; Gorder; Gorman; Grosz; Grumbo; Gulleston; Hagle; Hanson; Hausauer; Henegar; Hokana; Holm; Howard; Huether; Jacobs; Johnson; Keiser; Kelsch; Kempenich; Kerzman; Kilichowski; Klein; Kretschmar; Kroeber; Kunkel; Laughlin; Mahoney; Maragos; Martin; Martinson; Monson; Mutzenberger; Nelson; Ness; Nicholas; Nichols; Oban; Olson, A.; Payne; Poolman; Porter; Price; Pyle; Rennerfeldt; Ring; Rydell; Schindler; Shide; Sitz; Skarphol; Soukup; St. Aubyn; Stenehjem; Stenson; Svedjan; Sveen; Thorpe; Timm; Tollefson; Torgerson; Wald; Wanzek; Wardner; Wentz; Wilkie; Speaker R. Berg

**NAYS:** Cleary; Kaldor

**ABSENT AND NOT VOTING:** Olsen, D.

Engrossed HB 1262 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1276:** A BILL for an Act to create and enact a new section to chapter 25-16 of the North Dakota Century Code, relating to residential care and services for the developmentally disabled.

**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 97 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Allmaras; Austin; Bateman; Belter; Berg, J.; Bernstein; Bodine; Boehm; Boucher; Brodshaug; Brown; Byerly; Carlisle; Carlson, A.; Carlson, C.; Christopherson; Clayburgh; Cleary; Coats; Dalrymple; DeWitz; Dobrinski; Dorso; Drovdal; Freier; Froseth; Gates; Gerntholz; Glassheim; Goffe; Gorder; Gorman; Grosz; Grumbo; Gulleeson; Hagle; Hanson; Hausauer; Henegar; Hokana; Holm; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Kilichowski; Klein; Kretschmar; Kroeber; Kunkel; Laughlin; Mahoney; Maragos; Martin; Martinson; Monson; Mutzenberger; Nelson; Ness; Nicholas; Nichols; Oban; Olson, A.; Payne; Poolman; Porter; Price; Pyle; Rennerfeldt; Ring; Rydell; Schindler; Shide; Sitz; Skarphol; Soukup; St. Aubyn; Stenehjem; Stenson; Svedjan; Sveen; Thorpe; Timm; Tollefson; Torgerson; Wald; Wanzek; Wardner; Wentz; Wilkie; Speaker R. Berg

**ABSENT AND NOT VOTING:** Olsen, D.

Engrossed HB 1276 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1278:** A BILL for an Act to amend and reenact subsection 4 of section 65-08-01 of the North Dakota Century Code, relating to payment of workers' compensation benefits in another state.

**ROLL CALL**

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

**YEAS:** Aarsvold; Allmaras; Austin; Bateman; Belter; Berg, J.; Bernstein; Bodine; Boehm; Boucher; Brodshaug; Brown; Byerly; Carlisle; Carlson, A.; Carlson, C.; Christopherson; Clayburgh; Cleary; Coats; Dalrymple; DeWitz; Dobrinski; Dorso; Drovdal; Freier; Froseth; Gates; Gerntholz; Glassheim; Goffe; Gorder; Gorman; Grosz; Grumbo; Gulleeson; Hagle; Hanson; Hausauer; Henegar; Hokana; Holm; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Kilichowski; Klein; Kretschmar; Kroeber; Kunkel; Laughlin; Mahoney; Maragos; Martin; Martinson; Monson; Mutzenberger; Nelson; Ness; Nicholas; Nichols; Oban; Olsen, D.; Olson, A.; Payne; Poolman; Porter; Price; Pyle; Rennerfeldt; Ring; Rydell; Schindler; Shide; Sitz; Skarphol; Soukup; St. Aubyn; Stenehjem; Stenson; Svedjan; Sveen; Thorpe; Timm; Tollefson; Torgerson; Wald; Wanzek; Wardner; Wentz; Wilkie; Speaker R. Berg

Engrossed HB 1278 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1319:** A BILL for an Act to repeal sections 15-36-07, 15-36-10, 15-38-05, and 15-47-02 of the North Dakota Century Code, relating to the citizenship requirement for teacher certification, the recording of teacher certificates in the office of the county superintendents of schools, the annual observance of Temperance Day by the public schools, and state institutions of higher education constituting part of the state's free public school system.

**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 95 YEAS, 2 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Allmaras; Austin; Bateman; Belter; Berg, J.; Bernstein; Bodine; Boehm; Boucher; Brodshaug; Brown; Byerly; Carlisle; Carlson, A.; Carlson, C.; Christopherson; Clayburgh; Cleary; Coats; Dalrymple; DeWitz; Dobrinski; Dorso; Drovdal; Freier; Froseth; Gates; Gerntholz; Glassheim; Goffe; Gorman; Grosz; Grumbo; Gulleson; Hagle; Hanson; Hausauer; Henegar; Hokana; Holm; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Kilichowski; Klein; Kretschmar; Kroeber; Kunkel; Laughlin; Mahoney; Maragos; Martin; Martinson; Monson; Mutzenberger; Ness; Nicholas; Nichols; Oban; Olsen, D.; Olson, A.; Payne; Poolman; Porter; Price; Pyle; Rennerfeldt; Ring; Rydell; Schindler; Shide; Sitz; Skarphol; Soukup; St. Aubyn; Stenehjem; Stenson; Svedjan; Sveen; Thorpe; Timm; Tollefson; Torgerson; Wanzek; Wardner; Wentz; Wilkie; Speaker R. Berg

**NAYS:** Gorder; Wald

**ABSENT AND NOT VOTING:** Nelson

Engrossed HB 1319 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1331:** A BILL for an Act to create and enact two new sections to chapter 43-17, two new subsections to section 43-17-30.1, seven new subsections to section 43-17-31, and a new section to chapter 43-17.1 of the North Dakota Century Code, relating to the board of medical examiners, state defense of board members, disciplinary action against physicians, and complaints to the commission on medical competency; and to amend and reenact sections 43-17-03, 43-17-32.1, and 43-17.1-06 of the North Dakota Century Code, relating to the board of medical examiners, the suspension of a physician's license, and the commission on medical competency.

**ROLL CALL**

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

**YEAS:** Aarsvold; Allmaras; Austin; Bateman; Belter; Berg, J.; Bernstein; Bodine; Boehm; Boucher; Brodshaug; Brown; Byerly; Carlisle; Carlson, A.; Carlson, C.; Christopherson; Clayburgh; Cleary; Coats; Dalrymple; DeWitz; Dobrinski; Dorso; Drovdal; Freier; Froseth; Gates; Gerntholz; Glassheim; Goffe; Gorder; Gorman; Grosz; Grumbo; Gulleson; Hagle; Hanson; Hausauer; Henegar; Hokana; Holm; Howard; Huether; Jacobs; Johnson; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Kilichowski; Klein; Kretschmar; Kroeber; Kunkel; Laughlin; Mahoney; Maragos; Martin; Martinson; Monson; Mutzenberger; Nelson; Ness;

Nicholas; Nichols; Oban; Olsen, D.; Olson, A.; Payne; Poolman; Porter; Price; Pyle; Rennerfeldt; Ring; Rydell; Schindler; Shide; Sitz; Skarphol; Soukup; St. Aubyn; Stenehjem; Stenson; Svedjan; Sveen; Thorpe; Timm; Tollefson; Torgerson; Wald; Wanzek; Wardner; Wentz; Wilkie; Speaker R. Berg

Engrossed HB 1331 passed and the title was agreed to.

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#### SECOND READING OF HOUSE BILL

**HB 1340:** A BILL for an Act to require the department of human services to consider seeking federal waivers to allow the department to contract for certain 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 98 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Allmaras; Austin; Bateman; Belter; Berg, J.; Bernstein; Bodine; Boehm; Boucher; Brodshaug; Brown; Byerly; Carlisle; Carlson, A.; Carlson, C.; Christopherson; Clayburgh; Cleary; Coats; Dalrymple; DeWitz; Dobrinski; Dorso; Drovdal; Freier; Froseth; Gates; Gerntholz; Glassheim; Goffe; Gorder; Gorman; Grosz; Grumbo; Gulleon; Hagle; Hanson; Hausauer; Henegar; Hokana; Holm; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Kilichowski; Klein; Kretschmar; Kroeber; Kunkel; Laughlin; Mahoney; Maragos; Martin; Martinson; Monson; Mutzenberger; Nelson; Ness; Nicholas; Nichols; Oban; Olsen, D.; Olson, A.; Payne; Poolman; Porter; Price; Pyle; Rennerfeldt; Ring; Rydell; Schindler; Shide; Sitz; Skarphol; Soukup; St. Aubyn; Stenehjem; Stenson; Svedjan; Sveen; Thorpe; Timm; Tollefson; Torgerson; Wald; Wanzek; Wardner; Wentz; Wilkie; Speaker R. Berg

Engrossed HB 1340 passed and the title was agreed to.

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#### SECOND READING OF HOUSE BILL

**HB 1357:** A BILL for an Act to amend and reenact section 26.1-25-04.1 of the North Dakota Century Code, relating to the discounts from certain motor vehicle insurance premiums.

#### 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 97 YEAS, 1 NAY, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Allmaras; Austin; Bateman; Belter; Berg, J.; Bernstein; Bodine; Boehm; Boucher; Brodshaug; Brown; Byerly; Carlisle; Carlson, A.; Carlson, C.; Christopherson; Clayburgh; Cleary; Coats; Dalrymple; DeWitz; Dobrinski; Dorso; Drovdal; Freier; Froseth; Gates; Gerntholz; Glassheim; Goffe; Gorder; Gorman; Grosz; Grumbo; Gulleon; Hagle; Hanson; Hausauer; Henegar; Hokana; Holm; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Kilichowski; Klein; Kretschmar; Kroeber; Kunkel; Laughlin; Mahoney; Maragos; Martin; Martinson; Monson; Mutzenberger; Nelson; Ness; Nicholas; Nichols; Oban; Olsen, D.; Olson, A.; Payne; Poolman; Porter; Price; Pyle; Rennerfeldt; Ring; Rydell; Schindler; Shide; Sitz; Skarphol; Soukup; St. Aubyn; Stenehjem; Stenson; Svedjan; Sveen; Timm; Tollefson; Torgerson; Wald; Wanzek; Wardner; Wentz; Wilkie; Speaker R. Berg

**NAYS:** Thorpe

Engrossed HB 1357 passed and the title was agreed to.

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#### SECOND READING OF HOUSE BILL

**HB 1363:** A BILL for an Act to amend and reenact subsections 1 and 3 of section 6-08-16 of the North Dakota Century Code, relating to postdated checks.

#### 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 97 YEAS, 1 NAY, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Allmaras; Austin; Bateman; Belter; Berg, J.; Bernstein; Bodine; Boehm; Boucher; Brodshaug; Brown; Byerly; Carlisle; Carlson, A.; Carlson, C.; Christopherson; Clayburgh; Cleary; Coats; Dalrymple; DeWitz; Dobrinski; Dorso; Drovdal; Freier; Froseth; Gates; Gerntholz; Glassheim; Goffe; Gorder; Gorman; Grosz; Grumbo; Gulleon; Hagle; Hanson; Hausauer; Henegar; Hokana; Holm; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Kilichowski; Klein; Kretschmar; Kroeber; Kunkel; Laughlin; Mahoney; Maragos; Martin; Martinson; Monson; Mutzenberger; Nelson; Ness; Nicholas; Nichols; Oban; Olsen, D.; Olson, A.; Payne; Poolman; Porter; Price; Pyle; Rennerfeldt; Rydell; Schindler; Shide; Sitz; Skarphol; Soukup; St. Aubyn; Stenehjem; Stenson; Svedjan; Sveen; Thorpe; Timm; Tollefson; Torgerson; Wald; Wanzek; Wardner; Wentz; Wilkie; Speaker R. Berg

**NAYS:** Ring

Engrossed HB 1363 passed and the title was agreed to.

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#### SECOND READING OF HOUSE BILL

**HB 1367:** A BILL for an Act to create and enact a new section to chapter 65-04 of the North Dakota Century Code, relating to a workers' compensation premium for a risk management program; 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 98 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Allmaras; Austin; Bateman; Belter; Berg, J.; Bernstein; Bodine; Boehm; Boucher; Brodshaug; Brown; Byerly; Carlisle; Carlson, A.; Carlson, C.; Christopherson; Clayburgh; Cleary; Coats; Dalrymple; DeWitz; Dobrinski; Dorso; Drovdal; Freier; Froseth; Gates; Gerntholz; Glassheim; Goffe; Gorder; Gorman; Grosz; Grumbo; Gulleon; Hagle; Hanson; Hausauer; Henegar; Hokana; Holm; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Kilichowski; Klein; Kretschmar; Kroeber; Kunkel; Laughlin; Mahoney; Maragos; Martin; Martinson; Monson; Mutzenberger; Nelson; Ness; Nicholas; Nichols; Oban; Olsen, D.; Olson, A.; Payne; Poolman; Porter; Price; Pyle; Rennerfeldt; Ring; Rydell; Schindler; Shide; Sitz; Skarphol; Soukup; St. Aubyn; Stenehjem; Stenson; Svedjan; Sveen; Thorpe; Timm; Tollefson; Torgerson; Wald; Wanzek; Wardner; Wentz; Wilkie; Speaker R. Berg

Engrossed HB 1367 passed, the title was agreed to, and the emergency clause was declared carried.

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**SECOND READING OF HOUSE BILL**

**HB 1377:** A BILL for an Act to limit a lender's liability to third parties for environmental damage.

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

**YEAS:** Aarsvold; Allmaras; Austin; Bateman; Belter; Berg, J.; Bernstein; Bodine; Boehm; Boucher; Brodshaug; Brown; Byerly; Carlisle; Carlson, A.; Carlson, C.; Christopherson; Clayburgh; Cleary; Coats; Dalrymple; DeWitz; Dobrinski; Dorso; Drovdal; Freier; Froseth; Gates; Gerntholz; Glassheim; Goffe; Gorder; Gorman; Grosz; Grumbo; Gulleson; Hagle; Hanson; Hausauer; Henegar; Hokana; Holm; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Kilichowski; Klein; Kretschmar; Kroeber; Kunkel; Laughlin; Mahoney; Maragos; Martin; Martinson; Monson; Mutzenberger; Nelson; Ness; Nicholas; Nichols; Oban; Olsen, D.; Olson, A.; Payne; Poolman; Porter; Price; Pyle; Rennerfeldt; Rydell; Schindler; Shide; Sitz; Skarphol; Soukup; St. Aubyn; Stenehjem; Stenson; Svedjan; Sveen; Timm; Tollefson; Torgerson; Wald; Wanzek; Wardner; Wentz; Wilkie; Speaker R. Berg

**NAYS:** Ring; Thorpe

Engrossed HB 1377 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1380:** A BILL for an Act to amend and reenact subsection 1 of section 57-55-10 of the North Dakota Century Code, relating to exemption from mobile home taxation for a permanently and totally disabled person.

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

**YEAS:** Aarsvold; Allmaras; Austin; Bateman; Belter; Berg, J.; Bernstein; Bodine; Boehm; Boucher; Brodshaug; Brown; Byerly; Carlisle; Carlson, A.; Carlson, C.; Christopherson; Clayburgh; Cleary; Coats; Dalrymple; DeWitz; Dobrinski; Dorso; Drovdal; Freier; Froseth; Gates; Gerntholz; Glassheim; Goffe; Gorder; Gorman; Grosz; Grumbo; Gulleson; Hagle; Hanson; Hausauer; Henegar; Hokana; Holm; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Kilichowski; Klein; Kretschmar; Kroeber; Kunkel; Laughlin; Mahoney; Maragos; Martin; Martinson; Monson; Mutzenberger; Nelson; Ness; Nichols; Oban; Olsen, D.; Olson, A.; Payne; Poolman; Porter; Price; Pyle; Rennerfeldt; Ring; Rydell; Schindler; Shide; Sitz; Skarphol; Soukup; St. Aubyn; Stenehjem; Stenson; Svedjan; Sveen; Thorpe; Timm; Tollefson; Torgerson; Wanzek; Wardner; Wentz; Wilkie; Speaker R. Berg

**ABSENT AND NOT VOTING:** Nicholas; Wald

Engrossed HB 1380 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1480:** A BILL for an Act to amend and reenact sections 57-20-01 and 57-26-03 of the North Dakota Century Code, relating to the rate of

interest for delinquent property taxes and for redemption of property from a tax sale; 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 6 YEAS, 92 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Bateman; Freier; Grosz; Hagle; Kretschmar; Tollefson

**NAYS:** Aarsvold; Allmaras; Austin; Belter; Berg, J.; Bernstein; Bodine; Boehm; Boucher; Brodshaug; Brown; Byerly; Carlisle; Carlson, A.; Carlson, C.; Christopherson; Clayburgh; Cleary; Coats; Dalrymple; DeWitz; Dobrinski; Dorso; Drovdal; Froseth; Gates; Gerntholz; Glassheim; Goffe; Gorder; Gorman; Grumbo; Gulleson; Hanson; Hausauer; Henegar; Hokana; Holm; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Kilichowski; Klein; Kroeber; Kunkel; Laughlin; Mahoney; Maragos; Martin; Martinson; Monson; Mutzenberger; Nelson; Ness; Nicholas; Nichols; Oban; Olsen, D.; Olson, A.; Payne; Poolman; Porter; Price; Pyle; Rennerfeldt; Ring; Rydell; Schindler; Shide; Sitz; Skarphol; Soukup; St. Aubyn; Stenehjem; Stenson; Svedjan; Sveen; Thorpe; Timm; Torgerson; Wald; Wanzek; Wardner; Wentz; Wilkie; Speaker R. Berg

Engrossed HB 1480 was declared lost.

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#### MOTION

**REP. FREIER MOVED** that the House waive the reading of the titles to HB 1508, HB 1203, HB 1181, HB 1193, and HB 1201, which motion prevailed.

#### SECOND READING OF HOUSE BILL

**HB 1508:** A BILL for an Act to create and enact sections 10-15-12.1 and 10-15-52.6 to the North Dakota Century Code, relating to change of a cooperative's registered office or registered agent; to amend and reenact sections 10-15-13, 10-15-36, 10-15-38, 10-15-46, 10-15-51, 10-15-52.1 of the North Dakota Century Code, relating to cooperative requirements; and to repeal section 10-15-52.2 of the North Dakota Century Code, relating to amendment to articles of association of foreign cooperatives.

#### ROLL CALL

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

**YEAS:** Aarsvold; Allmaras; Austin; Bateman; Belter; Berg, J.; Bernstein; Bodine; Boehm; Boucher; Brodshaug; Brown; Byerly; Carlisle; Carlson, A.; Carlson, C.; Christopherson; Clayburgh; Cleary; Coats; Dalrymple; DeWitz; Dobrinski; Dorso; Drovdal; Freier; Froseth; Gates; Gerntholz; Glassheim; Goffe; Gorder; Gorman; Grosz; Grumbo; Gulleson; Hagle; Hanson; Hausauer; Henegar; Hokana; Holm; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Kilichowski; Klein; Kretschmar; Kroeber; Kunkel; Laughlin; Mahoney; Maragos; Martin; Martinson; Monson; Mutzenberger; Nelson; Ness; Nicholas; Nichols; Oban; Olsen, D.; Olson, A.; Payne; Poolman; Porter; Price; Pyle; Rennerfeldt; Ring; Rydell; Schindler; Shide; Sitz; Skarphol; Soukup; St. Aubyn; Stenehjem; Stenson; Svedjan; Sveen; Thorpe; Timm; Tollefson; Torgerson; Wald; Wanzek; Wardner; Wentz; Wilkie; Speaker R. Berg

Engrossed HB 1508 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1050:** A BILL for an Act to amend and reenact section 54-03-01.9 of the North Dakota Century Code, relating to legislative redistricting; and to provide an effective date.

**ROLL CALL**

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

**YEAS:** Oban; Ring

**NAYS:** Aarsvold; Allmaras; Austin; Bateman; Belter; Berg, J.; Bernstein; Bodine; Boehm; Boucher; Brodshaug; Brown; Byerly; Carlisle; Carlson, A.; Carlson, C.; Christopherson; Clayburgh; Cleary; Coats; Dalrymple; DeWitz; Dobrinski; Dorso; Drovdal; Freier; Froseth; Gates; Gerntholz; Glassheim; Goffe; Gorder; Gorman; Grosz; Grumbo; Gulleon; Hagle; Hanson; Hausauer; Henegar; Hokana; Holm; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Kilichowski; Klein; Kretschmar; Kroeber; Kunkel; Laughlin; Mahoney; Maragos; Martin; Martinson; Monson; Mutzenberger; Nelson; Ness; Nicholas; Nichols; Olson, D.; Olson, A.; Payne; Poolman; Porter; Price; Pyle; Rennerfeldt; Rydell; Schindler; Shide; Sitz; Skarphol; Soukup; St. Aubyn; Stenehjem; Stenson; Svedjan; Sveen; Thorpe; Timm; Tollefson; Torgerson; Wald; Wanzen; Wardner; Wentz; Wilkie; Speaker R. Berg

HB 1050 was declared lost.

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**SECOND READING OF HOUSE BILL**

**HB 1203:** A BILL for an Act to create and enact a new section to chapter 4-24 of the North Dakota Century Code, relating to reports by agricultural commodity groups to the legislative assembly; to amend and reenact sections 4-10.1-09, 4-10.2-08, 4-10.3-08, 4-10.6-10, 4-12.1-03, 4-13.1-05, 4-18.1-12, 4-24-09, and 4-28-08 of the North Dakota Century Code, relating to continuing appropriations for the North Dakota potato council, the North Dakota oilseed council, the North Dakota edible bean council, the North Dakota corn utilization council, the North Dakota beekeepers association, the North Dakota turkey federation, the North Dakota milk stabilization board, and the North Dakota state wheat commission; and to provide continuing appropriations.

**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, 1 NAY, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Allmaras; Austin; Bateman; Belter; Berg, J.; Bernstein; Bodine; Boehm; Boucher; Brodshaug; Brown; Byerly; Carlisle; Carlson, A.; Carlson, C.; Christopherson; Clayburgh; Cleary; Coats; Dalrymple; DeWitz; Dobrinski; Dorso; Drovdal; Freier; Froseth; Gates; Gerntholz; Glassheim; Goffe; Gorder; Gorman; Grosz; Grumbo; Gulleon; Hagle; Hanson; Hausauer; Henegar; Hokana; Holm; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Kilichowski; Klein; Kretschmar; Kroeber; Kunkel; Laughlin; Mahoney; Maragos; Martin; Martinson; Monson; Mutzenberger; Nelson; Ness; Nicholas; Nichols; Oban; Olson, D.; Olson, A.; Payne; Poolman; Porter; Price; Pyle; Rennerfeldt; Ring; Rydell; Schindler; Shide; Sitz; Skarphol; Soukup; St. Aubyn; Stenehjem; Stenson; Svedjan; Sveen; Thorpe; Timm; Tollefson; Torgerson; Wald; Wanzen; Wardner; Wentz; Speaker R. Berg

**NAYS:** Wilkie

HB 1203 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1271:** A BILL for an Act to amend and reenact section 38-14.1-37 of the North Dakota Century Code, relating to the expansion of the small operators assistance program to cover the cost of surface mining permit applications; 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 98 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Allmaras; Austin; Bateman; Belter; Berg, J.; Bernstein; Bodine; Boehm; Boucher; Brodshaug; Brown; Byerly; Carlisle; Carlson, A.; Carlson, C.; Christopherson; Clayburgh; Cleary; Coats; Dalrymple; DeWitz; Dobrinski; Dorso; Drovdal; Freier; Froseth; Gates; Gerntholz; Glassheim; Goffe; Gorder; Gorman; Grosz; Grumbo; Gulleon; Hagle; Hanson; Hausauer; Henegar; Hokana; Holm; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Kilichowski; Klein; Kretschmar; Kroeber; Kunkel; Laughlin; Mahoney; Maragos; Martin; Martinson; Monson; Mutzenberger; Nelson; Ness; Nicholas; Nichols; Oban; Olsen, D.; Olson, A.; Payne; Poolman; Porter; Price; Pyle; Rennerfeldt; Ring; Rydell; Schindler; Shide; Sitz; Skarphol; Soukup; St. Aubyn; Stenehjem; Stenson; Svedjan; Sveen; Thorpe; Timm; Tollefson; Torgerson; Wald; Wanzek; Wardner; Wentz; Wilkie; Speaker R. Berg

HB 1271 passed, the title was agreed to, and the emergency clause was declared carried.

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**SECOND READING OF HOUSE BILL**

**HB 1315:** A BILL for an Act to create and enact a new subsection to section 57-02-08 of the North Dakota Century Code, relating to a property tax exemption for leasehold or possessory interests in property owned by the department of housing and urban development, farmers home administration, or the veterans administration and leased to a nonprofit corporation for use by the homeless; and to provide an effective date.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 81 YEAS, 17 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Allmaras; Austin; Belter; Berg, J.; Bodine; Boehm; Boucher; Brodshaug; Carlisle; Carlson, C.; Clayburgh; Cleary; Coats; Dalrymple; Dobrinski; Drovdal; Froseth; Gates; Gerntholz; Glassheim; Goffe; Gorder; Grosz; Grumbo; Gulleon; Hagle; Hanson; Hausauer; Henegar; Hokana; Howard; Huether; Jacobs; Johnson; Kaldor; Kelsch; Kerzman; Kilichowski; Kretschmar; Kroeber; Kunkel; Laughlin; Mahoney; Maragos; Martin; Martinson; Monson; Mutzenberger; Nelson; Ness; Nicholas; Nichols; Oban; Olsen, D.; Olson, A.; Poolman; Porter; Price; Pyle; Rennerfeldt; Ring; Rydell; Shide; Sitz; Skarphol; St. Aubyn; Stenehjem; Stenson; Svedjan; Sveen; Thorpe; Timm; Tollefson; Torgerson; Wald; Wanzek; Wardner; Wentz; Wilkie; Speaker R. Berg

**NAYS:** Bateman; Bernstein; Brown; Byerly; Carlson, A.; Christopherson; DeWitz; Dorso; Freier; Gorman; Holm; Keiser; Kempenich; Klein; Payne; Schindler; Soukup

HB 1315 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1361:** A BILL for an Act to create and enact a new subsection to section 4-22-02 and two new sections to chapter 4-22 of the North Dakota Century Code, relating to the definition of landowner and the prevention of soil erosion; and to provide a penalty.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 11 YEAS, 87 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Berg, J.; Bernstein; Carlisle; Christopherson; Glasheim; Gorder; Henegar; Pyle; Ring; Torgerson; Wardner

**NAYS:** Aarsvold; Allmaras; Austin; Bateman; Belter; Bodine; Boehm; Boucher; Brodshaug; Brown; Byerly; Carlson, A.; Carlson, C.; Clayburgh; Cleary; Coats; Dalrymple; DeWitz; Dobrinski; Dorso; Drovdal; Freier; Froseth; Gates; Gerntholz; Goffe; Gorman; Grosz; Grumbo; Gulleson; Hagle; Hanson; Hausauer; Hokana; Holm; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Kilichowski; Klein; Kretschmar; Kroeber; Kunkel; Laughlin; Mahoney; Maragos; Martin; Martinson; Monson; Mutzenberger; Nelson; Ness; Nicholas; Nichols; Oban; Olsen, D.; Olson, A.; Payne; Poolman; Porter; Price; Rennerfeldt; Rydell; Schindler; Shide; Sitz; Skarphol; Soukup; St. Aubyn; Stenehjem; Stenson; Svedjan; Sveen; Thorpe; Timm; Tollefson; Wald; Wanzenek; Wentz; Wilkie; Speaker R. Berg

HB 1361 was declared lost.

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**SECOND READING OF HOUSE BILL**

**HB 1388:** A BILL for an Act to amend and reenact section 5-02-05 of the North Dakota Century Code, relating to the dispensing of alcoholic beverages on certain days.

**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 53 YEAS, 45 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Berg, J.; Bernstein; Boucher; Brodshaug; Byerly; Carlson, C.; Christopherson; Clayburgh; Cleary; Coats; Dalrymple; Dobrinski; Dorso; Drovdal; Gates; Glasheim; Goffe; Gorman; Gulleson; Hanson; Hausauer; Henegar; Hokana; Holm; Huether; Jacobs; Keiser; Kelsch; Kilichowski; Kroeber; Mahoney; Maragos; Martinson; Mutzenberger; Nelson; Nicholas; Nichols; Oban; Payne; Poolman; Porter; Pyle; Ring; Rydell; Sitz; St. Aubyn; Stenehjem; Stenson; Svedjan; Sveen; Thorpe; Torgerson; Speaker R. Berg

**NAYS:** Aarsvold; Allmaras; Austin; Bateman; Belter; Bodine; Boehm; Brown; Carlisle; Carlson, A.; DeWitz; Freier; Froseth; Gerntholz; Gorder; Grosz; Grumbo; Hagle; Howard; Johnson; Kaldor; Kempenich; Kerzman; Klein; Kretschmar; Kunkel; Laughlin; Martin; Monson; Ness; Olsen, D.; Olson, A.; Price; Rennerfeldt; Schindler; Shide; Skarphol; Soukup; Timm; Tollefson; Wald; Wanzenek; Wardner; Wentz; Wilkie

HB 1388 passed and the title was agreed to.

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## SECOND READING OF HOUSE BILL

**HB 1396:** A BILL for an Act to amend and reenact subsections 3 and 5 of section 20.1-03-11 of the North Dakota Century Code, relating to landowner preference hunting licenses.

## ROLL CALL

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

**NAYS:** Aarsvold; Allmaras; Austin; Bateman; Belter; Berg, J.; Bernstein; Bodine; Boehm; Boucher; Brodshaug; Brown; Byerly; Carlisle; Carlson, A.; Carlson, C.; Christopherson; Clayburgh; Cleary; Coats; Dalrymple; DeWitz; Dobrinski; Dorso; Drovda; Freier; Froseth; Gates; Gerntholz; Glassheim; Goffe; Gorder; Gorman; Grosz; Grumbo; Gullson; Hagle; Hanson; Hausauer; Henegar; Hokana; Holm; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Kilichowski; Klein; Kretschmar; Kroeber; Kunkel; Laughlin; Mahoney; Maragos; Martin; Martinson; Monson; Mutzenberger; Nelson; Ness; Nicholas; Nichols; Oban; Olsen, D.; Olson, A.; Payne; Poolman; Porter; Price; Pyle; Rennerfeldt; Ring; Rydell; Schindler; Shide; Sitz; Skarphol; Soukup; St. Aubyn; Stenehjem; Stenson; Svedjan; Sveen; Thorpe; Timm; Tollefson; Torgerson; Wald; Wanzenek; Wardner; Wentz; Wilkie; Speaker R. Berg

HB 1396 was declared lost.

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## MOTION

**REP. GATES MOVED** that HB 1055, which is on the Eleventh order, be laid over one legislative day, which motion prevailed.

## POINT OF PERSONAL PRIVILEGE

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

May the record show that I was present and that I thought I had voted "Yea" on HB 1319.

## SECOND READING OF SENATE BILL

**SB 2134:** A BILL for an Act to create and enact a new subdivision to subsection 1 of section 39-09-02 of the North Dakota Century Code, relating to speed limits in construction zones.

## 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 8 YEAS, 90 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Allmaras; Berg, J.; Cleary; Dobrinski; Oban; Pyle; Ring; Wilkie

**NAYS:** Aarsvold; Austin; Bateman; Belter; Bernstein; Bodine; Boehm; Boucher; Brodshaug; Brown; Byerly; Carlisle; Carlson, A.; Carlson, C.; Christopherson; Clayburgh; Coats; Dalrymple; DeWitz; Dorso; Drovda; Freier; Froseth; Gates; Gerntholz; Glassheim; Goffe; Gorder; Gorman; Grosz; Grumbo; Gullson; Hagle; Hanson; Hausauer; Henegar; Hokana; Holm; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Kilichowski; Klein; Kretschmar; Kroeber; Kunkel; Laughlin; Mahoney; Maragos; Martin; Martinson; Monson; Mutzenberger; Nelson; Ness; Nicholas; Nichols; Olsen, D.; Olson, A.; Payne; Poolman; Porter; Price; Rennerfeldt; Rydell; Schindler; Shide; Sitz; Skarphol; Soukup; St. Aubyn; Stenehjem; Stenson; Svedjan; Sveen; Thorpe; Timm; Tollefson; Torgerson; Wald; Wanzenek; Wardner; Wentz; Speaker R. Berg

SB 2134 was declared lost.

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**SECOND READING OF SENATE BILL**

**SB 2136:** A BILL for an Act to amend and reenact section 39-08-10, subsections 1, 2, and 3 of section 39-08-13, and subsection 1 of section 39-20-05 of the North Dakota Century Code, relating to reporting of motor vehicle accidents and implied consent administrative hearings.

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

**YEAS:** Aarsvold; Allmaras; Austin; Bateman; Belter; Berg, J.; Bernstein; Bodine; Boehm; Boucher; Brodshaug; Brown; Byerly; Carlisle; Carlson, A.; Carlson, C.; Christopherson; Clayburgh; Cleary; Coats; Dalrymple; DeWitz; Dobrinski; Dorso; Drovdal; Froseth; Gates; Gerntholz; Glassheim; Goffe; Gordor; Gorman; Grosz; Grumbo; Guleson; Hagle; Hanson; Hausauer; Henegar; Hokana; Holm; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Kilichowski; Klein; Kretschmar; Kroeber; Kunkel; Laughlin; Mahoney; Maragos; Martin; Martinson; Monson; Mutzenberger; Nelson; Ness; Nicholas; Nichols; Oban; Olson, A.; Payne; Poolman; Porter; Price; Pyle; Rennerfeldt; Ring; Rydell; Schindler; Shide; Sitz; Skarphol; Soukup; St. Aubyn; Stenehjem; Stenson; Svedjan; Sveen; Thorpe; Timm; Tollefson; Torgerson; Wald; Wanzek; Wardner; Wentz; Wilkie; Speaker R. Berg

**NAYS:** Freier; Olsen, D.

SB 2136 passed and the title was agreed to.

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**SECOND READING OF HOUSE CONCURRENT RESOLUTIONS ON CONSENT CALENDAR**

**HCR 3008:** A concurrent resolution directing the Legislative Council to study the problems associated with solid waste management and the operation and effect of solid waste management districts and solid waste management plans.

**HCR 3024:** A concurrent resolution directing the Legislative Council to study the feasibility and desirability of making the North Dakota Century Code, the North Dakota Administrative Code, the North Dakota Session Laws, and other legislative publications available in mediums other than published volumes, including CD-ROM and diskettes.

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

HCR 3008 and HCR 3024 were declared adopted on a voice vote.

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**MOTION**

**REP. FREIER MOVED** that the House be on the Fifth, Ninth, and Thirteenth orders of business and at the conclusion of those orders, the House stand adjourned until 1:00 p.m., Tuesday, February 9, 1993, which motion prevailed.

**REPORT OF STANDING COMMITTEE**

**HB 1012:** Appropriations Committee (Rep. Dalrymple, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (21 YEAS,

0 NAYS, 1 ABSENT AND NOT VOTING). HB 1012 was placed on the Sixth order on the calendar.

Page 1, line 11, replace "9,722,655" with "9,291,659"

Page 1, line 13, replace "5,134,429" with "5,179,429"

Page 1, line 14, replace "505,925" with "405,074"

Page 1, line 15, replace "capitol" with "capital" and replace "1,203,160" with "883,160"

Page 1, line 16, replace "1,029,500" with "927,000"

Page 1, line 17, replace "493,500" with "423,500"

Page 1, remove line 18

Page 2, line 4, replace "21,491,823" with "21,067,476"

Page 2, line 5, remove "- APPROPRIATION"

Page 2, line 7, remove "appropriated"

Page 2, line 8, remove "to the state game and fish department"

Page 2, line 13, remove "- APPROPRIATION"

Page 2, line 16, remove "appropriated" and remove ", to the state"

Page 2, line 17, remove "game and fish department,"

Page 2, line 20, remove "- APPROPRIATION"

Page 2, line 22, remove "appropriated"

Page 2, line 23, remove "to the state game and fish department,"

Page 2, after line 26, insert:

**"SECTION 5. CONTINGENT APPROPRIATION.** There is hereby appropriated upon budget section approval, any moneys in the state game and fish operating fund, not otherwise appropriated, to the state game and fish department, the amount that the state game and fish operating fund 1993-95 revenues exceed estimated 1993-95 revenues by \$150,000, but not to exceed \$600,000, for the operations of the state game and fish department for the biennium beginning July 1, 1993, and ending June 30, 1995. The 1993-95 estimated revenues are to include any revenue increases approved by the 1993 legislative assembly."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

DEPARTMENT 720 - GAME AND FISH

HOUSE - This amendment makes the following changes to Governor Sinner's executive budget recommendation to reflect Governor Schafer's recommended appropriations:

- The salaries and wages line item is decreased by \$252,269, of which \$47,616 is for reduced employee health insurance costs and \$204,653 is to reflect the Schafer salary increase recommendation.

- The operating expenses line item is increased by \$45,000, and the interagency legal fees line item of \$45,000 is deleted to reflect Governor Schafer's recommendation regarding legal fees charged by the Attorney General.

In addition, salaries and wages are reduced by \$178,727 to delete the following positions:

Game warden II - Enforcement	\$ 64,692
Wildlife tech II - Fisheries	41,946
Wildlife tech III - Wildlife	<u>72,089</u>
Total - 3 FTEs	\$178,727

Equipment is reduced by \$100,851 for the Wildlife Division.

The capital improvements line is reduced by \$320,000 for the following divisions:

Land acquisition - Wildlife	\$100,000
Land acquisition - Fisheries	100,000
Corps of Engineers projects - Wildlife	50,000
Roads, fences, other - Wildlife	<u>70,000</u>
Total	\$320,000

The grants line is reduced by \$102,500 as follows:

Upland game bird stocking - Wildlife	\$ 50,000
Shooting ranges - Information and education	12,500
Boating safety grants - Administration	<u>40,000</u>
Total	\$102,500

Grants to state agencies are reduced by \$70,000, \$20,000 in the Information and Education Division and \$50,000 for studies in the Wildlife Division.

A new section is added appropriating the amount that actual revenues exceed estimated revenues by \$150,000, up to \$600,000. The appropriation is to be used to restore in part the reductions made by the House and the department must first receive prior Budget Section approval.

Not reflecting the \$600,000 contingent appropriation, the amendments reduce the appropriation by \$1,024,347. Reflecting the \$600,000 contingent appropriation, the reduction is \$424,347.

#### REPORT OF STANDING COMMITTEE

**HB 1090: Government and Veterans Affairs Committee (Rep. D. Olsen, Chairman)** recommends AMENDMENTS AS FOLLOWS and when so amended, recommends **DO NOT PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1090 was placed on the Sixth order on the calendar.

Page 1, line 17, remove the overstrike over "with" and after "requested" insert "a copy to the employer"

Page 2, line 22, after "mail" insert an underscored comma and remove the overstrike over "with"

Page 2, line 23, after "~~requested~~" insert "a copy to the employer,"

Page 3, line 6, remove the overstrike over "fifteen" and remove "forty-five"

Page 3, line 18, replace "thirty" with "twenty"

Renumber accordingly

## REPORT OF STANDING COMMITTEE

HB 1108: Government and Veterans Affairs Committee (Rep. D. Olsen, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO NOT PASS (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1108 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "subsection 5 of section 37-19.1-01,"

Page 1, line 2, replace "subsections 1, 2, and" with "subsection" and remove the third comma

Page 1, remove lines 6 through 9

Page 1, line 10, replace "Subsections 1, 2, and" with "Subsection"

Page 1, line 11, replace "are" with "is"

Page 1, remove lines 12 through 22

Page 2, remove lines 1 through 8

Page 3, line 8, remove the underscored comma

Page 3, line 9, remove "promoting,"

Page 3, line 13, remove the overstrike over the overstruck comma

Page 3, remove the overstrike over line 14

Page 3, line 15, remove the overstrike over "~~writing, for not making such selection,~~"

Page 3, line 18, remove the overstrike over the overstruck comma

Page 3, remove the overstrike over line 19

Page 3, line 20, remove the overstrike over "~~writing, for not making such selection,~~"

Page 3, line 25, remove the overstrike over "~~, in the absence of~~"

Page 3, line 26, remove the overstrike over "~~justifiable cause, documented in writing,~~"

Page 4, line 1, remove the overstrike over "one", remove "veteran", and remove the overstruck comma

Page 4, line 2, remove the overstrike over "~~whether a nonveteran or a veteran,~~"

Page 4, line 3, remove the overstrike over "~~, in the absence of justifiable cause,~~"

Page 4, line 4, remove the overstrike over "~~, and if the one with the~~"

Page 4, remove the overstrike over lines 5 through 7

Page 4, line 8, remove the overstrike over "employment"

ReNUMBER accordingly

## REPORT OF STANDING COMMITTEE

HB 1155: Political Subdivisions Committee (Rep. Martin, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (13 YEAS,

0 NAYS, 2 ABSENT AND NOT VOTING). HB 1155 was placed on the Sixth order on the calendar.

Page 2, remove line 9

Page 2, line 10, replace "20." with "19."

Page 2, line 20, overstrike "three hundred" and insert immediately thereafter "one thousand"

Page 2, line 27, after "fee" insert "not to exceed fifty dollars an hour"

Page 3, line 8, replace "The" with "When federal funds are involved, the"

Page 3, line 11, after "also" insert "periodically"

Page 3, line 17, after "fee" insert "not to exceed fifty dollars an hour"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

HB 1227: Political Subdivisions Committee (Rep. Martin, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION (11 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). HB 1227 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "section" with "sections 40-57.3-01.1," and after "40-57.3-02" insert ", and 40-57.3-03"

Page 1, line 2, after "to" insert "imposition of city lodging and restaurant taxes on all liquor sales and" replace "between" with "to"

Page 1, line 3, replace "and" with "from"

Page 1, after line 4, insert:

"SECTION 1. AMENDMENT. Section 40-57.3-01.1 of the 1991 Supplement to the North Dakota Century Code is amended and reenacted as follows:

40-57.3-01.1. City lodging and, restaurant, and beverage tax - Imposition - Amount - Disposition - Referral. In addition to the tax under section 40-57.3-01, the governing body of any city may, by ordinance, impose a city tax, at a rate not to exceed one percent, upon the gross receipts of retailers on the leasing or renting of hotel, motel, or tourist court accommodations within the city for periods of less than thirty consecutive calendar days or one month and upon the gross receipts of a restaurant or retail alcoholic beverage establishment from any sales of prepared food or beverages, ~~not~~ including alcoholic beverages for consumption on or off the premises where purchased, which are subject to state sales taxes. For purposes of this section, "restaurant" means any place where food is prepared and intended for individual portion service for consumption on or off the premises and "prepared" includes heating prepackaged food. Accommodations, food, and beverages may all, each, or in any combination be subjected to the tax under this section, if all items in any category which are taxable under state law are taxable, except as otherwise provided in this section. The tax imposed under this section is in addition to state sales taxes on rental accommodations and restaurant sales and any city which imposes the tax under this section shall deposit all proceeds in the city visitors' promotion capital construction fund. Moneys deposited in the city visitors' promotion capital construction fund shall be spent only as provided in this chapter. An ordinance adopted under this section may not become effective sooner than sixty days after it is adopted by the governing

body of the city. The provisions of chapter 40-12 with regard to referral of ordinances apply to an ordinance adopted under this section except that a petition to refer an ordinance adopted under this section must be presented to the governing body of the municipality before four p.m. on the sixtieth day after the ordinance described in the petition was adopted by the governing body of the municipality. Revenues from a tax imposed under this section may not be pledged under section 40-57.3-03 to payment of bonds or evidences of indebtedness until after the time has passed for filing a referral petition against an ordinance under this section or, if a referral petition is filed, until after the referral petition has been submitted to the vote of the electors of the municipality."

Page 1, line 21, remove "visitors' promotion fund to the visitors'"

Page 1, line 22, remove "promotion capital construction fund and from the"

Page 2, after line 8, insert:

"SECTION 3. AMENDMENT. Section 40-57.3-03 of the 1991 Supplement to the North Dakota Century Code is amended and reenacted as follows:

**40-57.3-03. Budget - Contracts - Bonds - Capital construction.** The governing body of the city shall annually set the budget, if any, under which the committee shall operate. The governing body of the city may contract with any person, firm, association, or corporation to carry out the purposes of the city visitors' promotion fund or the city visitors' promotion capital construction fund created under section 40-57.3-02. The governing body of the city may irrevocably dedicate any portion of revenues from the tax authorized under section 40-57.3-01.1 and may authorize and issue bonds or other evidences of indebtedness in the manner prescribed by section 40-35-08 to be paid by those revenues for any purpose that moneys in the city visitors' promotion capital construction fund may be used; and such tax upon being pledged to payment of bonds or evidences of indebtedness issued pursuant to this section may not be reduced or repealed by the governing body or by the electors of the municipality by any initiated amendment to or referendum of the ordinance referred to in section 40-57.3-01.1, so long as any of such bonds or evidences of indebtedness remain outstanding. The proceeds from the tax imposed under section 40-57.3-01 may not be used for any type of capital construction or purchase of real property. The proceeds from the tax imposed under section 40-57.3-01.1 moneys in the visitors' promotion capital construction fund may be used only for payment of bonds issued, and the costs of issuance related thereto, under this section or capital construction, maintenance, and repair or acquisition of property consistent with the purposes of this chapter."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

HB 1241: Government and Veterans Affairs Committee (Rep. D. Olsen, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (12 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). HB 1241 was placed on the Sixth order on the calendar.

Page 3, line 27, replace "established" with "of five dollars."

Page 3, line 28, replace "by the" with "The" and after "board" insert "shall determine qualifications for registration of a shampoo assistant"

Renumber accordingly

## REPORT OF STANDING COMMITTEE

HB 1270: Natural Resources Committee (Rep. A. Olson, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (12 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1270 was placed on the Sixth order on the calendar.

Page 1, line 13, overstrike "The" and insert immediately thereafter "Unless the affected land is to be used for other purposes as agreed upon between the surface mining operator and the landowner, the"

Page 1, line 15, overstrike ", unless the affected land"

Page 1, line 16, overstrike "is to be used for other purposes as agreed upon between the surface mining"

Page 1, line 17, overstrike "operator and the landowner," and insert immediately thereafter "; indicate the amount of topsoil and subsoil to be saved, segregated, and respread; and indicate the party responsible for compaction of backfill, soil testing, fertilization, revegetation, weed control, rock disposal, and replacement or establishment of conservation practices. The reclamation must be"

Page 1, line 19, remove the overstrike over "A" and remove "Upon completion of the reclamation of the affected land, the"

Page 1, remove lines 20 through 22

Page 2, line 1, remove "with the reclamation agreement, the"

Re-number accordingly

## REPORT OF STANDING COMMITTEE

HB 1277: Natural Resources Committee (Rep. A. Olson, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (12 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING). HB 1277 was placed on the Sixth order on the calendar.

Page 1, line 13, replace "a" with "one"

Page 1, line 14, after "license" insert "per year"

Page 2, line 2, after "Each" insert "The governor may not make more than a total of five licenses available to the North Dakota game warden association under this section."

Re-number accordingly

## REPORT OF STANDING COMMITTEE

HB 1296: Government and Veterans Affairs Committee (Rep. D. Olsen, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1296 was placed on the Sixth order on the calendar.

Page 2, line 8, remove "registered"

Page 2, line 9, after "assistant" insert "registered under this chapter"

Page 5, after line 2, insert:

"12. Failure to provide adequate supervision of supportive personnel as required by this chapter or by rule."

Re-number accordingly

## REPORT OF STANDING COMMITTEE

HB 1371: Finance and Taxation Committee (Rep. Timm, Chairman) recommends DO NOT PASS (12 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1371 was placed on the Eleventh order on the calendar.

## REPORT OF STANDING COMMITTEE

HB 1387: Industry, Business and Labor Committee (Rep. Dorso, Chairman) recommends DO NOT PASS (13 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). HB 1387 was placed on the Eleventh order on the calendar.

## REPORT OF STANDING COMMITTEE

HB 1411: Industry, Business and Labor Committee (Rep. Dorso, Chairman) recommends DO NOT PASS (14 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1411 was placed on the Eleventh order on the calendar.

## REPORT OF STANDING COMMITTEE

HB 1414: Industry, Business and Labor Committee (Rep. Dorso, Chairman) recommends DO NOT PASS (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1414 was placed on the Eleventh order on the calendar.

## REPORT OF STANDING COMMITTEE

HB 1434: Finance and Taxation Committee (Rep. Timm, Chairman) recommends DO NOT PASS (11 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). HB 1434 was placed on the Eleventh order on the calendar.

## REPORT OF STANDING COMMITTEE

HB 1436: Industry, Business and Labor Committee (Rep. Dorso, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (14 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1436 was placed on the Sixth order on the calendar.

Page 1, line 5, after the seventh comma insert "and"

Page 1, line 6, remove ", and 34-07-21"

Page 1, line 10, after the semicolon insert "and"

Page 1, line 12, remove "; and to provide a penalty"

Page 1, line 22, after "guardian" insert "Domestic service includes services of a household nature performed by an employee in or about a private home of the employer"

Page 2, line 9, replace "under the" with "fourteen or fifteen years of" and remove "of sixteen"

Page 2, line 13, replace "and" with "or", and overstrike "person,"

Page 2, line 14, overstrike "firm, or corporation employing", remove "the minor", and overstrike "procures and keeps on file an" and insert immediately thereafter "minor has an employment certificate signed by the minor's parent or guardian in accordance with the provisions of this chapter. Any person, firm, or corporation employing a minor must keep on file a completed"

Page 2, line 15, after "certificate" insert ", for each minor,"

Page 2, line 21, overstrike "Any person, firm, or corporation employing minors under the"

Page 2, line 22, overstrike "age of sixteen years shall keep" and remove "a certificate of"

Page 2, line 23, remove "employment for" and overstrike "all minors employed."

- Page 3, line 4, overstrike "over" and after "age" insert "or older"
- Page 4, line 1, overstrike "When employment certificate of minor required" and insert immediately thereafter "Who may issue certificates - Where certificates may be obtained"
- Page 4, line 7, replace "principal of the school which the" with "minor's parent or guardian"
- Page 4, remove line 8
- Page 4, line 9, remove "the commissioner of labor or the commissioner's agent or representative"
- Page 4, line 10, replace "principal" with "parent or guardian" and remove "distributes and"
- Page 4, line 11, after "a" insert "completed" and after "labor" insert ", the employer, the principal of the school which the minor attends, or a principal in the municipality in which the minor resides,"
- Page 4, line 15, after the period insert "The commissioner of labor shall make the certificates of employment available."
- Page 6, line 5, after "by" insert "the minor's parent or guardian, or"
- Page 6, line 11, overstrike "Issuance and contents" and insert immediately thereafter "Contents" and overstrike "An"
- Page 6, line 12, overstrike "employment certificate", remove "may", and overstrike "be issued by the proper"
- Page 6, line 13, remove "principal of"
- Page 6, remove lines 14 and 15
- Page 6, line 16, remove "or representative" and overstrike ", upon receipt of a proper and complete application from or"
- Page 6, line 17, overstrike "on behalf of a minor entitled to such certificate. It" and insert immediately thereafter "The employment certificate"
- Page 6, line 24, after "guardian" insert "and the employer"
- Page 6, line 28, after "~~officer~~" insert "minor's parent or guardian, or the"
- Page 7, line 11, after the period insert "Revocation of a permit must be registered with the commissioner of labor or the commissioner's agent within ten days."
- Page 7, line 14, overstrike "under sixteen" and insert immediately thereafter "fourteen or fifteen"
- Page 7, line 15, overstrike "under the" and insert immediately thereafter "fourteen or fifteen years of" and overstrike "of sixteen years"
- Page 7, line 21, replace "thirty" with "forty", remove the overstrike over "~~eight~~", and remove "six"
- Page 7, line 22, after the period insert "A school week is considered to be any week Monday through Sunday in which a youth is required to be in attendance, for any period of time, four or more days."

Page 8, line 6, overstrike "under the" and insert immediately thereafter "fourteen or fifteen years of" and overstrike "of sixteen years"

Page 10, line 17, overstrike "under sixteen" and insert immediately thereafter "fourteen or fifteen"

Page 11, line 1, remove "principal of the"

Page 11, remove line 2

Page 11, line 3, replace "minor resides," with "minor's parent" and after the first "or" insert "guardian and"

Page 12, line 4, overstrike "blanks" and insert immediately thereafter "employment certificates"

Page 12, line 5, overstrike "blanks" and insert immediately thereafter "employment certificates", and after "officers" insert ", parents, guardians,"

Page 12, remove lines 22 through 28

Page 13, remove lines 1 through 15

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

HB 1461: Finance and Taxation Committee (Rep. Timm, Chairman) recommends DO NOT PASS (8 YEAS, 7 NAYS, 0 ABSENT AND NOT VOTING). HB 1461 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

HB 1466: Finance and Taxation Committee (Rep. Timm, Chairman) recommends DO NOT PASS (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1466 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

HB 1497: Industry, Business and Labor Committee (Rep. Dorso, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1497 was placed on the Sixth order on the calendar.

Page 1, line 11, remove ", it has not been previously publicly disclosed,"

Page 1, line 12, remove "it was" and overstrike "obtained by any state agency, institution, department,"

Page 1, overstrike lines 13 and 14

Page 1, line 15, overstrike "department, or board" and insert immediately thereafter "it has not been previously publicly disclosed"

Page 3, line 3, replace "The" with:

"The justification must contain general information required by the board, and must include at least the following nonconfidential information:

- a. A general description of the nature of the information sought to be protected;
- b. A general explanation of why the information derives independent economic value, actual or potential, from not being generally known to other persons;

- c. A general explanation of why the information is not readily ascertainable through proper means by other persons;
- d. A general description of the persons or entities that would obtain economic value from disclosure or use of the information, and how they would obtain this value; and
- e. A general description of the efforts used to maintain the secrecy of the information.

The"

Page 3, line 4, after "board" insert:

", and shall decide if the confidential status should be maintained for the project. If the board decides against granting the confidential status, the justification may be resubmitted at the next meeting of the board and the confidential status may be maintained until that time. If the board again decides, upon reconsideration, not to grant confidentiality, the information becomes public"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

HB 1501: Political Subdivisions Committee (Rep. Martin, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (9 YEAS, 4 NAYS, 2 ABSENT AND NOT VOTING). HB 1501 was placed on the Sixth order on the calendar.

- Page 1, line 1, after "11-20" insert "and a new subsection to section 27-07.1-17"
- Page 1, line 3, after "lines" insert "and jurisdiction of county courts"
- Page 1, line 7, remove "board of" and replace "commissioners" with "court"
- Page 1, line 9, after "the" insert "clerk of" and replace "auditor" with "court"
- Page 1, line 10, remove "board of" and replace "commissioners" with "court"
- Page 1, line 11, remove "At its next regular"
- Page 1, line 12, replace "meeting after the petition is filed, the board" with "The county court"
- Page 1, line 14, replace "board" with "petitioner"
- Page 1, line 17, replace "board" with "petitioner"
- Page 1, line 21, replace "board" with "county court"
- Page 1, line 22, replace "board" with "county court"
- Page 2, line 1, replace "board" with "county court"
- Page 2, line 2, replace "contract for the performance of the work with a licensed" with "appoint a registered"
- Page 2, line 3, after the first "surveyor" insert "to conduct the survey"
- Page 2, line 11, replace "board" with "county court"

Page 2, line 13, replace "board" with "county court"

Page 2, line 16, replace "at the next" with "in county court"

Page 2, line 17, remove "meeting of the board which occurs"

Page 2, line 19, replace "board" with "county court"

Page 2, line 20, replace "and" with a comma

Page 2, line 21, after "assessment" insert ", and order the parties to pay the surveyor within thirty days"

Page 2, line 22, replace "The" with "Upon certification by the surveyor that an affected owner has not paid the fees ordered by the county court within thirty days, the"

Page 2, line 26, replace "may" with "shall", replace "assessments collected" with "fees and expenses", and replace "licensed" with "registered"

Page 2, line 27, remove "at the request of the board"

Page 2, line 28, remove "of county commissioners"

Page 2, after line 28, insert:

"SECTION 2. A new subsection to section 27-07.1-17 of the North Dakota Century Code is created and enacted as follows:

Disputed property line proceedings pursuant to section 1 of this Act."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

HCR 3019: Government and Veterans Affairs Committee (Rep. D. Olsen, Chairman) recommends DO PASS and BE PLACED ON THE CONSENT CALENDAR (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HCR 3019 was placed on the Tenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

HCR 3041: Appropriations Committee (Rep. Dalrymple, Chairman) recommends DO PASS and BE PLACED ON THE CONSENT CALENDAR (21 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HCR 3041 was placed on the Tenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

SB 2131: Transportation Committee (Rep. Belter, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (10 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). SB 2131 was placed on the Sixth order on the calendar.

Page 1, line 8, remove "and is being"

Page 1, remove lines 9 through 11

Page 1, line 12, remove "the motor vehicle."

Renumber accordingly

#### FIRST READING OF HOUSE CONCURRENT RESOLUTION

Reps. Huether, Belter, Timm and Sens. Mushik, Tallackson, Urlacher introduced:

**HCR 3045:** A concurrent resolution directing the Legislative Council to study the tax structure, particularly the balance among the various tax systems in North Dakota.

Was read the first time and referred to the **Finance and Taxation Committee.**

#### FIRST READING OF SENATE BILLS

**SB 2002:** A BILL for an Act to provide an appropriation for defraying the expenses of the judicial branch; and to amend and reenact sections 27-02-02 and 27-05-03 of the North Dakota Century Code, relating to the salaries of the judges of the supreme and district courts.

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

**SB 2009:** A BILL for an Act to provide an appropriation for defraying the expenses of the veterans' home and the department of veterans' affairs.

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

**SB 2120:** A BILL for an Act to amend and reenact section 39-24-05 of the North Dakota Century Code, relating to the disposition of snowmobile registration and trail tax fees and providing for an annual transfer of highway tax distribution fund moneys to the snowmobile fund.

Was read the first time and referred to the **Finance and Taxation Committee.**

**SB 2128:** A BILL for an Act to amend and reenact section 24-02-40 of the North Dakota Century Code, relating to short-term financing for the department of transportation.

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

**SB 2129:** A BILL for an Act to create and enact a new section to chapter 39-19 of the North Dakota Century Code, relating to a single state insurance registration system; to amend and reenact sections 24-02-01.5 and 49-18-42 of the North Dakota Century Code, to delete references to sections being repealed; to repeal section 49-18-41.1 of the North Dakota Century Code, relating to interstate registration and identification; and to provide an effective date.

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

**SB 2240:** A BILL for an Act to amend and reenact section 44-02-05 of the North Dakota Century Code, relating to calling of a special county election to fill a vacancy in the board of county commissioners.

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

**SB 2265:** A BILL for an Act to amend and reenact sections 5-02-01.1, 5-02-03, 5-02-05, and 12.1-30-03 of the North Dakota Century Code, relating to permits and fees for dispensing and consuming alcoholic beverages; and to repeal sections 5-02-05.1 and 5-02-05.2 of the North Dakota Century Code, relating to Sunday alcoholic beverage permits.

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

**SB 2305:** A BILL for an Act to create and enact new section to chapter 61-04.1 and a new subsection to section 61-16.1-09 of the North Dakota Century Code, relating to the creation of temporary weather modification authorities and to powers of water resource districts.

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

**SB 2329:** A BILL for an Act to amend and reenact section 61-24.5-10 of the North Dakota Century Code, relating to the levying of taxes by the southwest water authority; and to declare an emergency.

Was read the first time and referred to the **Finance and Taxation Committee.**

**SB 2340:** A BILL for an Act to amend and reenact section 26.1-03-13 of the North Dakota Century Code, relating to reporting of product liability information.

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

**SB 2342:** A BILL for an Act to amend and reenact section 38-08-06.4 of the North Dakota Century Code, relating to the flaring of gas, the imposition of the gross production tax and the payment of royalties for gas flared illegally, and the industrial commission's duties; and to provide for application of this Act.

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

**SB 2345:** A BILL for an Act to amend and reenact section 39-21-01 of the North Dakota Century Code, relating to the display of vehicle lights during inclement weather.

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

**SB 2346:** A BILL for an Act to create and enact a new section to chapter 23-20.3 and a new section to chapter 23-29 of the North Dakota Century Code, relating to the disclosure of certain violations of the law by applicants for waste management facility permits.

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

**SB 2359:** A BILL for an Act to establish a North Dakota board of reflexology and to provide for the licensure of reflexologists; and to provide an expiration date.

Was read the first time and referred to the **Government and Veterans Affairs**.

**SB 2380:** A BILL for an Act to amend and reenact section 61-16.1-14 of the North Dakota Century Code, relating to contracts for construction or maintenance of water resource district projects.

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

**SB 2382:** A BILL for an Act to amend and reenact section 46-02-07 of the North Dakota Century Code, relating to performance bond requirements for state printing work.

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

**SB 2384:** A BILL for an Act to define what constitutes insurance fraud, facilitate the detection of insurance fraud, allow reporting of suspected insurance fraud, grant immunity for reporting suspected insurance fraud, and require the restitution of fraudulently obtained insurance benefits; and to provide a penalty.

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

**SB 2397:** A BILL for an Act to amend and reenact sections 49-18-08, 49-18-12, 49-18-14, 49-18-32, 49-18-40, and 49-18-41 of the North Dakota Century Code, relating to the regulation of common motor carriers by the public service commission; and to declare an emergency.

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

**SB 2413:** A BILL for an Act to amend and reenact sections 11-13-14, 57-29-01, and 57-29-02 of the North Dakota Century Code, relating to the county auditor's certificates on conveyances to the Bank of North Dakota and recording of the conveyance and suspension and reinstatement of tax liens on land acquired by the state.

Was read the first time and referred to the **Finance and Taxation Committee**.

**SB 2430:** A BILL for an Act to create and enact a new subsection to section 20.1-03-12 of the North Dakota Century Code, relating to nonresident licenses to sell minnows or other live bait at wholesale; and to amend and reenact subsection 27 of section 20.1-03-12 and section 20.1-06-14 of the North Dakota Century Code, relating to resident licenses to sell minnows or other live bait at wholesale and nonresident minnow bait wholesalers.

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

**SB 2468:** A BILL for an Act to repeal section 4 of chapter 99 of the 1991 Session Laws of North Dakota, relating to eliminating the time limit

for access to the list of sales tax permitholders by the secretary of state.

Was read the first time and referred to the **Finance and Taxation Committee.**

**SB 2484:** A BILL for an Act to authorize the North Dakota independent living council to develop and implement a statewide network of centers for independent living and independent living services for people with disabilities.

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

**SB 2515:** A BILL for an Act to amend and reenact subsection 1 of section 57-39.2-02.1 of the North Dakota Century Code, relating to the application of sales taxes to magazine subscriptions.

Was read the first time and referred to the **Finance and Taxation Committee.**

**SB 2516:** A BILL for an Act to create and enact a new subsection to section 57-15-20.2 of the North Dakota Century Code, relating to township mill levy authority; and amend and reenact section 24-06-04 of the North Dakota Century Code, relating to payment for township road machinery.

Was read the first time and referred to the **Finance and Taxation Committee.**

#### FIRST READING OF SENATE CONCURRENT RESOLUTIONS

**SCR 4001:** A concurrent resolution expressing legislative support for the corps of North Dakota state employees and expressing legislative purpose that the recruitment, training, and retention of valuable state employees be given priority by each branch of state government.

Was read the first time and referred to the **Government and Veterans Affairs.**

**SCR 4010:** A concurrent resolution directing the Legislative Council to study the eligibility criteria for economic and medical assistance programs and study the feasibility and desirability of standardizing income and asset criteria for those programs, standardizing pass-through, disallowance, and disregard income criteria, and of establishing criteria to allow persons eligible for those programs to earn income without losing their eligibility for benefits.

Was read the first time and referred to the **Human Services Committee.**

**SCR 4012:** A concurrent resolution directing the Legislative Council to study the optimum structure and staff development services necessary to meet the needs of middle-level adolescents identified as the at-risk group in North Dakota schools.

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

**SCR 4013:** A concurrent resolution directing the Legislative Council to study the establishment of a state repository for living wills, durable powers of attorney for health care, and other medical documents.

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

**SCR 4015:** A concurrent resolution directing the Legislative Council to study methods for providing civil legal representation and dispute resolution services for poor citizens.

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

**SCR 4016:** A concurrent resolution directing the Legislative Council to study the methods of distributing highway taxes and the effect the present highway tax distribution formula has on counties and cities.

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

**SCR 4018:** A concurrent resolution directing the Legislative Council to study means of gathering data on sentencing in all felony cases and in all misdemeanor cases involving violations of North Dakota Century Code Chapters 12.1-17, 12.1-20, and 14-07.1.

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

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

ROY GILBREATH, Chief Clerk