

JOURNAL OF THE HOUSE

Fifty-third Legislative Assembly

* * * * *

Bismarck, February 11, 1993

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

The prayer was offered by Rep. William Gorder.

The roll was called and all members were present.

A quorum was declared by the Speaker.

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

MR. SPEAKER: The President has signed and your signature is respectfully requested on: SB 2075, SB 2268, SCR 4006.

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

MR. SPEAKER: The Senate has passed and your favorable consideration is requested on: SB 2020, SB 2039, SB 2086, SB 2144, SB 2251, SB 2269, SB 2285, SB 2296, SB 2304, SB 2334, SB 2358, SB 2367, SB 2373, SB 2375, SB 2419, SB 2471, SB 2473, SB 2474, SB 2482, SB 2489, SB 2510.

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

MADAM PRESIDENT: The House has passed unchanged: 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 1008, HB 1084, HB 1181, HB 1281, HB 1415, HB 1424, HB 1455, HB 1488, HB 1491.

HOUSE ENGROSSING AND ENROLLING REPORT

The following bills and resolution were engrossed: HB 1016, HB 1120, HB 1198, HB 1207, HB 1212, HB 1234, HB 1240, HB 1282, HB 1311, HB 1407, HB 1428, HB 1451, HB 1456, HB 1468, HCR 3031.

The following bills are to be reengrossed: HB 1028 and HB 1064.

REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER: Your Delayed Bills Committee (Rep. Martinson, Chairman) has examined a concurrent resolution expressing support for the efforts to continue operation of the Minot Air Force Base and Grand Forks Air Force Base.

It shall be numbered HCR 3051.

Your Delayed Bills Committee cast a unanimous ballot in favor of this resolution.

REP. FREIER MOVED that House Rule 401, Section 2, with reference to number of sponsors on a bill or resolution, be suspended in regard to this resolution only, and that the report be adopted, which motion prevailed.

FIRST READING OF HOUSE CONCURRENT RESOLUTION

Reps. Clayburgh, C. Carlson, Gates, Glasshiem, Klein, Maragos, D. Olsen, Poolman, Porter, Price, Ring, Shide, St. Aubyn, Svedjan, Thorpe, Timm, Tollefson, Wentz and Sens. DeMers, Graba, Holmberg, Krebsbach, Maxson, Mutch, Redlin, Schoenwald, W. Stenehjem introduced:
(Approved by the Delayed Bills Committee)

HCR 3051: A concurrent resolution expressing support for the efforts to continue operation of the Minot Air Force Base and Grand Forks Air Force Base.

Was read the first time.

MOTION

REP. FREIER MOVED that the rules be suspended, that HCR 3051 not be printed, not be referred to committee, not be read, not be printed in the Journal, and placed on the calendar for second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3051: A concurrent resolution expressing support for the efforts to continue operation of the Minot Air Force Base and Grand Forks Air Force Base.

The question being on the final adoption of the resolution, which has been read.

HCR 3051 was declared adopted on a voice vote.

MOTION

REP. FREIER MOVED that the rules be suspended and that HCR 3051 be messaged to the Senate immediately, which motion prevailed.

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

MADAM PRESIDENT: The House has passed and your favorable consideration is requested on: HCR 3051.

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, with the exception of HB 1020, which motion prevailed.

REP. FREIER MOVED that the rules be suspended and that the amendments on the Sixth order of business to HB 1006, HB 1057, HB 1119, HB 1134, HB 1161, HB 1211, HB 1251, HB 1268, HB 1354, HB 1374, HB 1383, HB 1397, HB 1427, HB 1457, HB 1460, HB 1463, HB 1484, HB 1485, and HB 1489 be adopted, which motion prevailed.

REP. FREIER MOVED that House Rule 329, Section 3, pertaining to bills being rereferred to the **Appropriations Committee**, be suspended with reference to HB 1119, which motion prevailed.

HB 1119, as amended, was rereferred to the **Appropriations Committee**.

HB 1006, HB 1057, HB 1134, HB 1161, HB 1211, HB 1251, HB 1268, HB 1354, HB 1374, HB 1383, HB 1397, HB 1427, HB 1457, HB 1460, HB 1463, HB 1484, HB 1485, and HB 1489, as amended, were placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SIXTH ORDER OF BUSINESS

HB 1020: REP. DALRYMPLE (Appropriations Committee) MOVED that the Majority Report amendments on HJ pages 546-551 be adopted and then be placed on the Eleventh order with **DO PASS**.

RULING BY THE SPEAKER

SPEAKER R. BERG RULED that in accordance with House Rule 602, Section 5, if the Majority Report proposed amendments to HB 1020 are adopted, the proposed amendments of the Minority Report will not be voted upon; however, if the Majority Report proposed amendments are defeated, the Minority Report proposed amendments will be voted upon.

REQUEST

REP. ST. AUBYN REQUESTED that the question of the adoption of the proposed Majority Report amendments to HB 1020 be divided to have the sections voted on separately in the following manner.

RULING BY THE SPEAKER

SPEAKER R. BERG RULED that House Rule 319 states that the Division of the Question must be supported by twelve or more Representatives, and that eleven or more Representatives joined in the request of Representative St. Aubyn to divide the proposed Majority Report amendments to HB 1020, therefore the request was granted.

DIVISION A

The question being on the motion to adopt Division A of the proposed Majority Report amendments to HB 1020.

Division A of the proposed Majority Report amendments to HB 1020 was adopted on a verification vote.

REQUEST

REP. DORSO REQUESTED a recorded roll call vote on the adoption of Division B, Division C, Division D, and Division E of the proposed Majority Report amendments to HB 1020, which request was granted.

DIVISION B

In Section 5:	Bismarck State College	Science and mathematics center	\$ 7,345,000
In Section 6:	Bismarck State College	Science and mathematics center	\$ 734,500

Renumber and revise the totals and statement of purpose of amendment accordingly

ROLL CALL

The question being on the motion to adopt Division B of the proposed Majority Report amendments to HB 1020, the roll was called and there were 54 YEAS, 43 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Bateman; Bodine; Brodshaug; Carlisle; Carlson, C.; Christopherson; Clayburgh; Cleary; Coats; Froseth; Gates; Gerntholz; Glassheim; Goffe; Grumbo; Hausauer; Henegar; Holm; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Klein; Kretschmar; Kroeber; Kunkel; Mahoney; Maragos; Martin; Martinson; Mutzenberger; Nelson; Nicholas; Oban; Poolman; Porter; Price; Pyle; Ring; Rydell; Skarphol; St. Aubyn; Stenehjelm; Svedjan; Sveen; Thorpe; Timm; Tollefson; Wald; Wardner; Wentz; Speaker R. Berg

NAYS: Allmaras; Austin; Belter; Berg, J.; Bernstein; Boucher; Brown; Byerly; Carlson, A.; Dalrymple; DeWitz; Dobrinski; Dorso; Drovdal; Freier; Gorder; Gorman; Grosz; Gullerson; Hagle; Hanson; Hokana; Howard; Huether; Jacobs; Kerzman; Kilichowski; Laughlin; Monson; Ness; Nichols; Olsen, D.; Olson, A.; Payne; Rennerfeldt; Schindler; Shide; Sitz; Soukup; Stenson; Torgerson; Wanzek; Wilkie

ABSENT AND NOT VOTING: Boehm

The motion to adopt Division B of the proposed Majority Report amendments to HB 1020 passed.

DIVISION C

In Section 5:	University of North Dakota	Abbott Hall renovation	\$ 3,600,000
In Section 6:	University of North Dakota	Abbott Hall renovation	\$ 360,000

Renumber and revise the totals and statement of purpose of amendment accordingly

ROLL CALL

The question being on the motion to adopt Division C of the proposed Majority Report amendments to HB 1020, the roll was called and there were 57 YEAS, 41 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Bodine; Brodshaug; Carlisle; Carlson, C.; Christopherson; Clayburgh; Cleary; Coats; Drovdal; Froseth; Gates; Gerntholz; Glassheim; Grumbo; Hanson; Hausauer; Henegar; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kilichowski; Klein; Kretschmar; Kroeber; Kunkel; Laughlin; Mahoney; Maragos; Martin; Martinson; Mutzenberger; Nelson; Nicholas; Oban; Olsen, D.; Poolman; Porter; Price; Pyle; Ring; Rydell; Shide; St. Aubyn; Stenehjem; Svedjan; Sveen; Thorpe; Timm; Tollefson; Wald; Wardner; Wentz; Wilkie; Speaker R. Berg

NAYS: Allmaras; Austin; Bateman; Belter; Berg, J.; Bernstein; Boehm; Boucher; Brown; Byerly; Carlson, A.; Dalrymple; DeWitz; Dobrinski; Dorso; Freier; Goffe; Gorder; Gorman; Grosz; Gulleston; Hagle; Hokana; Holm; Howard; Huether; Jacobs; Kerzman; Monson; Ness; Nichols; Olson, A.; Payne; Rennerfeldt; Schindler; Sitz; Skarphol; Soukup; Stenson; Torgerson; Wanzek

The motion to adopt Division C of the proposed Majority Report amendments to HB 1020 passed.

DIVISION D

In Section 5:	Minot State University	Memorial library	\$ 2,550,000
In Section 6:	Minot State University	Memorial library	\$ 255,000

Renumber and revise the totals and statement of purpose of amendment accordingly

ROLL CALL

The question being on the motion to adopt Division D of the proposed Majority Report amendments to HB 1020, the roll was called and there were 60 YEAS, 38 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Bodine; Brodshaug; Brown; Carlisle; Carlson, C.; Christopherson; Clayburgh; Cleary; Coats; Froseth; Gates; Gerntholz; Glassheim; Goffe; Grumbo; Gulleston; Hausauer; Henegar; Hokana; Holm; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Klein; Kretschmar; Kroeber; Kunkel; Laughlin; Mahoney; Maragos; Martin; Martinson; Mutzenberger; Nelson; Nicholas; Oban; Olsen, D.; Poolman; Porter; Price; Pyle; Ring; Rydell; Shide; St. Aubyn; Stenehjem; Svedjan; Sveen; Thorpe; Timm; Tollefson; Wald; Wardner; Wentz; Wilkie; Speaker R. Berg

NAYS: Allmaras; Austin; Bateman; Belter; Berg, J.; Bernstein; Boehm; Boucher; Byerly; Carlson, A.; Dalrymple; DeWitz; Dobrinski; Dorso; Drovdal; Freier; Gorder; Gorman; Grosz; Hagle; Hanson; Howard; Huether; Kerzman; Kilichowski; Monson; Ness; Nichols; Olson, A.; Payne; Rennerfeldt; Schindler; Sitz; Skarphol; Soukup; Stenson; Torgerson; Wanzek

The motion to adopt Division D of the proposed Majority Report amendments to HB 1020 passed.

DIVISION E

In Section 5:	Dickinson State University	Academic lifelong learning center	\$10,000,000
In Section 6:	Dickinson State University	Academic lifelong learning center	\$ 1,000,000

Renumber and revise the totals and statement of purpose of amendment accordingly

ROLL CALL

The question being on the motion to adopt Division E of the proposed Majority Report amendments to HB 1020, the roll was called and there were 48 YEAS, 50 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Allmaras; Bateman; Bernstein; Bodine; Boehm; Brodshaug; Brown; Byerly; Carlson, A.; Coats; Drovdal; Froseth; Goffe; Gorder; Grumbo; Hausauer; Howard; Huether; Jacobs; Johnson; Kaldor; Kempenich; Kilichowski; Kretschmar; Kroeber; Kunkel; Laughlin; Mahoney; Martin; Monson; Nicholas; Nichols; Olsen, D.; Payne; Pyle; Shide; Skarphol; Soukup; Sveen; Timm; Tollefson; Torgerson; Wald; Wanzek; Wardner; Wilkie; Speaker R. Berg

NAYS: Austin; Belter; Berg, J.; Boucher; Carlisle; Carlson, C.; Christopherson; Clayburgh; Cleary; Dalrymple; DeWitz; Dobrinski; Dorso; Freier; Gates; Gerntholz; Glassheim; Gorman; Grosz; Gulleson; Hagle; Hanson; Henegar; Hokana; Holm; Keiser; Kelsch; Kerzman; Klein; Maragos; Martinson; Mutzenberger; Nelson; Ness; Oban; Olson, A.; Poolman; Porter; Price; Rennerfeldt; Ring; Rydell; Schindler; Sitz; St. Aubyn; Stenehjerm; Stenson; Svedjan; Thorpe; Wentz

The motion to adopt Division E of the proposed Majority Report amendments to HB 1020 failed to pass.

REQUEST

REP. DORSO REQUESTED a recorded roll call vote on the motion to adopt the proposed Majority Report amendments including Divisions A, B, C, and D and excluding Division E to HB 1020, which request was granted.

ROLL CALL

The question being on the motion to adopt the proposed Majority Report including Divisions A, B, C, and D and excluding Division E amendments to HB 1020, the roll was called and there were 42 YEAS, 56 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Brodshaug; Carlisle; Carlson, C.; Christopherson; Clayburgh; Cleary; Coats; Gates; Gerntholz; Glassheim; Goffe; Henegar; Johnson; Kaldor; Keiser; Kelsch; Klein; Kretschmar; Kroeber; Kunkel; Maragos; Martinson; Mutzenberger; Nelson; Nicholas; Oban; Poolman; Porter; Price; Pyle; Ring; Rydell; St. Aubyn; Stenehjerm; Svedjan; Thorpe; Timm; Tollefson; Wald; Wardner; Wentz

NAYS: Allmaras; Austin; Bateman; Belter; Berg, J.; Bernstein; Bodine; Boehm; Boucher; Brown; Byerly; Carlson, A.; Dalrymple; DeWitz; Dobrinski; Dorso; Drovdal; Freier; Froseth; Gorder; Gorman; Grosz; Grumbo; Gulleson; Hagle; Hanson; Hausauer; Hokana; Holm; Howard; Huether; Jacobs; Kempenich; Kerzman; Kilichowski; Laughlin; Mahoney; Martin; Monson; Ness; Nichols; Olsen, D.; Olson, A.; Payne; Rennerfeldt; Schindler; Shide; Sitz; Skarphol; Soukup; Stenson; Sveen; Torgerson; Wanzek; Wilkie; Speaker R. Berg

The motion to adopt the proposed Majority Report amendments including Divisions A, B, C, and D and excluding Division E amendments to HB 1020 failed to pass.

SIXTH ORDER OF BUSINESS

HB 1020: REP. DALRYMPLE (Appropriations Committee) MOVED that the Minority Report amendments on HJ pages 551-555 be adopted and then be placed on the Eleventh order with DO PASS, which motion prevailed on a verification vote.

MOTION

REP. FREIER MOVED that the rules be suspended and that HB 1020 be deemed properly engrossed and be placed on the Eleventh order at the top of the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1020: A BILL for an Act providing an appropriation for capital projects of various state departments and institutions; and to authorize the state board of higher education to issue and sell self-liquidating tax-exempt bonds for capital projects.

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: Aarsvoild; 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; 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; 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 1020 passed and the title was agreed to.

SPECIAL ORDER OF BUSINESS

REP. FREIER MOVED that the House be on a Special Order of Business, which motion prevailed.

REP. FREIER MOVED that a committee of two be appointed to escort the Honorable Earl Pomeroy, United States Congressman, to the rostrum, which motion prevailed.

SPEAKER R. BERG APPOINTED Rep. Gerntholz and Rep. Goffe to such committee which subsequently escorted the Honorable Earl Pomeroy, United States Congressman to the rostrum.

REMARKS OF HONORABLE EARL POMEROY, UNITED STATES CONGRESSMAN

Members of the House: It is very good to be back. As one who formerly served in this distinguished body, I can still hear the distinctive tones of Earl Strinden as he would describe it as the people's branch of government. Clearly, there is nothing like the legislative session, the dynamic commotion, and especially as you produce timelines as you are reaching now with crossover. You hit a pace just slightly below total chaos, but well

beyond perfect order, and it is the most exciting time in state government. Under these busy days you are having, I surely appreciate the opportunity to address you this afternoon.

Although I have not been there long, it is clear to me that the United States House of Representatives is also the people's branch of government. Four hundred thirty-five members, each representing between five hundred thousand and eight hundred thousand individuals, in districts that have between them unbelievable variation, and yet these members, piecing together almost as a rich mosaic to form the United States House of Representatives. The two sessions that I served in this house taught me many lessons that are of value now, but I think the greatest lesson is one I learned from someone who was herself an institution within this institution, Brynhild Haugland. In her fifty years of leadership, she taught literally generations of political leaders, and I was sure fortunate to serve on her committee and to receive her instruction. She served with the adage that "All good things can be accomplished, so long as people are not too worried about who gets credit", and that is an admonition for me to keep in mind and all of us to keep in mind as we discharge our public responsibilities.

A unique aspect of our federalist system involves the relationship between state and federal government, and this is the topic I want to speak on for just a few minutes this afternoon. Throughout history, the history of this country, there has been a debate over what is the proper sphere of activity for the state governments versus the federal government role. There are those that argue that the states should discharge the great bulk of activity impacting the citizens within that jurisdiction, leaving only to the federal government things that the states must approach in a uniform and coordinated fashion. On the other hand, there are those, and their influence has gained a great deal of clout particularly in recent times, that would argue the states are not a competent jurisdiction to undertake the problems that face us, and that more and more federal activity is needed if we are to address problems in a meaningful way. I favor the states' role to the extent the states can deliver on the issues that confront it, because clearly, in my opinion, local solutions to problems are more appropriate.

An example of this relationship, I think, is the regulation of insurance. Insurance is a national aspect of commerce and yet the authority for regulating it was delegated to the states. It was my great honor to serve as North Dakota's insurance commissioner during the last eight years, and in the course of this time there was a great deal of discussion in terms of whether the states could any longer handle this responsibility or whether this, too, should now be given to the federal government. Working together, and thanks entirely to budgets you have passed and laws you have enacted, North Dakota was able to meet a very high benchmark of insurance regulation. In fact, we were the tenth state in the country to be certified by the National Association of Insurance Commissioners, recognizing competent regulation of insurance industry solvency. We were, and still are, far and away the smallest state in population to meet this high standard of performance. In bringing our regulatory activity to this level, I believe we took an important step to forestall federal preemption of state activity, and also to create an economic development opportunity for North Dakota. As we try to bring insurance companies into North Dakota, we can assure them of a competent regulatory jurisdiction and yet one without the layers of bureaucracy they would find in other states.

The relationship between state and federal governments will be tested this session of Congress on the issue of health care delivery and finance. I believe we face impending preemption, on a massive scale, of our health care delivery and financing systems without strong state action to address this problem. Just as medical inflation pushed the costs of health insurance to historic levels during the eight years I served as Insurance Commissioner, it has pushed all federal spending, including what the federal government spends for health care services, to record levels. The growth has been astronomical. We spent 5.3 percent of the gross national product on health

care in 1960, 9.2 percent in 1980, 14 percent in 1992, 15 percent projected for 1993, and no end in sight. This cannot be tolerated. The federal expenditures on health care last year were two hundred billion dollars, projected to rise 300 percent in 10 years without significant reform measures being taken. Clearly, reform is imminent.

I believe, however, there is the opportunity for a substantial state role in defining how the reform will take place. Last week President Clinton met with this nation's governors on three separate occasions and, among other things, told them that state experiments in health care reform would result in expedited granting of medicaid waivers. I believe in acknowledgment that state leadership in health reform will be given its due role in overall national reform efforts. This is good news for North Dakota. Because of our uniquely rural background, I am fearful of reform imposed from our federal government in Washington, D.C. I believe those of you in this chamber are much better equipped to make health policy judgments impacting North Dakotans than if we are merely to have these reform measures imposed upon us from the federal government. However, in order to have a state role, there must be a meaningful state plan imposing cost containment, insurance reform, and expanded access; and in light of our present budget situation, cost containment of all those pieces is the most important feature. By your action or inaction this session, you will determine what will be the federal and state relationship as involves the delivery and financing of health care in the state of North Dakota in the years ahead.

In closing, I want to end on a little lighter note. I want to tell you of an experience I had in one of my first days of Congress. It was the day of the inauguration of President Clinton. We were seated on the platform behind the president. On the mall in front of us were eight hundred thousand people, more people than live in the state of North Dakota. It was a beautifully clear day, and the breeze was just enough to make the flags on the Capitol flutter in the wind. It was a perfect setting, and I was sitting there very much in awe of this auspicious occasion when, just a few chairs down from me, I heard a little commotion. I looked down and there were a couple of my house colleagues discussing how they might try to get a wave started among the membership. I thought, this is a very good sign. If we can face the problems that confront us, but maintain good humor and not take ourselves too seriously, just perhaps we can make some real progress. I wish you the very best of luck in the busy days you have ahead and the important decisions you have ahead of you. Thank you again for letting me be with you today. Thank you.

REP. OBAN MOVED that the remarks of United States Congressman Pomeroy be printed in the Journal, which motion prevailed

MOTION

REP. D. OLSEN MOVED that HCR 3038 be returned to the House floor from the Government and Veterans Affairs Committee for the purpose of withdrawal, which motion prevailed.

REQUEST

REP. POOLMAN REQUESTED the unanimous consent of the House to withdraw HCR 3038. There being no objection, it was so ordered by the Speaker.

MOTION

REP. CARLISLE MOVED that the House reconsider its action whereby HB 1227 failed to pass, which motion prevailed.

MOTION

REP. MARTINSON MOVED that the House reconsider its action whereby Division B of the amendments to HB 1227 were adopted, which motion prevailed.

The question then was on the adoption of Division B of the amendments to HB 1227, which motion failed on a verification vote.

MOTION

REP. FREIER MOVED that the rules be suspended and that HB 1227 including just Division A of the amendments and excluding Division B be deemed properly reengrossed and be placed on the Eleventh order at the top of the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1227: A BILL for an Act to amend and reenact sections 40-57.3-02 and 40-57.3-03 of the North Dakota Century Code, relating to transfers of funds to the city visitors' promotion fund from the city visitors' promotion capital construction fund.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and is PLACED ON THE CALENDAR WITHOUT RECOMMENDATION, the roll was called and there were 80 YEAS, 17 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

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

NAYS: Bodine; Cleary; Coats; Dobrinski; Goffe; Gorder; Gulleeson; Keiser; Kilichowski; Nichols; Payne; Price; Ring; Rydell; Sitz; Stenson; Thorpe

ABSENT AND NOT VOTING: Hausauer

Reengrossed HB 1227 passed and the title was agreed to.

MOTION

REP. A. OLSON MOVED that HB 1057, which is on the Eleventh order, be rereferred to the Natural Resources Committee, which motion prevailed. Pursuant to Rep. A. Olson's motion, HB 1057 was rereferred.

MOTION

REP. HOWARD MOVED that the vote by which Engrossed HB 1020 passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed on a verification vote.

SECOND READING OF HOUSE BILL

HB 1028: A BILL for an Act to establish a program to provide specialized telecommunications services and equipment to the communications impaired; to provide for a telephone access line surcharge to fund the program; to provide an appropriation; 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 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; Olsen, D.; 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: Olson, A.

Reengrossed HB 1028 passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF HOUSE BILL

HB 1064: A BILL for an Act to create and enact a new chapter to title 57 of the North Dakota Century Code, relating to a tax to fund medical assistance; to provide a penalty; to provide an appropriation; and to provide an effective date.

MOTION

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

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and is PLACED ON THE CALENDAR WITHOUT RECOMMENDATION, the roll was called and there were 12 YEAS, 86 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Christopherson; DeWitz; Gerntholz; Gordor; Hagle; Hokana; Howard; Kunkel; Monson; Nicholas; Payne; Speaker R. Berg

NAYS: Aarsvold; Allmaras; Austin; Bateman; Belter; Berg, J.; Bernstein; Bodine; Boehm; Boucher; Brodshaug; Brown; Byerly; Carlisle; Carlson, A.; Carlson, C.; Clayburgh; Cleary; Coats; Dalrymple; Dobrinski; Dorso; Drovdal; Freier; Froseth; Gates; Glassheim; Goffe; Gorman; Grosz; Grumbo; Gulleon; Hanson; Hausauer; Henegar; Holm; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Kilichowski; Klein; Kretschmar; Kroeber; Laughlin; Mahoney; Maragos; Martin; Martinson; Mutzenberger; Nelson; Ness; Nichols; Oban; Olsen, D.; Olson, A.; 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

Reengrossed HB 1064 was declared lost.

MOTION

REP. BYERLY MOVED that the House reconsider its action whereby Reengrossed HB 1064 failed to pass, which motion prevailed on a verification vote.

MOTION

REP. BYERLY MOVED that Reengrossed HB 1064 be rereferred to the Appropriations Committee, which motion prevailed. Pursuant to Rep. Byerly's motion, Reengrossed HB 1064 was rereferred.

SECOND READING OF HOUSE BILL

HB 1120: A BILL for an Act to amend and reenact section 15-40.2-08 of the North Dakota Century Code, relating to determination of the school district liable for tuition in cases of child placements for purposes other than education; and to repeal section 15-40.2-08.1 of the North

Dakota Century Code, relating to placement of handicapped students for reasons other than education.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 94 YEAS, 0 NAYS, 0 EXCUSED, 4 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; Keiser; Kelsch; Kempenich; Kerzman; Kilichowski; Klein; Kretschmar; Kroeber; Kunkel; Laughlin; Mahoney; Maragos; Martin; Martinson; Mutzenberger; Nelson; Ness; 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: Kaldor; Monson; Nicholas; Olsen, D.

Engrossed HB 1120 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1055: A BILL for an Act to amend and reenact section 15-40.2-08 of the North Dakota Century Code, relating to the notification of school districts in cases where children are placed outside the school district of residence for purposes other than education.

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, 96 NAYS, 0 EXCUSED, 2 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; Drovdal; Freier; Froseth; Gates; Gerntholz; Glassheim; Goffe; Gorder; Gorman; Grosz; Grumbo; Gulleson; 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: Hagle; Olsen, D.

HB 1055 was declared lost.

SECOND READING OF HOUSE BILL

HB 1198: A BILL for an Act to amend and reenact section 36-01-08 of the North Dakota Century Code, relating to user fees charged by the state board of animal health.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 66 YEAS, 29 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Austin; Bateman; Belter; Bernstein; Boehm; Boucher; Brodshaug; Byerly; Carlson, A.; Carlson, C.; Christopherson; Clayburgh; Cleary; Dalrymple; DeWitz; Dorso; Freier; Froseth; Gates; Gerntholz; Glassheim; Goffe; Gorder; Grosz; Gulleston; Hagle; Hausauer; Henegar; Hokana; Holm; Howard; Jacobs; Johnson; Keiser; Klein; Kretschmar; Kunkel; Laughlin; Maragos; Monson; Mutzenberger; Nelson; Ness; Nicholas; Payne; Porter; Price; Pyle; Rennerfeldt; Ring; Rydell; Schindler; Shide; Skarphol; Soukup; St. Aubyn; Stenehjem; Stenson; Svedjan; Sveen; Timm; Tollefson; Wald; Wardner; Wentz; Speaker R. Berg

NAYS: Aarsvold; Allmaras; Berg, J.; Bodine; Brown; Carlisle; Coats; Dobrinski; Drovdal; Grumbo; Hanson; Huether; Kaldor; Kelsch; Kempenich; Kerzman; Kilichowski; Kroeber; Mahoney; Martin; Martinson; Nichols; Oban; Olson, A.; Sitz; Thorpe; Torgerson; Wanzek; Wilkie

ABSENT AND NOT VOTING: Gorman; Olsen, D.; Poolman

Engrossed HB 1198 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1207: A BILL for an Act to direct the commissioner of agriculture to design and implement a program to collect and either recycle or dispose of unusable pesticides and empty pesticide containers; to provide an effective date; to provide an expiration date; and to declare an emergency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO 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; 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; 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 1207 was declared lost.

SECOND READING OF HOUSE BILL

HB 1212: A BILL for an Act to create and enact a new section to chapter 41-09 of the North Dakota Century Code, relating to fees for filing documents in the Uniform Commercial Code central filing system; to amend and reenact subsections 5, 9, and 10 of section 41-09-42 of the North Dakota Century Code, relating to fees for obtaining information from the Uniform Commercial Code central filing system; and to provide an expiration 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 56 YEAS, 41 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Austin; Belter; Bernstein; Byerly; Carlisle; Carlson, A.; Carlson, C.; Christopherson; Clayburgh; Cleary; Dalrymple; DeWitz; Dorso; Drovda; Freier; Froseth; Gates; Gerntholz; Glassheim; Gorman; Grosz; Henegar; Holm; Howard; Jacobs; Johnson; Keiser; Kempenich; Klein; Kretschmar; Kunkel; Maragos; Monson; Nicholas; Olsen, D.; Payne; Porter; Price; Pyle; Rennerfeldt; Rydell; Schindler; Shide; Skarphol; Soukup; St. Aubyn; Stenehjem; Svedjan; Sveen; Timm; Tollefson; Wald; Wanzek; Wardner; Wentz; Speaker R. Berg

NAYS: Aarsvold; Allmaras; Bateman; Berg, J.; Bodine; Boehm; Boucher; Brodshaug; Brown; Coats; Dobrinski; Goffe; Gorder; Grumbo; Gullson; Hagle; Hanson; Hokana; Huether; Kaldor; Kelsch; Kerzman; Kilichowski; Kroeber; Laughlin; Mahoney; Martin; Martinson; Mutzenberger; Nelson; Ness; Nichols; Oban; Olson, A.; Poolman; Ring; Sitz; Stenson; Thorpe; Torgerson; Wilkie

ABSENT AND NOT VOTING: Hausauer

Engrossed HB 1212 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1234: A BILL for an Act to provide for a suggestion incentive program for state employees; 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 85 YEAS, 11 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

NAYS: Brodshaug; Cleary; Dobrinski; Goffe; Gullson; Hokana; Kerzman; Ness; Pyle; Ring; Thorpe

ABSENT AND NOT VOTING: Johnson; Wald

Engrossed HB 1234 passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF HOUSE BILL

HB 1240: A BILL for an Act to create and enact a new subsection to section 23-11-11 of the North Dakota Century Code, relating to the powers of housing authorities; and to amend and reenact section 54-17-07.6 of the North Dakota Century Code, relating to the acceptance of grants,

contributions, loans, and other aid by the state housing finance agency.

MOTION

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

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and is **PLACED ON THE CALENDAR WITHOUT RECOMMENDATION**, the roll was called and there were 67 YEAS, 29 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Allmaras; Austin; Berg, J.; Bernstein; Bodine; Boehm; Brodshaug; Byerly; Carlisle; Carlson, A.; Carlson, C.; Christopherson; Clayburgh; Cleary; Coats; Dorso; Freier; Gates; Gerntholz; Goffe; Gorder; Gorman; Grosz; Gulleson; Hagle; Hausauer; Henegar; Holm; Howard; Jacobs; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Kilichowski; Klein; Kretschmar; Laughlin; Monson; Mutzenberger; Nelson; Ness; Oban; Olsen, D.; Olson, A.; Payne; Poolman; Price; Pyle; Rennerfeldt; Rydell; Shide; Soukup; St. Aubyn; Stenehjem; Svedjan; Thorpe; Timm; Tollefson; Torgerson; Wald; Wanzenk; Wardner; Wentz; Speaker R. Berg

NAYS: Belter; Boucher; Brown; Dalrymple; DeWitz; Dobrinski; Drovda; Froseth; Glassheim; Grumbo; Hanson; Hokana; Huether; Kroeber; Kunkel; Mahoney; Maragos; Martin; Martinson; Nicholas; Nichols; Porter; Ring; Schindler; Sitz; Skarphol; Stenson; Sveen; Wilkie

ABSENT AND NOT VOTING: Bateman; Johnson

Engrossed HB 1240 passed and the title was agreed to.

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 12:30 p.m., Friday, February 12, 1993, which motion prevailed.

REPORT OF STANDING COMMITTEE

HB 1026: Government and Veterans Affairs Committee (Rep. D. Olsen, Chairman) recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1026 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1070: Government and Veterans Affairs Committee (Rep. D. Olsen, Chairman) recommends **DO NOT PASS** (12 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). HB 1070 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1071: Government and Veterans Affairs Committee (Rep. D. Olsen, Chairman) recommends **DO NOT PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1071 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1073: Government and Veterans Affairs Committee (Rep. D. Olsen, Chairman) recommends **DO NOT PASS** (8 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). HB 1073 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1179, as engrossed: Appropriations Committee (Rep. Dalrymple, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (18 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1179 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "a new subsection to section 50-06-05.1,"

Page 1, line 4, remove "a transitional living program and"

Page 1, remove lines 14 through 21

Page 2, remove lines 1 through 7

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1266, as engrossed: Appropriations Committee (Rep. Dalrymple, Chairman) recommends DO NOT PASS (12 YEAS, 7 NAYS, 3 ABSENT AND NOT VOTING). Engrossed HB 1266 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1312: Education Committee (Rep. Gates, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO NOT PASS (10 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). HB 1312 was placed on the Sixth order on the calendar.

Page 1, line 10, replace "the first Tuesday after the" with "September"

Page 1, line 11, remove "Monday in September" and after the underscored period insert "If September first is a Saturday, Sunday, or Monday, school must begin on the following Tuesday."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1332: Human Services Committee (Rep. Rydell, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1332 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "two" with "a" and replace "sections" with "section"

Page 1, line 12, overstrike "certification" and insert immediately thereafter "utilization"

Page 1, remove lines 20 and 21

Page 2, line 1, replace "5." with "4."

Page 2, remove lines 3 through 5

Page 2, line 6, before "Any" insert:

"A provider may request that a utilization review agent furnish the provider with the medical review criteria to be used in evaluating proposed or delivered health care services."

Page 3, line 28, remove the overstrike over "~~from a state licensing~~"

Page 3, line 29, remove the overstrike over "~~agency in the United States~~" and remove "under chapter 43-17 or 43-32"

Page 4, line 11, remove "or subspecialty"

Page 4, remove lines 27 through 28

Page 5, remove lines 1 through 16

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1342: Human Services Committee (Rep. Rydell, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (11 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1342 was placed on the Sixth order on the calendar.

Page 1, line 1, after "reenact" insert "subsection 1 of section 4-18.1-05,"

Page 1, line 2, after "sections" insert "15-47-23," after the first comma insert "subsection 3 of section 23-01-06, subsection 2 of section 23-01-09, sections", and after the second comma insert "23-07-19,"

Page 1, line 4, remove "and" and after "54-52.1-03.1" insert ", and 58-06-01"

Page 1, line 5, remove "and"

Page 1, line 6, after the third comma insert "section 23-07-04," and after "and" insert "chapter"

Page 1, line 7, after "units" insert "; and to provide an effective date"

Page 1, after line 8, insert:

"SECTION 1. AMENDMENT. Subsection 1 of section 4-18.1-05 of the North Dakota Century Code is amended and reenacted as follows:

1. The board is hereby declared to be the instrumentality of the state of North Dakota for the purpose of administering the provisions of this chapter and of executing the legislative intent herein expressed. The board is hereby delegated the power to supervise, investigate, and regulate every segment of the state's dairy industry. However, nothing contained in this chapter may be construed to limit, decrease, or amend in any respect the authority of the North Dakota department of agriculture, ~~county~~ regional boards of health, or municipal health officials, with respect to matters of health and sanitation; and nothing contained in this chapter may be construed as giving the board any authority to regulate the sale of raw milk that is not grade A.

SECTION 2. AMENDMENT. Section 15-47-23 of the North Dakota Century Code is amended and reenacted as follows:

15-47-23. Duty of ~~county~~ regional board of health as to school buildings and persons of school age. When the county superintendent of schools ~~shall report~~ reports to the ~~county~~ regional board of health that a schoolhouse or school outbuilding is in an unsanitary or unsafe condition, or that any pupil or any person of school age is alleged to be defective in mind or body, the board shall investigate the report without delay and shall direct the school board, or a person in charge of the alleged defective person, to take such action as ~~shall be for~~ is in the best interests of the persons immediately concerned."

Page 1, line 20, replace "four" with "eight to twelve"

Page 2, replace lines 1 through 14 with:

"A district health unit must be organized by the appointment of a regional district board of health by the joint board of county commissioners to consist of not less than five members, one of whom must be a physician, one of whom must be a dentist, one of whom must be a business or professional person, one of whom must be a farmer, and one of whom must be a county commissioner. The members of the board must be appointed for terms as follows: one member for one year, one member for two years, one member for three years, one member for four

years, and one member for five years. All subsequent appointments must be for a term of five years. Each appointee serves until the appointee's successor is appointed and qualified, and if a vacancy occurs, the vacancy must be filled by appointment for the remainder of the unexpired term in the same manner as the original appointment at the annual joint budget meeting. Each appointee qualifies by filing the constitutional oath of office, and in case of a district health unit, the oath must be filed in the office of the county auditor of the county having the larger population according to the most recent federal census. Each county in the district must have at least one representative on the district board of health and counties of over fifteen thousand in population have an additional representative for each fifteen thousand population or major fraction thereof. In district units of less than five counties, each county must have at least one representative on the district board of health and the additional representatives selected to constitute the minimum five-member board must be equitably apportioned among the counties on a population basis. In a city-county health district comprised of only one county and having a city or cities of fifteen thousand population or more, each city having a population of fifteen thousand or more must have a representative on the district board of health for each fifteen thousand population or major fraction thereof and the remaining population of the county, exclusive of the populations of cities with fifteen thousand population or more each, must have a representative on the district board of health for each fifteen thousand population or major fraction thereof. Members of the board may be compensated at a rate not to exceed forty-five dollars per day not to exceed twenty-five days in any one year and must be reimbursed for expenses incurred in the manner and to the extent provided for state officers."

Page 2, line 20, remove "commit full time to the duties"

Page 2, line 21, remove "of the office and shall"

Page 3, after line 18, insert:

"SECTION 7. Authority to contract for services. Subject to the supervisory control of the state department of health and consolidated laboratories and the state health officer, a regional health board may contract with other governmental and private entities for services to carry out its duties and responsibilities under this Act."

Page 4, line 24, remove "The regional health board shall"

Page 4, remove line 25

Page 4, line 26, remove "officers."

Page 5, line 4, replace "2" with "4" and replace "11" with "15"

Page 5, line 9, after "the" insert "joint"

Page 5, line 16, replace "a" with "the joint"

Page 5, line 21, replace "a" with "the joint"

Page 5, line 22, replace "a" with "the joint"

Page 6, line 8, replace "Contributions" with "Fees and contributions" and after the underscored period insert "A regional health board may establish by rule a schedule of reasonable fees that may be charged for services rendered. However, services may not be withheld because of inability to pay any fees established under this section."

Page 6, line 10, replace "Contributions" with "All fees and contributions"

Page 6, line 14, replace "2" with "4" and replace "11" with "15"

Page 6, after line 29, insert:

"SECTION 15. Rulemaking authority. The state department of health and consolidated laboratories may adopt rules to implement this Act.

SECTION 16. AMENDMENT. Subsection 3 of section 23-01-06 of the North Dakota Century Code is amended and reenacted as follows:

3. The expenditures in each ~~county board of health or the district~~ regional board of health.

SECTION 17. AMENDMENT. Subsection 2 of section 23-01-09 of the North Dakota Century Code is amended and reenacted as follows:

2. Make preparations and examinations of pathological tissues submitted by the state health officer, by any ~~county superintendent of public health~~ regional district health officer, or by any physician who has been regularly licensed to practice in this state."

Page 7, after line 20, insert:

"SECTION 19. AMENDMENT. Section 23-07-19 of the North Dakota Century Code is amended and reenacted as follows:

23-07-19. Appropriation made on report showing action necessary to prevent spread of tuberculosis. If any society or association organized and existing for the purpose of controlling the spread of tuberculosis in this state considers it necessary to secure the services of a visiting nurse or nurses, or to disinfect any building, room, residence, hotel, or other place infected with tuberculosis, the society shall report such fact to the president of the county regional board of health and to the board of county commissioners. The report must recommend the course of action advisable to be adopted by the board of county commissioners ~~in relation thereto and~~ in accordance with ~~the provisions of this chapter, and such the~~ board, at its next meeting, shall consider ~~such the~~ report and recommendation and act on the ~~same report and recommendation.~~ The board may audit and allow bills for services rendered in carrying into effect any action taken by it under ~~the provisions of this section.~~"

Page 8, line 19, replace "2" with "4" and replace "11" with "15"

Page 11, line 23, after the period insert "Upon the establishment of a regional health district, employees of the district who worked for a county or a city board of health within the region immediately preceding the formation of the district, may not be required to participate in the public employees retirement system. However, all employees who choose to participate and all future eligible employees of the district must participate in the public employees retirement system."

Page 14, after line 2, insert:

"SECTION 30. AMENDMENT. Section 58-06-01 of the 1991 Supplement to the North Dakota Century Code is amended and reenacted as follows:

58-06-01. General powers and duties of board of township supervisors. The board of township supervisors shall have the following powers and duties:

1. To manage and control the affairs of the township not committed to other township officers.
2. To draw orders on the township treasury for the disbursement of township funds.
3. To recommend to the electors the expenditure of a stated amount for the purpose of purchasing building sites, and for purchasing, erecting, locating, or removing any building, township hall, or library building for the use and benefit of the township.
4. When a city which is laid out into streets is included within the limits of the township, to cause improvements to be made in any street that may be needed as a highway if the city neglects to make the improvements.
5. To prosecute all actions upon bonds given to it or previous boards.
6. To sue for and collect all penalties and forfeitures incurred by any officer or inhabitant of the township when no other provision is made.
7. To prosecute any action for trespass committed on any public enclosure, highway, or property belonging to the township.
8. To pay all money collected by it for the township to the township treasurer.
9. To levy the annual taxes for the ensuing calendar year as voted at the annual township meeting.
10. To grant to any person the right of way for the erection of telephone lines, electric light systems, water or wastewater systems, or gas or oil pipeline systems over, under, or upon public grounds, streets, alleys, or highways.
11. To appoint the township overseer of highways.
12. To purchase road machinery and tools.
13. ~~To be and act as a board of health.~~
14. ~~To perpetuate survey markings.~~
15. 14. To erect and maintain guideposts on the highways and other ways within the township at such places as are necessary or convenient for the direction of travelers.
16. 15. To examine, compare, and balance the books of the township clerk and the treasurer at the annual meeting in March of each year.
17. 16. To pay all or a part of the cost of electricity used in electrically lighting the streets of cities located within the township.
18. 17. To insure the township's property which is not required to be insured against loss by fire or tornado by the state fire and tornado fund in a stock or mutual fire insurance company or in the state fire and tornado fund.
19. ~~Repealed by S.L. 1989, ch. 559, 7.~~

~~20-~~ 18. To submit a budget for the township at its annual meeting."

Page 14, line 3, after the third comma insert "section 23-07-04," and after "and" insert "chapter"

Page 14, after line 4, insert:

"SECTION 32. EFFECTIVE DATE. This Act becomes effective July 1, 1994."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1359: Education Committee (Rep. Gates, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (14 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1359 was placed on the Sixth order on the calendar.

Page 1, line 17, replace "advice and consent" with "order"

Page 3, line 14, replace "advice and consent" with "order"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1365: Education Committee (Rep. Gates, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (10 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). HB 1365 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "a" with "four" and replace "section" with "sections"

Page 1, line 2, replace "education" with "the enrollment" and replace "pupils" with "students"

Page 1, line 6, replace "Education" with "Enrollment" and replace "pupils" with "students"

Page 1, line 7, replace the first "the" with "a" and replace "of any pupil may apply to the" with "who wishes to enroll a student in a school district other than the student's school district of residence shall, not later than January first of the school year preceding the year of enrollment, apply to the school board of the admitting district for approval to enroll the student in the admitting district. No later than February first of the school year preceding the year of enrollment, the school board of the admitting district shall consider the application and notify the student's parent or guardian of its approval or disapproval. If the application is approved, the parent or guardian shall, by February fifteenth, inform the school district of residence that the student will enroll in the admitting district. A student whose school district of residence does not offer the grade level in which the student requires enrollment may not participate in open enrollment"

Page 1, remove line 8

Page 1, line 9, remove "pupil in another public school district in this state"

Page 1, line 11, replace "pupils" with "students"

Page 1, line 14, replace "pupil's" with "student's"

Page 1, line 17, replace "Once the number of" with "A school board may deny an application only when a student cannot be admitted without injuring or overcrowding a school"

Page 1, remove lines 18 through 21

Page 1, line 22, remove "section 15-40.2-05" and replace "pupil" with "student"

Page 2, line 1, remove "not"

Page 2, line 2, replace "for a period of one year from the date of transfer" with "as provided by the North Dakota high school activities association"

Page 2, after line 2, insert:

"SECTION 2. A new section to chapter 15-40.2 of the North Dakota Century Code is created and enacted as follows:

Enrollment - Foundation aid - Tuition apportionment."

Page 2, line 3, after "aid" insert "and tuition apportionment" and replace "pupils" with "students"

Page 2, line 4, replace "section" with "Act"

Page 2, line 5, remove "The pupil's district of residence shall pay the"

Page 2, remove lines 6 through 9

Page 2, after line 9, insert:

"SECTION 3. A new section to chapter 15-40.2 of the North Dakota Century Code is created and enacted as follows:

Enrollment - Students with disabilities - Additional costs. If an application under this Act is for a student with a disability, the district of residence shall pay to the admitting district the costs incurred by the admitting district in providing education and related services to the student with a disability up to a maximum each school year of two and one-half times the state average per-pupil elementary or high school cost, depending on the student's enrollment level. The state is liable for any costs in excess of this amount.

SECTION 4. A new section to chapter 15-40.2 of the North Dakota Century Code is created and enacted as follows:

Enrollment - Transportation. If requested by the parent or guardian of a student participating in the enrollment provisions of this Act, the admitting district shall provide transportation within the district. However, the parent or guardian is responsible for transporting the student to and from a point on a regular bus route in the admitting district. The admitting district is entitled to receive state payments for providing transportation as required by this section."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1366: Human Services Committee (Rep. Rydell, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (9 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). HB 1366 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "6-09-15,"

Page 1, line 3, remove "to requiring the Bank of North Dakota"

Page 1, remove lines 4 and 5

Page 1, remove lines 8 through 22

Page 2, remove lines 1 through 28

Page 3, remove lines 1 through 25

Page 4, line 6, remove "of health"

Page 4, line 7, remove "and consolidated laboratories"

Page 4, line 19, remove the overstrike over "~~department of health and consolidated~~"

Page 4, line 20, remove the overstrike over "~~laboratories~~" and remove "office of administrative hearings"

Page 4, line 22, remove "of health and consolidated laboratories"

Page 4, line 23, remove "of health and consolidated laboratories"

Page 7, line 14, after "~~thousand~~" insert "one million" and remove the overstrike over "~~dollars or~~"

Page 7, line 15, remove the overstrike over "~~more~~" and remove "an amount that is at least equal to the average amount of"

Page 7, remove lines 16 and 17

Page 8, line 1, after "~~thousand~~" insert "one million", remove the overstrike over "~~dollars or more~~", and remove "an amount that is at"

Page 8, remove lines 2 and 3

Page 8, line 4, remove "calculated by the department annually"

Page 8, line 7, remove the overstrike over "~~five hundred thousand dollars~~"

Page 8, line 8, remove the overstrike over "~~or more~~" and remove "of an amount that is at least equal to the average"

Page 8, remove lines 9 and 10

Page 8, line 11, remove "annually"

Page 8, line 13, remove the overstrike over "~~five hundred thousand dollars~~"

Page 8, remove line 14

Page 8, line 15, remove "states"

Page 8, line 22, remove the overstrike over "~~five hundred thousand dollars or more~~"

Page 8, remove lines 23 and 24

Page 8, line 25, remove "acquisitions as calculated by the department annually"

Page 9, line 4, after "~~thousand~~" insert "one million", remove the overstrike over "~~dollars or more~~", and remove "an amount that is at least equal to"

Page 9, remove lines 5 and 6

Page 9, line 7, remove "department annually"

Page 9, line 12, after "home" insert ", construction of a new nursing home, or conversion of beds from any other licensure to nursing home beds"

Page 10, remove lines 3 through 9

Page 13, line 2, after "with" insert "the following" and overstrike "prescribed in state law and"

Page 13, line 3, remove "administrative rules" and overstrike "for proposals, subject to this chapter, of"

Page 13, overstrike line 4

Page 13, line 5, overstrike "comply with" and overstrike "this chapter and"

Page 13, line 6, remove "any rules adopted to"

Page 13, line 7, replace "implement this chapter" with ":"

- a. A need for the project is determined by current and projected utilization.
- b. Sufficient cash flow and cash reserves exist to pay for operating and capital costs.
- c. The cost of services to be provided is competitive with other providers of like size in the region offering similar services.
- d. Financing is available at market rates.
- e. Health care personnel are available.
- f. The proposed construction costs are consistent with industry averages.
- g. An applicant whose expansion proposal is to add beds to a nursing home shall contact long-term care providers who are within a thirty-five mile radius of the applicant and inform those providers of the applicant's intention to expand.
- h. Plans for construction of a psychiatric hospital are submitted to all providers offering psychiatric, alcohol, and chemical dependency services within one hundred and fifty miles [241.40 kilometers] of the area under consideration for construction. Providers contacted must indicate an unwillingness or inability to provide psychiatric, alcohol, or chemical services before an applicant may petition for a hearing under the provisions of this section"

Page 13, line 8, after "2." insert "Shall issue a certificate of need to an applicant under subdivision g of subsection 1 if the applicant demonstrates that no provider within a thirty-five mile radius is willing and able to provide the services identified in the expansion proposal."

3."

Page 13, line 18, overstrike "3." and insert immediately "4."

Page 13, line 24, overstrike "4." and insert immediately thereafter "5."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1373, as engrossed: Human Services Committee (Rep. Rydell, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1373 was placed on the Sixth order on the calendar.

Page 2, line 2, after "business" insert "that may conflict with the statutory duties of the state health officer"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1400: Government and Veterans Affairs Committee (Rep. D. Olsen, Chairman) recommends DO PASS (11 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). HB 1400 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1420: Political Subdivisions Committee (Rep. Martin, Chairman) recommends DO NOT PASS (11 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). HB 1420 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1421: Industry, Business and Labor Committee (Rep. Dorso, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (9 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). HB 1421 was placed on the Sixth order on the calendar.

Page 1, line 19, after "government" insert ", but does not include industries managed by the industrial commission, including the Bank of North Dakota, the North Dakota mill and elevator association, the North Dakota housing finance agency, and the North Dakota municipal bond bank"

Page 5, line 19, replace "cannot" with "can"

Page 13, line 11, replace "January" with "July"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1435: Education Committee (Rep. Gates, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (11 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING). HB 1435 was placed on the Sixth order on the calendar.

Page 1, line 1, after "15-62.2-00.1" insert "and section 15-62.2-02"

Page 1, line 3, after "program" insert "and to the powers and the duties of the state board of higher education"

Page 1, after line 10, insert:

"SECTION 2. AMENDMENT. Section 15-62.2-02 of the 1991 Supplement to the North Dakota Century Code is amended and reenacted as follows:

15-62.2-02. Board of higher education - Powers and duties. The board of higher education shall:

1. Administer the North Dakota student financial assistance program and the North Dakota scholars program and adopt functional rules regarding the eligibility and selection of grant and scholarship recipients.
 2. Determine the amount of individual grants, but not to exceed six hundred dollars per recipient per academic year under the North Dakota student financial assistance program.
 3. Adopt for the North Dakota student financial assistance program, criteria for ~~substantial-need~~ dependent students based upon the ability of the parents or guardian to contribute toward the applicant's educational expenses.
 4. Adopt for the North Dakota student financial assistance program, criteria for independent students based upon their ability to contribute toward their educational expenses.
 5. Establish the appropriate procedures for fiscal control, fund accounting, and necessary reports.
- ~~5-~~ 6. Apply for, receive, expend, and administer granted moneys from federal or private sources."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1438: Education Committee (Rep. Gates, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (13 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1438 was placed on the Sixth order on the calendar.

Page 2, line 14, after "aid" insert "- Tuition apportionment"

Page 2, line 21, after the period insert "For purposes of tuition apportionment payments, a student whose application is approved under this section is considered a resident of the admitting district."

Page 2, line 23, replace "Special needs students" with "Students with disabilities"

Page 2, line 24, replace "requiring special" with "with a disability"

Page 2, line 25, remove "education services"

Page 3, line 1, remove "special needs" and after "student" insert "with a disability"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1469: Government and Veterans Affairs Committee (Rep. D. Olsen, Chairman) recommends DO PASS (9 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). HB 1469 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1502: Education Committee (Rep. Gates, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO NOT PASS (11 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). HB 1502 was placed on the Sixth order on the calendar.

Page 1, line 1, after "chapter" insert "11-09.1 and two new sections to chapter"

Page 1, line 3, after "coordinators" insert ", transition funding, and home rule counties"

Page 1, line 6, after the third comma insert "15-21-15,"

Page 1, line 12, after the fourth comma insert "15-35-09,"

Page 1, line 20, remove "15-21-15,"

Page 2, after line 3, insert:

"SECTION 1. A new section to chapter 11-09.1 of the North Dakota Century Code is created and enacted as follows:

No charter or ordinance or act of the governing body of a home rule county may supersede any state law relating to educational service areas or educational services area coordinators."

Page 10, after line 5, insert:

"SECTION 13. AMENDMENT. Section 15-21-15 of the North Dakota Century Code is amended and reenacted as follows:

15-21-15. Report to be printed and distributed. ~~Such~~ The number of copies of the report of the superintendent of public instruction as may be required by the superintendent ~~shall~~ must be printed biennially in the month of December preceding the session of the legislative assembly. One copy ~~shall~~ must be furnished to each member of the legislative assembly, five copies to each state educational institution, one copy to each ~~county superintendent of schools~~ educational services area coordinator, one to each state officer, and one to the state superintendent of schools of each state and territory. Twenty copies ~~shall~~ must be filed in the office of the superintendent of public instruction, and ten copies in the state library. Copies may be distributed among colleges, universities, and libraries in the United States."

Page 11, after line 2, insert:

"SECTION 15. A new section to chapter 15-22 of the North Dakota Century Code is created and enacted as follows:

Educational services area coordinators - Transitional funding. On or before March 31, 1995, each county shall forward to the superintendent of public instruction an amount equal to one-fourth of the sum budgeted by the county for the position of county superintendent of schools during the 1994 calendar year. This amount is transition funding for the educational services area coordinators provided for in section 14 of this Act for the period beginning January 1, 1995, and ending June 30, 1995."

Page 14, line 15, after the second "the" insert "board of"

Page 14, line 16, overstrike "superintendent" and insert immediately thereafter "commissioners"

Page 16, line 1, replace "education" with "educational"

Page 16, line 14, after "shall" insert "notify the educational services area coordinator and" and overstrike "such" and insert immediately thereafter "the"

- Page 18, line 21, remove the overstrike over "county", overstrike "superintendent", and replace "of" with "auditor"
- Page 18, line 22, remove "public instruction"
- Page 26, line 14, after "~~forthwith~~" insert "notify the educational services area coordinator," and after "schedule" insert an underscored comma
- Page 32, line 15, remove the overstrike over "~~When any such appointment is~~"
- Page 32, remove the overstrike over line 16
- Page 32, line 17, after "~~schools~~" insert "auditor" and remove the overstrike over the overstruck period
- Page 33, line 8, after the second "the" insert "educational services area coordinator shall facilitate the provision of supervision for the"
- Page 33, line 9, overstrike "shall be under the immediate supervision of the"
- Page 33, line 10, remove "educational services area coordinator"
- Page 34, line 4, remove the overstrike over "~~and to the~~" and remove the overstrike over "~~superintendent of~~"
- Page 34, line 5, after "~~schools~~" insert "public instruction"
- Page 36, after line 11, insert:
- "SECTION 43. AMENDMENT. Section 15-35-09 of the North Dakota Century Code is amended and reenacted as follows:
- 15-35-09. Fire, tornado, and disaster emergency drills - Duty of superintendents and teachers.** All public schoolteachers who teach in school buildings ~~consisting of more than one room~~ shall conduct at least one fire, tornado, or disaster emergency drill each month except when the weather is inclement. ~~In districts having a superintendent, the superintendent shall prescribe rules governing fire, tornado, and disaster emergency drills as provided in this section.~~"
- Page 50, line 24, overstrike "his" and insert immediately thereafter "the person's"
- Page 50, line 25, overstrike "his" and insert immediately thereafter "the person's"
- Page 52, line 22, overstrike "his" and insert immediately thereafter "the county health officer's"
- Page 53, line 4, overstrike "that he do so"
- Page 53, line 8, overstrike "he" and insert immediately thereafter "the child"
- Page 53, line 12, overstrike "his" and insert immediately thereafter "the commissioner's"
- Page 54, line 15, remove the overstrike over "county"
- Page 54, line 16, replace "director of tax equalization" with "treasurer"
- Page 63, line 2, after "county" insert "business manager of the school district and subject to review and adjustment by the"

Page 64, line 21, after "treasurer" insert "subject to review and adjustment by the superintendent of public instruction."

Page 66, line 9, remove "15-21-15,"

Page 66, line 14, replace "1" with "2", replace "3" with "4", and replace "11" with "13"

Page 66, line 15, replace "13" with "16" and replace "69" with "73"

Page 66, line 16, replace the first "2" with "3"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HCR 3026: Education Committee (Rep. Gates, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3026 was placed on the Sixth order on the calendar.

Page 1, line 2, after "teachers" insert "and administrators"

Page 1, line 13, after "teachers" insert "and administrator"

Page 1, line 21, after "teachers" insert "and administrators"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HCR 3030: Transportation Committee (Rep. Belter, Chairman) recommends DO PASS and BE PLACED ON THE CONSENT CALENDAR (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3030 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3035: Finance and Taxation Committee (Rep. Timm, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HCR 3035 was placed on the Sixth order on the calendar.

Page 1, line 3, after "fuels" insert "for the purposes of deficit reduction"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2049, as engrossed: Natural Resources Committee (Rep. A. Olson, Chairman) recommends DO PASS (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2049 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2151, as engrossed: Natural Resources Committee (Rep. A. Olson, Chairman) recommends DO PASS (13 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). Engrossed SB 2151 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2160: Natural Resources Committee (Rep. A. Olson, Chairman) recommends DO PASS (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2160 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2189: Finance and Taxation Committee (Rep. Timm, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (10 YEAS, 2 NAYS, 3 ABSENT AND NOT VOTING). SB 2189 was placed on the Sixth order on the calendar.

Page 1, line 4, replace "; and to amend and reenact subsection 3 of section 57-36-26," with a period

Page 1, remove lines 5 through 7

Page 1, remove the underscore under lines 11 through 19

Page 1, remove the underscore under line 22

Page 2, remove the underscore under lines 1 through 29

Page 3, remove the underscore under lines 1 through 27

Page 4, remove lines 1 through 13

Page 4, remove the underscore under lines 16 through 24

Page 4, remove the underscore under lines 27 through 29

Page 5, remove the underscore under lines 1 through 29

Page 6, remove the underscore under lines 1 through 25

Page 6, remove lines 26 through 29

Page 7, remove lines 1 through 15

Page 7, remove the underscore under lines 18 through 26

Page 7, remove the underscore under line 29

Page 8, remove the underscore under lines 1 through 29

Page 9, remove the underscore under lines 1 through 27

Page 9, remove lines 28 and 29

Page 10, remove lines 1 through 10

ReNUMBER accordingly

FIRST READING OF HOUSE CONCURRENT RESOLUTION

Reps. Hokana, Timm and Sen. Dotzenrod introduced:

HCR 3052: A concurrent resolution directing the Legislative Council to study the imposition of state income taxes for individuals, estates, and trusts.

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

FIRST READING OF SENATE BILLS

SB 2063: A BILL for an Act to create and enact a new section to chapter 54-52.1 and a new section to chapter 57-15 of the North Dakota Century Code, relating to participation by school districts in the uniform group insurance program; and to amend and reenact sections 54-52-03, 54-52.1-03.1, and 54-52.1-06 of the North Dakota Century Code, relating to the retirement board and participation by school districts in the uniform group insurance program.

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

SB 2072: A BILL for an Act to amend and reenact sections 15-20.4-02 and 15-20.4-04 of the North Dakota Century Code, relating to postsecondary educational institutions.

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

SB 2181: A BILL for an Act to amend and reenact section 15-21-04.6 and subdivision q of subsection 1 of section 28-32-01 of the North Dakota Century Code, relating to the process for the development and optional implementation of standards for student performance and student performance assessment methods and the adoption of rules by the superintendent of public instruction.

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

SB 2200: A BILL for an Act to amend and reenact paragraph 2 of subdivision b of subsection 8 of section 65-01-02, subsection 30 of section 65-01-02, subsection 1 of section 65-01-09, sections 65-01-11, 65-02-15, 65-02-17, 65-02-18, subsection 2 of section 65-05-25, and section 65-05-32 of the North Dakota Century Code, relating to workers' compensation definitions, third-party actions, burden of proof in workers' compensation matters, workers' compensation binding arbitration, workers' compensation lump sum settlements, and workers' compensation records; to repeal section 65-02-16 of the North Dakota Century Code, relating to workers' compensation binding arbitrations; to provide for application of the Act; and to provide an effective date.

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

SB 2293: A BILL for an Act to amend and reenact sections 23-29-07.4, 57-38-09.1, subsection 5 of section 57-38-30.3, sections 57-38-60, 57-38-61, subsections 1, 2, 5, and 8 of section 57-38.4-01, and subsection 1 of section 57-38.4-02 of the North Dakota Century Code, relating to reporting requirements for collection of the solid waste management surcharge, filing requirements for tax-exempt organizations, the definition of federal income tax liability for the simplified optional method of computing tax, the filing requirements for income withholding returns and wage information returns, penalties for failure to file wage information returns, federalizing the due date for employers' annual returns, applying the provisions for failing to complete returns or supply information to income withholding tax, definitions for water's edge elections, and requirements for using the water's edge method; to provide a penalty; to provide an effective date; and to declare an emergency.

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

SB 2298: A BILL for an Act to create and enact a new subsection to section 25-03.1-43 of the North Dakota Century Code, relating to confidential records and the notification of crime victims; and to amend and reenact subsection 16 of section 12.1-34-02 of the North Dakota Century Code, relating to fair treatment standards for victims and witnesses.

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

SB 2303: A BILL for an Act to amend and reenact section 12.1-17-01 of the North Dakota Century Code, relating to simple assault.

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

SB 2399: A BILL for an Act to amend and reenact section 11-11.1-01 of the North Dakota Century Code, relating to the election question to discontinue a job development authority and to the job development authority board of directors.

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

SB 2408: A BILL for an Act to create and enact a new section to chapter 50-24.1 of the North Dakota Century Code, relating to the establishment of a state unified dental service insurance coverage plan.

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

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