

## JOURNAL OF THE HOUSE

## Fifty-third Legislative Assembly

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Bismarck, March 9, 1993

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

The prayer was offered by the Rev. Carlyle Roth, St. Mark's Lutheran Church, Minot.

The roll was called and all members were present.

A quorum was declared by the Speaker.

## DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following bills were delivered to the Governor for his approval at the hour of 10:05 a.m., March 9, 1993: HB 1045, HB 1047, HB 1049, HB 1066, HB 1076, HB 1083, HB 1093, HB 1101, HB 1132, HB 1143, HB 1145, HB 1148, HB 1243, HB 1314.

## MOTION

REP. TIMM MOVED that SB 2524, which is on the Fourteenth order, be rereferred to the Finance and Taxation Committee, which motion prevailed. Pursuant to Rep. Timm's motion, SB 2524 was rereferred.

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

MR. SPEAKER: The Senate has failed to pass: HB 1209.

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

MR. SPEAKER: The Senate has passed unchanged: HB 1125, HB 1152, HB 1153, HB 1154, HB 1156, HB 1171, HB 1173, HB 1176, HB 1177, HB 1185, HB 1233, HB 1235, HB 1253, HB 1301, HB 1319, HB 1331.

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

MR. SPEAKER: The Senate has amended and subsequently passed: HB 1172, HB 1183, HB 1229, HB 1344.

## SENATE AMENDMENTS TO HOUSE BILL NO. 1172

Page 1, line 2, remove "prohibiting"

Page 1, line 7, after "prohibited" insert "- Exception"

Page 1, line 8, replace "except for a good faith estimate of" with "unless"

Page 1, line 9, replace "actual cost of an appraisal or credit report" with "money broker is licensed under this chapter"

Renumber accordingly

## SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1183

In lieu of the amendments adopted by the Senate as printed on page 807 of the Senate Journal, Engrossed House Bill No. 1183 is amended as follows:

Page 12, line 26, after the period insert "The parent or guardian of a child with disabilities or the adult with disabilities is encouraged to submit a written request to the appropriate school administrator or director of special education regarding the relief sought prior to a proceeding."

Renumber accordingly

**SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1229**

Page 1, line 14, after "a" insert "trust company or to a federally insured", after the second comma insert "or", and overstrike the third comma

Page 1, line 15, overstrike "or trust company"

Renumber accordingly

**SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1344**

Page 1, line 11, overstrike "Before"

Page 1, line 12, overstrike "authorizing the", remove "oral", overstrike "transmittal of the", and overstrike "prescription, the" and insert immediately thereafter "The"

Page 1, line 13, after "shall" insert "document the order for oral transmission and"

Renumber accordingly

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

MR. SPEAKER: The Senate has amended, subsequently passed, and the emergency clause carried: HB 1419.

**SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1419**

Page 1, line 10, replace "seven" with "fifteen"

Page 1, line 18, replace "seven" with "fifteen"

Renumber accordingly

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

MADAM PRESIDENT: The House has passed unchanged: SB 2055, SB 2066, SB 2071, SB 2073, SB 2150, SB 2166, SB 2208.

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

MADAM PRESIDENT: The House has failed to pass: SB 2152.

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

MADAM PRESIDENT: The House has amended and subsequently passed: SB 2028, SB 2379.

**HOUSE ENGROSSING AND ENROLLING REPORT**

The following bills were enrolled: HB 1031, HB 1043, HB 1051, HB 1068, HB 1069, HB 1107, HB 1128, HB 1141, HB 1150, HB 1151.

**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 SB 2327, which motion prevailed.

REP. FREIER MOVED that the rules be suspended and that the amendments on the Sixth order of business to SB 2068, SB 2174, SB 2289, SB 2305, SB 2359, SB 2415, SB 2422, SB 2472, SB 2476, and SCR 4031 be adopted, which motion prevailed.

SCR 4031, as amended, was placed on the Tenth order of business on the calendar for the succeeding legislative day.

SB 2068, SB 2174, SB 2289, SB 2305, SB 2359, SB 2415, SB 2422, SB 2472, and SB 2476, as amended, were placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

#### SIXTH ORDER OF BUSINESS

**SB 2327, as engrossed:** REP. MARTIN (Political Subdivisions Committee) MOVED that the amendments on HJ pages 989-990 be adopted and then be placed on the Fourteenth order with DO PASS, which motion prevailed on a verification vote.

#### MOTION

REP. FREIER MOVED that the rules be suspended and that SB 2327, as amended, be placed at the head of the calendar on the Fourteenth order, which motion prevailed.

#### SECOND READING OF SENATE BILL

**SB 2327:** A BILL for an Act to create and enact a new section to chapter 16.1-01 of the North Dakota Century Code, relating to reimbursement of county expenses for statewide special elections.

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

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

**NAYS:** Byerly; Dalrymple; DeWitz; Keiser; Payne; Ring; Shide; Speaker R. Berg

Engrossed SB 2327 passed and the title was agreed to.

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#### SECOND READING OF HOUSE CONCURRENT RESOLUTION

**HCR 3012:** A concurrent resolution for the amendment of sections 3 and 4 of article III of the Constitution of North Dakota, relating to signature requirements for petitions to initiate or refer measures.

#### ROLL CALL

The question being on the final passage of the amended resolution, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 29 YEAS, 69 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Bernstein; Boucher; Carlson, C.; Christopherson; Clayburgh; Dorso; Gates; Gorman; Grumbo; Hagle; Hanson; Hausauer; Hokana; Huether; Kaldor; Laughlin; Maragos; Monson; Nichols; Olson, A.; Payne; Price; Soukup; St. Aubyn; Stenehjem; Svedjan; Sveen; Wentz

**NAYS:** Allmaras; Austin; Bateman; Belter; Berg, J.; Bodine; Boehm; Brodshaug; Brown; Byerly; Carlisle; Carlson, A.; Cleary; Coats; Dalrymple; DeWitz; Dobrinski; Droydal; Freier; Froseth; Gerntholz; Glassheim; Goffe; Gorder; Grosz; Gulleson; Henegar; Holm; Howard; Jacobs; Johnson; Keiser; Kelsch; Kempenich; Kerzman; Kilichowski; Klein; Kretschmar;

Kroeber; Kunkel; Mahoney; Martin; Martinson; Mutzenberger; Nelson; Ness; Nicholas; Oban; Olsen, D.; Poolman; Porter; Pyle; Rennerfeldt; Ring; Rydell; Schindler; Shide; Sitz; Skarphol; Stenson; Thorpe; Timm; Tollefson; Torgerson; Wald; Wanzek; Wardner; Wilkie; Speaker R. Berg

Engrossed HCR 3012 was declared lost.

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#### SECOND READING OF HOUSE CONCURRENT RESOLUTION

**HCR 3014:** A concurrent resolution for the amendment of subsections 2 and 4 of section 6 of article VIII of the Constitution of North Dakota, relating to the appointment of a student member to the state board of higher education.

#### MOTION

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

#### ROLL CALL

The question being on the final passage of the amended resolution, which has been read, and is PLACED ON THE CALENDAR WITHOUT RECOMMENDATION, the roll was called and there were 69 YEAS, 29 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Austin; Bateman; Berg, J.; Bernstein; Bodine; Boehm; Brodshaug; Byerly; Carlisle; Carlson, A.; Carlson, C.; Christopherson; Clayburgh; Coats; DeWitz; Drovdal; Froseth; Gates; Gerntholz; Gorder; Gorman; Grosz; Grumbo; Hagle; Hausauer; Henegar; Holm; Howard; Huether; Jacobs; Johnson; Kelsch; Kempenich; Kilichowski; Klein; Kretschmar; Kunkel; Mahoney; Maragos; Martin; Martinson; Monson; Nelson; Nicholas; Oban; Olsen, D.; Olson, A.; Payne; Poolman; Price; Pyle; Ring; Rydell; Schindler; Shide; Skarphol; Soukup; St. Aubyn; Stenehjem; Svedjan; Sveen; Timm; Tollefson; Torgerson; Wald; Wanzek; Wardner; Wentz; Speaker R. Berg

**NAYS:** Aarsvold; Allmaras; Belter; Boucher; Brown; Cleary; Dalrymple; Dobrinski; Dorso; Freier; Glassheim; Goffe; Gulleeson; Hanson; Hokana; Kaldor; Keiser; Kerzman; Kroeber; Laughlin; Mutzenberger; Ness; Nichols; Porter; Rennerfeldt; Sitz; Stenson; Thorpe; Wilkie

Engrossed HCR 3014 was declared adopted on a roll call vote.

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#### POINT OF PERSONAL PRIVILEGE

**REP. POOLMAN:** Mr. Speaker: I rise on a point of personal privilege.

Mr. Speaker and Members of the Assembly,

Many of you have come to this Assembly with many genuine, ambitious ideas. When I came to this session as a fledgling legislator, I knew that this resolution was a good idea. It is the right idea for higher education. We have had a few bills dealing with higher education and one of the first things legislators say on the floor of this great House when these come up, is that the students are the customers of the system. You are absolutely right.

I have a sympathy for students. I also have a sympathy for their parents. Many parents have worked for years to save money to provide for their children to attend college. Students have worked through high school and college careers to adequately provide for themselves and it gets more difficult as their costs rise.

We can sit and debate all day the turmoils that higher education is facing - budget cuts, low salaries, increasing tuition - there are several that many of you have heard throughout legislative sessions. I ask you, who is on the

receiving end of all these turmoils, it is the students that attend all eleven of our institutions.

This whole resolution was not introduced to see who should pick the student on the board. The resolution has been amended so that the student association can still choose the member by sending a list to the Governor. The list could be five, the list could be one, depending on the number of candidates the association has, the quality of the candidates the association has, and the students are being accurately represented.

Many boards are putting consumers on their boards as voting members, including the Minnesota Board of Higher Education, because many times these consumers provide the best input.

While I was talking to members of the Assembly about this resolution, one member said to me, "I am real tired of the people underestimating the students of this state." I don't know if students are being underestimated, but by passing this resolution, and letting the people of North Dakota concur, we give the students a chance to have an effective, voting member of the Board of Higher Education.

Ladies and Gentlemen of the Assembly, let us give the people of this great state an opportunity to decide if they want to let the students in this North Dakota University System have taxation with fair representation. It is issues like these that deserve needed attention, and that the people should have a chance to look at.

Fellow members of this assembly, let us give a green light to our students, our future leaders, and to this resolution by sending this issue to the people. I genuinely ask for your favorable support.

#### MOTION

REP. AUSTIN MOVED that the remarks of Rep. Poolman be printed in the Journal, which motion prevailed.

#### SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3016: A concurrent resolution for the amendment of subsections 2 and 4 of section 6 of article VIII of the Constitution of North Dakota, relating to the appointment of a faculty member to the state board of higher education.

#### ROLL CALL

The question being on the final adoption of the amended resolution, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 9 YEAS, 89 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Bernstein; Goffe; Gulleeson; Huether; Kaldor; Kroeber; Ring; Wentz

NAYS: Allmaras; Austin; Bateman; Belter; Berg, J.; 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; Gorder; Gorman; Grosz; Grumbo; Hagle; Hanson; Hausauer; Henegar; Hokana; Holm; Howard; Jacobs; Johnson; Keiser; Kelsch; Kempenich; Kerzman; Kilichowski; Klein; Kretschmar; 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; Wilkie; Speaker R. Berg

Engrossed HCR 3016 was declared lost.

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## SECOND READING OF SENATE BILL

SB 2027: A BILL for an Act to allow a state agency or institution to provide for child care 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 72 YEAS, 25 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Allmaras; Austin; Bateman; Berg, J.; Bernstein; Bodine; Boehm; Boucher; Brodshaug; Byerly; Carlisle; Carlson, C.; Christopherson; Clayburgh; Cleary; Dalrymple; DeWitz; Dobrinski; Froseth; Gates; Gerntholz; Glassheim; Goffe; Gorder; Grumbo; Gulleston; Hagle; Hanson; Hausauer; Henegar; Hokana; Howard; Huether; Jacobs; Johnson; Kaldor; Kerzman; Kilichowski; Kretschmar; Kroeber; Kunkel; Laughlin; Maragos; Mutzenberger; Nelson; Ness; Nicholas; Nichols; Oban; Poolman; Porter; Pyle; Ring; Rydell; Schindler; Sitz; Skarphol; Soukup; St. Aubyn; Stenehjem; Stenson; Svedjan; Sveen; Thorpe; Tollefson; Torgerson; Wanzek; Wardner; Wentz; Wilkie; Speaker R. Berg

NAYS: Belter; Brown; Carlson, A.; Coats; Dorso; Drovdal; Freier; Gorman; Grosz; Holm; Keiser; Kelsch; Kempenich; Klein; Mahoney; Martin; Martinson; Monson; Olsen, D.; Olson, A.; Payne; Price; Rennerfeldt; Shide; Timm

ABSENT AND NOT VOTING: Wald

Engrossed SB 2027 passed and the title was agreed to.

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## SECOND READING OF SENATE BILL

SB 2033: A BILL for an Act to amend and reenact section 27-05-08 of the North Dakota Century Code as amended by section 85 of chapter 326 of the 1991 Session Laws of North Dakota, relating to the chambers and residency of district court judges; 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 59 YEAS, 39 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Austin; Bateman; Belter; Bernstein; Boehm; Brodshaug; Brown; Carlisle; Carlson, A.; Carlson, C.; Christopherson; Clayburgh; Dalrymple; Dorso; Froseth; Gates; Gerntholz; Goffe; Grosz; Grumbo; Hagle; Hausauer; Henegar; Hokana; Holm; Howard; Huether; Jacobs; Johnson; Keiser; Kelsch; Kilichowski; Klein; Kretschmar; Kroeber; Kunkel; Maragos; Martin; Martinson; Mutzenberger; Nicholas; Payne; Poolman; Porter; Price; Rennerfeldt; Rydell; Schindler; Shide; Skarphol; Soukup; St. Aubyn; Stenehjem; Svedjan; Sveen; Tollefson; Wanzek; Wentz; Speaker R. Berg

NAYS: Aarsvold; Allmaras; Berg, J.; Bodine; Boucher; Byerly; Cleary; Coats; DeWitz; Dobrinski; Drovdal; Freier; Glassheim; Gorder; Gorman; Gulleston; Hanson; Kaldor; Kempenich; Kerzman; Laughlin; Mahoney; Monson; Nelson; Ness; Nichols; Oban; Olsen, D.; Olson, A.; Pyle; Ring; Sitz; Stenson; Thorpe; Timm; Torgerson; Wald; Wardner; Wilkie

SB 2033 passed and the title was agreed to.

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## SECOND READING OF SENATE BILL

SB 2083: A BILL for an Act to create and enact a new section to chapter 43-09 of the North Dakota Century Code, relating to coal mines subject

to the jurisdiction of the federal mine safety and health administration; and to amend and reenact section 43-09-13.1 of the North Dakota Century Code, relating to apprentice electrician registration.

**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

SB 2083 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2108:** A BILL for an Act to amend and reenact subsection 2 of section 52-06-04 and section 52-06-05 of the North Dakota Century Code, relating to eligibility for unemployment compensation benefits.

**ROLL CALL**

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

**YEAS:** Allmaras; Austin; Bateman; Belter; Berg, J.; Bernstein; Bodine; Boehm; 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; Thorpe; Timm; Tollefson; Torgerson; Wald; Wanzek; Wardner; Wentz; Wilkie; Speaker R. Berg

**NAYS:** Aarsvold; Boucher; Ring

SB 2108 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2142:** A BILL for an Act to amend and reenact section 12-59-02 of the North Dakota Century Code, relating to the compensation of parole board members.

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

**NAYS:** Goffe; Ring

SB 2142 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2143:** A BILL for an Act to amend and reenact section 12-55-02 of the North Dakota Century Code, relating to the compensation of members of the board of pardons.

**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, 4 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; Dorso; Drovdal; Freier; Froseth; Gates; Gerntholz; Goffe; Gorder; Gorman; Grosz; Grumbo; 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:** Dobrinski; Glassheim; Gulleson; Ring

SB 2143 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2244:** A BILL for an Act to amend and reenact section 12-44.1-06 of the North Dakota Century Code, relating to the length of time inmates may be confined in grade one and grade two jail facilities.

**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 SB 2244 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2333:** A BILL for an Act to amend and reenact section 16.1-12-02.2 of the North Dakota Century Code, relating to the counting of ballots and certificates of candidacy by write-in candidates for president of the United States.

**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, 3 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; 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:** Glassheim; Ring; Thorpe

Engrossed SB 2333 passed and the title was agreed to.

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**MOTION**

**REP. FREIER MOVED** that the House waive the reading of the titles to SB 2370, SB 2063, SB 2369, SB 2458, SB 2524, and SB 2417, which motion prevailed.

**SECOND READING OF SENATE BILL**

**SB 2370:** A BILL for an Act to amend and reenact sections 25-03.1-02, 25-03.1-04, 25-03.1-08, 25-03.1-09, 25-03.1-10, 25-03.1-11, 25-03.1-13, 25-03.1-16, 25-03.1-17, 25-03.1-18.1, 25-03.1-22, 25-03.1-23, 25-03.1-25, 25-03.1-26, 25-03.1-27, 25-03.1-30, 25-03.1-31, 25-03.1-33, 25-03.1-34, 25-03.1-35, 25-03.1-40, 25-03.1-41, 25-03.1-42, and 25-03.1-43 of the North Dakota Century Code, relating to civil commitment and treatment of mentally ill or chemically dependent persons.

## 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; 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 SB 2370 passed and the title was agreed to.

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## SECOND READING OF SENATE BILL

**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.

## 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; 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

SB 2384 passed and the title was agreed to.

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## SECOND READING OF SENATE BILL

**SB 2400:** A BILL for an Act to amend and reenact section 50-24.4-18 of the North Dakota Century Code, relating to establishing deadlines for hearings and decisions concerning nursing home rates.

## 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

SB 2400 passed and the title was agreed to.

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#### SECOND READING OF SENATE BILL

**SB 2427:** A BILL for an Act to amend and reenact subsection 5 of section 15-47-38 of the North Dakota Century Code, relating to the standard of review in teacher contract nonrenewals; and to provide an expiration date.

#### MOTION

**REP. RENNERFELDT** MOVED the previous question, which motion prevailed.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 36 YEAS, 62 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Allmaras; Berg, J.; Bodine; Boucher; Carlson, C.; Cleary; Coats; Glassheim; Goffe; Gulleon; Hagle; Hanson; Hausauer; Hokana; Kaldor; Keiser; Kilichowski; Klein; Kroeber; Mahoney; Martin; Martinson; Mutzenberger; Nelson; Ness; Oban; Poolman; Porter; Price; Pyle; Ring; Rydell; Stenehjem; Stenson; Wardner

**NAYS:** Austin; Bateman; Belter; Bernstein; Boehm; Brodshaug; Brown; Byerly; Carlisle; Carlson, A.; Christopherson; Clayburgh; Dalrymple; DeWitz; Dobrinski; Dorso; Drovdal; Freier; Froseth; Gates; Gerntholz; Gorder; Gorman; Grosz; Grumbo; Henegar; Holm; Howard; Huether; Jacobs; Johnson; Kelsch; Kempenich; Kerzman; Kretschmar; Kunkel; Laughlin; Maragos; Monson; Nicholas; Nichols; Olsen, D.; Olson, A.; Payne; Rennerfeldt; Schindler; Shide; Sitz; Skarphol; Soukup; St. Aubyn; Svedjan; Sveen; Thorpe; Timm; Tollefson; Torgerson; Wald; Wanzek; Wentz; Wilkie; Speaker R. Berg

SB 2427 was declared lost.

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#### SECOND READING OF SENATE BILL

**SB 2479:** A BILL for an Act to amend and reenact subsection 2 of section 26.1-36-09 of the North Dakota Century Code, relating to group health policy and service contract mental disorder coverage.

#### 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; 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; 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 SB 2479 passed and the title was agreed to.

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

- 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.
- 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.
- 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.
- SCR 4021:** A concurrent resolution directing the Legislative Council to study the feasibility of establishing a Department of Developmental Disabilities and Mental Health.
- SCR 4028:** A concurrent resolution urging Congress to either refrain from imposing on states and local governments the costs of programs mandated by federal law or fully fund those programs.
- SCR 4030:** A concurrent resolution designating the North Dakota Sports Hall of Fame in Jamestown as the official North Dakota Sports Hall of Fame.
- SCR 4032:** A concurrent resolution urging Congress to continue a land retirement program in excess of 45 million acres at the expiration of the current conservation reserve program contracts.
- SCR 4035:** A concurrent resolution urging the Congress of the United States to allow self-employed farmers, ranchers, and small business owners an income tax deduction for health insurance premiums.
- SCR 4040:** A concurrent resolution urging the Congress of the United States and the United States Army Corps of Engineers to assume responsibility for Missouri River bank erosion downstream from all Pick-Sloan Plan dams, including the Garrison Dam to Oahe Reservoir reach in North Dakota, and to continue a program of annually appropriating funds for the maintenance and construction of bank protection projects.
- SCR 4042:** A concurrent resolution directing the Legislative Council to study the feasibility and desirability of allowing all North Dakota residents to participate in the uniform group insurance program.

SCR 4044: A concurrent resolution directing the Legislative Council to study the implementation of the North Dakota historic sites, state parks, and tourism development plan and potential funding mechanisms for specific projects listed in the plan.

SCR 4045: A concurrent resolution directing the Legislative Council to study political subdivision record retention.

SCR 4049: A concurrent resolution directing the Legislative Council to study the need for optional Medicaid programs and the impact of discontinuing those programs.

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

SCR 4001, SCR 4010, SCR 4012, SCR 4021, SCR 4028, SCR 4030, SCR 4032, SCR 4035, SCR 4040, SCR 4042, SCR 4044, SCR 4045, and SCR 4049 were declared adopted on a voice vote.

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CONSIDERATION OF MESSAGE FROM THE SENATE

REP. D. OLSEN MOVED that the House do concur in the Senate amendments to HB 1072 as printed on HJ page 935, which motion prevailed.

HB 1072, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1072: A BILL for an Act to create and enact a new section to chapter 54-52 and a new section to chapter 54-52.1 of the North Dakota Century Code, relating to continuing appropriations for certain retirement benefits and health insurance benefits; to amend and reenact subsection 18 of section 54-52-01, sections 54-52-02.6, 54-52-03, subsection 8 of section 54-52-04, and sections 54-52-17, 54-52-17.4, and 54-52-26 of the North Dakota Century Code, relating to definitions repurchase of past service, public employees retirement system board authority, public employees retirement system board membership and compensation, purchase of additional credit, payment for prior service, service benefits, consultant fees, and confidentiality of records under the public employees retirement system; and to provide a continuing appropriation.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, 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 1072 passed and the title was agreed to.

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**CONSIDERATION OF MESSAGE FROM THE SENATE**

REP. DORSO MOVED that the House do concur in the Senate amendments to HB 1157 as printed on HJ page 935, which motion prevailed.

HB 1157, as amended, was placed on the Eleventh order of business on the calendar.

**SECOND READING OF HOUSE BILL**

HB 1157: A BILL for an Act to create and enact a new section to chapter 43-07 of the North Dakota Century Code, relating to change of a contractor's name; and to amend and reenact sections 43-07-09, 43-07-14, 43-07-15, and 43-07-17 of the North Dakota Century Code, relating to contractor licensing.

**ROLL CALL**

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

YEAS: Aarsvoid; 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; Gorde; 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 1157 passed and the title was agreed to.

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**CONSIDERATION OF MESSAGE FROM THE SENATE**

REP. MARTIN MOVED that the House do concur in the Senate amendments to HB 1263 as printed on HJ page 936, which motion prevailed.

HB 1263, as amended, was placed on the Eleventh order of business on the calendar.

**SECOND READING OF HOUSE BILL**

HB 1263: A BILL for an Act to amend and reenact section 61-24.5-06 of the North Dakota Century Code, relating to election of county directors of the southwest water authority; and to repeal section 57-15-26.7 and chapter 61-24.2 of the North Dakota Century Code, relating to the west river water supply district.

**ROLL CALL**

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

YEAS: Aarsvoid; 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; Gorde; 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 1263 passed and the title was agreed to.

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#### CONSIDERATION OF MESSAGE FROM THE SENATE

REP. DORSO MOVED that the House do concur in the Senate amendments to HB 1308 as printed on HJ page 936, which motion prevailed.

HB 1308, as amended, was placed on the Eleventh order of business on the calendar.

#### SECOND READING OF HOUSE BILL

HB 1308: A BILL for an Act to amend and reenact section 34-06-15 of the North Dakota Century Code, relating to a special license issued by the commissioner of labor to employ a person at less than minimum wage.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 85 YEAS, 13 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Allmaras; Austin; Bateman; Belter; Berg, J.; Bernstein; Boehm; 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; Hagle; Hanson; Hausauer; Henegar; Hokana; Holm; Howard; Huether; Jacobs; Johnson; Keiser; Kelsch; Kempenich; Kerzman; Kilichowski; Klein; Kretschmar; Kroeber; Kunkel; Laughlin; Maragos; Martin; Martinson; Monson; 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; Wanzek; Wardner; Wentz; Speaker R. Berg

NAYS: Aarsvold; Bodine; Boucher; Gulleson; Kaldor; Mahoney; Mutzenberger; Nelson; Ness; Oban; Pyle; Ring; Wilkie

HB 1308 passed and the title was agreed to.

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#### CONSIDERATION OF MESSAGE FROM THE SENATE

REP. DORSO MOVED that the House do concur in the Senate amendments to HB 1046 as printed on HJ page 971, which motion prevailed.

HB 1046, as amended, was placed on the Eleventh order of business on the calendar.

#### SECOND READING OF HOUSE BILL

HB 1046: A BILL for an Act to transfer boiler inspection duties from the workers compensation bureau to the commissioner of insurance as manager of the state fire and tornado fund; and to repeal chapter 65-12 of the North Dakota Century Code, relating to boiler inspection.

## ROLL CALL

The question being on the final passage of the amended bill, which has been read, 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; Drovda; Freier; Froseth; Gates; Gerntholz; Glassheim; Goffe; Gorder; Gorman; Grosz; Grumbo; Gullerson; 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 1046 passed and the title was agreed to.

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

**MR. SPEAKER:** The President has signed and your signature is respectfully requested on: SB 2080, SB 2164, SB 2408, SB 2443, SB 2454, SB 2456, SB 2463.

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

**MR. SPEAKER:** The President has signed: HB 1034, HB 1035, HB 1036, HB 1037, HB 1053, HB 1059, HB 1074, HB 1095, HB 1098, HB 1117, HB 1130, HB 1146, HB 1159, HB 1244, HB 1288, HB 1358, HB 1385, HB 1493, HCR 3004, HCR 3005, HCR 3020, HCR 3023, HCR 3033.

**MOTION**

**REP. FREIER MOVED** that the House be on the Fifth order of business and at the conclusion of that order, the House stand adjourned until 1:00 p.m., Wednesday, March 10, 1993, which motion prevailed.

**REPORT OF STANDING COMMITTEE**

**SB 2022, as engrossed: Appropriations Committee (Rep. Dalrymple, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (17 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2022 was placed on the Sixth order on the calendar.

Page 1, line 11, replace "2,280,946" with "2,224,146"

Page 1, line 12, replace "63,120" with "56,808"

Page 1, line 15, replace "14,800,114" with "14,795,188"

Page 1, line 21, replace "500,000" with "250,000"

Page 2, line 3, replace "25,257,509" with "24,939,471"

Page 2, line 4, replace "11,027,505" with "10,998,127"

Page 2, line 5, replace "14,230,004" with "13,941,344"

Page 2, remove lines 6 through 12

Re-number accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

## DEPARTMENT 270 - VOCATIONAL EDUCATION

HOUSE - The salaries and wages line item is decreased by \$56,800, of which \$28,400 is from the general fund and \$28,400 from other funds, to reflect the Schafer salary increase recommendation.

The information services line item is reduced by \$6,312, \$5,334 of which is from the general fund and \$978 from other funds, to reflect a 10 percent reduction.

The grants line item is decreased by \$4,926 from the general fund for secondary education grants. The amount provided of \$14,795,188 is \$200,000 more than the level recommended by Governor Schafer.

The adult farm management line item is decreased by \$250,000, from \$500,000 to \$250,000, from the general fund, and Section 2 regarding the intent of the use of the \$250,000 is deleted. Section 2 stated it is the intent of the Legislative Assembly that \$250,000 of the \$500,000 be used in a cooperative program between vocational education, Farm Credit Review Board, and other appropriate agencies. The Senate had added \$250,000 and the intent section. The remaining \$250,000 provides the amount recommended by both governors.

In total, the amendments reduce the general fund appropriation by \$288,660, other funds by \$29,378, and all funds by \$318,038.

## REPORT OF STANDING COMMITTEE

SB 2029: Appropriations Committee (Rep. Dalrymple, Chairman) recommends DO NOT PASS (20 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2029 was placed on the Fourteenth order on the calendar.

## REPORT OF STANDING COMMITTEE

SB 2052, as reengrossed: Finance and Taxation Committee (Rep. Timm, Chairman) recommends DO PASS (11 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING). Reengrossed SB 2052 was placed on the Fourteenth order on the calendar.

## REPORT OF STANDING COMMITTEE

SB 2144, as engrossed: Appropriations Committee (Rep. Dalrymple, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (21 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). Engrossed SB 2144 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "a" with "two" and replace "subsection" with "subsections"

Page 1, line 3, after "rehabilitation" insert "to accept forfeited or seized property and"

Page 2, line 9, replace "A" with "Two" and replace "subsection" with "subsections"

Page 2, line 10, replace "is" with "are"

Page 2, after line 11, insert:

"To accept forfeited or seized property taken in the course of the department's official duties."

Renumber accordingly

## REPORT OF STANDING COMMITTEE

SB 2148, as engrossed: 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). Engrossed SB 2148 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "subsection" with "subsections" and after "1" insert "and 4"

Page 1, line 4, replace "Subsection" with "Subsections" and after "1" insert "and 4"

Page 1, line 5, replace "is" with "are"

Page 1, after line 18, insert:

"4. The warden, through the staff, is responsible for guiding inmates in making proper use of their funds to pay their obligations, including the payment of court costs, court-appointed counsel fees, and court-ordered restitution, and to provide for their dependent relatives or to provide for their own medical, surgical, or dental treatment or services not generally provided by the state. The sum of money as provided by penitentiary rules ~~and regulations~~ from each inmate's earnings required to be deposited and accumulated by this section ~~shall~~ is not be available to the inmate until discharge, unless authorized by the warden. The remainder of the inmate's earnings, including interest earned, ~~shall be~~ is available to the inmate under the supervision and control of the warden or designee."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

SB 2170, as engrossed: Appropriations Committee (Rep. Dalrymple, Chairman) recommends DO NOT PASS (11 YEAS, 9 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2170 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

SB 2181, as engrossed: Education Committee (Rep. Gates, Chairman) recommends DO PASS (9 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2181 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

SB 2228: Appropriations Committee (Rep. Dalrymple, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (17 YEAS, 3 NAYS, 2 ABSENT AND NOT VOTING). SB 2228 was placed on the Sixth order on the calendar.

Page 5, line 22, remove "The"

Page 5, remove lines 23 and 24

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

SB 2229: Appropriations Committee (Rep. Dalrymple, Chairman) recommends DO PASS (21 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2229 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

SB 2294: Judiciary Committee (Rep. Kretschmar, Chairman) recommends DO PASS (12 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). SB 2294 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

SB 2298, as engrossed: Judiciary Committee (Rep. Kretschmar, Chairman) recommends DO PASS (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2298 was placed on the Fourteenth order on the calendar.

## REPORT OF STANDING COMMITTEE

SB 2303, as engrossed: Judiciary Committee (Rep. Kretschmar, Chairman) recommends DO PASS (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2303 was placed on the Fourteenth order on the calendar.

## REPORT OF STANDING COMMITTEE

SB 2322, as engrossed: Industry, Business and Labor Committee (Rep. Dorso, Chairman) recommends DO NOT PASS (9 YEAS, 4 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2322 was placed on the Fourteenth order on the calendar.

## REPORT OF STANDING COMMITTEE

SB 2335: Industry, Business and Labor Committee (Rep. Dorso, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO NOT PASS (11 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING). SB 2335 was placed on the Sixth order on the calendar.

Page 1, line 13, after "inventory" insert "The lender must first offer the inventory for sale to the wholesaler. In the case of a lender foreclosing upon a security interest in beer inventory for which the lender has a security interest, the lender must dispose of the beer inventory within ninety days of obtaining possession of the inventory"

Renumber accordingly

## REPORT OF STANDING COMMITTEE

SB 2336: Judiciary Committee (Rep. Kretschmar, Chairman) recommends DO PASS (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2336 was placed on the Fourteenth order on the calendar.

## REPORT OF STANDING COMMITTEE

SB 2337: Appropriations Committee (Rep. Dalrymple, Chairman) recommends DO PASS (22 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2337 was placed on the Fourteenth order on the calendar.

## REPORT OF STANDING COMMITTEE

SB 2354: Judiciary Committee (Rep. Kretschmar, Chairman) recommends DO PASS (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2354 was placed on the Fourteenth order on the calendar.

## REPORT OF STANDING COMMITTEE

SB 2355: Judiciary Committee (Rep. Kretschmar, Chairman) recommends DO PASS (9 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). SB 2355 was placed on the Fourteenth order on the calendar.

## REPORT OF STANDING COMMITTEE

SB 2356: Judiciary Committee (Rep. Kretschmar, Chairman) recommends DO PASS (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2356 was placed on the Fourteenth order on the calendar.

## REPORT OF STANDING COMMITTEE

SB 2360: 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). SB 2360 was placed on the Sixth order on the calendar.

Page 1, line 14, remove the overstrike over "~~thirteen~~" and remove "fourteen"

Page 2, line 7, replace "eight" with "five"

Page 2, line 11, replace "eight" with "five"

Page 2, line 12, overstrike "five"

Page 2, line 13, overstrike "hundred"

Page 2, line 16, overstrike "five"

Page 2, line 17, overstrike "hundred", remove the overstrike over "~~ten~~", remove "eleven", and replace "one" with "five"

Page 2, line 18, remove "fifty"

Page 2, line 22, remove the overstrike over "~~ten~~", remove "eleven", and replace "one" with "five"

Page 2, line 23, remove "fifty"

Page 2, line 24, remove "eight", overstrike "hundred", and remove "twenty-five"

Page 2, line 29, remove "eight", overstrike "hundred", and remove "twenty-five"

Page 3, line 1, remove the overstrike over "~~thirteen~~" and remove "fourteen"

Page 3, line 13, remove the overstrike over "~~thirteen~~" and remove "fourteen"

Page 3, line 25, remove the overstrike over "~~thirteen~~"

Page 3, line 26, remove "fourteen"

Page 4, line 16, replace "fifty-five" with "forty"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

SB 2378: Appropriations Committee (Rep. Dalrymple, Chairman) recommends DO NOT PASS (12 YEAS, 8 NAYS, 2 ABSENT AND NOT VOTING). SB 2378 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

SB 2447, as engrossed: Education Committee (Rep. Gates, Chairman) recommends DO PASS (8 YEAS, 7 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2447 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

SB 2459, as engrossed: Education Committee (Rep. Gates, Chairman) recommends DO NOT PASS (10 YEAS, 3 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2459 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

SB 2474, as engrossed: Industry, Business and Labor Committee (Rep. Dorso, Chairman) recommends DO PASS (12 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING). Engrossed SB 2474 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

SB 2484: Appropriations Committee (Rep. Dalrymple, Chairman) recommends DO PASS (22 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2484 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

SB 2496: Education Committee (Rep. Gates, Chairman) recommends DO NOT PASS (10 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). SB 2496 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

SB 2513, as engrossed: Industry, Business and Labor Committee (Rep. Dorso, Chairman) recommends DO PASS (14 YEAS, 0 NAYS, 1 ABSENT AND NOT

VOTING). Engrossed SB 2513 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2533, as engrossed: Industry, Business and Labor Committee (Rep. Dorso, Chairman) recommends DO NOT PASS (9 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2533 was placed on the Fourteenth order on the calendar.**

**REPORT OF STANDING COMMITTEE**

**SCR 4027: Appropriations Committee (Rep. Dalrymple, Chairman) recommends DO PASS and BE PLACED ON THE CONSENT CALENDAR (21 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SCR 4027 was placed on the Tenth order on the calendar.**

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

**ROY GILBREATH, Chief Clerk**