

JOURNAL OF THE HOUSE

Fifty-third Legislative Assembly

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Bismarck, March 11, 1993

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

The prayer was offered by Dr. Ron Rockey, Seventh-Day Adventist Church, Bismarck.

The roll was called and all members were present except Representative Wardner.

A quorum was declared by the Speaker.

CORRECTION AND REVISION OF THE JOURNAL

MR. SPEAKER: Your Committee on Correction and Revision of the Journal (Rep. DeWitz, Chairman) has carefully reexamined the Journal of the Forty-second Day and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 991, line 29, replace "referred to" with "has been heard by"

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

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

MR. SPEAKER: The Senate has failed to pass: HB 1254.

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

MR. SPEAKER: The Senate has passed unchanged: HB 1105, HB 1112, HB 1127, HB 1131, HB 1133, HB 1147, HB 1200, HB 1214, HB 1258, HB 1271, HB 1279, HB 1295.

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

MR. SPEAKER: The Senate has amended and subsequently passed: HB 1300.

SENATE AMENDMENTS TO HOUSE BILL NO. 1300

Page 1, line 7, after "leases" insert "- Rules"

Page 1, line 9, remove the overstrike over "~~, but the~~"

Page 1, remove the overstrike over line 10

Page 1, line 11, remove the overstrike over "~~output of oil from the lands leased~~" and after the period insert "Oil leases made by the board may authorize a royalty of less than twelve and one-half percent for production from stripper well properties and qualifying secondary recovery and qualifying tertiary recovery projects as defined in section 57-51.1-01."

Page 1, line 14, after the period insert "The board may adopt rules regarding annual payments and royalties under this section."

Renumber accordingly

THE HOUSE RECOGNIZED THE PRESENCE OF:

Former Representative Alice Miller.

SIGNING OF BILLS AND RESOLUTIONS

The Speaker signed the following enrolled bills: 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.

SIGNING OF BILLS AND RESOLUTIONS

The Speaker signed the following enrolled bills: SB 2055, SB 2066, SB 2071, SB 2073, SB 2080, SB 2150, SB 2164, SB 2166, SB 2208, SB 2408, SB 2443, SB 2454, SB 2456, SB 2463.

SIXTH ORDER OF BUSINESS

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

REP. FREIER MOVED that the amendments on the Sixth order of business to HCR 3002, HCR 3027, SB 2290, SB 2313, SB 2339, and SB 2488 be adopted, which motion prevailed.

HCR 3002 and HCR 3027, as amended, were placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SB 2290, SB 2313, SB 2339, and SB 2488, as amended, were placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MOTION

REP. TIMM MOVED that SB 2441, which is on the Fourteenth order, be rereferred to the Finance and Taxation Committee, which motion prevailed. Pursuant to Rep. Timm's motion, SB 2441 was rereferred.

MOTION

REP. MARTINSON MOVED that SB 2304 be laid over until Tuesday, March 16, 1993, which motion prevailed.

MOTION

REP. FREIER MOVED that the House waive the reading of the titles to SB 2144, SB 2228, SB 2175, SB 2213, SB 2230, SB 2358, and SB 2431, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2144: A BILL for an Act to create and enact two new subsections to section 54-23.3-04 of the North Dakota Century Code, relating to the authority of the director of the department of corrections and rehabilitation to accept forfeited or seized property and to collect fees from persons on correctional supervision; to amend and reenact subsection 2 of section 12.1-32-07 and subdivision q of subsection 3 of section 12.1-32-07 of the North Dakota Century Code, relating to the supervision of a probationer; 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 96 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; 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; Drowdal; 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; Wentz; Wilkie; Speaker R. Berg

ABSENT AND NOT VOTING: Allmaras; Wardner

Engrossed SB 2144 passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF SENATE BILL

SB 2148: A BILL for an Act to amend and reenact subsections 1 and 4 of section 12-48-15 of the North Dakota Century Code, relating to penitentiary inmate accounts.

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; 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; Wentz; Wilkie; Speaker R. Berg

ABSENT AND NOT VOTING: Wardner

Engrossed SB 2148 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2228: A BILL for an Act to create and enact a new section to chapter 23-01 of the North Dakota Century Code, relating to the powers and duties of the state toxicologist within the state department of health and consolidated laboratories; to amend and reenact subsections 2 and 4 of section 20.1-13.1-08, subsection 6 of section 20.1-13.1-10, subsections 2 and 4 of section 20.1-15-08, subsection 8 of section 20.1-15-11, subsection 1 of section 28-32-01, subsections 2 and 4 of section 39-20-05, and subsection 8 of section 39-20-07 of the North Dakota Century Code, relating to the merger of the office of the state toxicologist with the state department of health and consolidated laboratories; and to repeal section 15-12-21 of the North Dakota Century Code, relating to the office of the state toxicologist.

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; 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; Wentz; Wilkie; Speaker R. Berg

ABSENT AND NOT VOTING: Wardner

Reengrossed SB 2228 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2335: A BILL for an Act to amend and reenact section 5-03-01 of the North Dakota Century Code, relating to an exemption to wholesale liquor license requirements for lenders who obtain and sell inventory acquired through foreclosure of a security interest.

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 8 YEAS, 89 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Allmaras; Clayburgh; Cleary; Huether; Kroeber; Olson, A.; Wilkie

NAYS: Austin; Bateman; Belter; Berg, J.; Bernstein; Bodine; Boehm; Boucher; Brodshaug; Brown; Byerly; Carlisle; Carlson, A.; Carlson, C.; Christopherson; Coats; Dalrymple; DeWitz; Dobrinski; Dorso; Drovdal; Freier; Froseth; Gates; Gerntholz; Glassheim; Goffe; Gorder; Gorman; Grosz; Grumbo; Gulleeson; Hagle; Hanson; Hausauer; Henegar; Hokana; Holm; Howard; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Kilichowski; Klein; Kretschmar; 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; Wentz; Speaker R. Berg

ABSENT AND NOT VOTING: Wardner

SB 2335 was declared lost.

SECOND READING OF SENATE BILL

SB 2360: A BILL for an Act to amend and reenact section 57-02-08.1 of the North Dakota Century Code, relating to property tax credits for persons with limited income who are sixty-five years of age or over or permanently and totally disabled; 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 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.; 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; Wentz; Wilkie; Speaker R. Berg

ABSENT AND NOT VOTING: Wardner

SB 2360 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2029: A BILL for an Act to require the superintendent of public instruction, the department of human services, and the department of transportation to assist school districts in offering before and after school child care services.

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 6 YEAS, 91 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Bodine; Brodshaug; Glassheim; Kerzman; Oban; Ring

NAYS: Aarsvold; Allmaras; Austin; Bateman; Belter; Berg, J.; Bernstein; Boehm; Boucher; 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; Gulleston; Hagle; Hanson; Hausauer; Henegar; Hokana; Holm; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kilichowski; Klein; Kretschmar; Kroeber; Kunkel; Laughlin; Mahoney; Maragos; Martin; Martinson; Monson; Mutzenberger; Nelson; Ness; Nicholas; Nichols; 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; Wentz; Wilkie; Speaker R. Berg

ABSENT AND NOT VOTING: Wardner

Reengrossed SB 2029 was declared lost.

SECOND READING OF SENATE BILL

SB 2052: A BILL for an Act to create and enact chapter 57-38.5 of the North Dakota Century Code, relating to a seed capital investment income tax credit; and to provide an effective date.

REQUEST

REP. OBAN REQUESTED that the Speaker rule on what vote would be necessary to pass SB 2052, which request was granted.

RULING BY THE SPEAKER

SPEAKER R. BERG RULED that it would just take a Constitutional majority to pass SB 2052.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 88 YEAS, 9 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Allmaras; Austin; Belter; Berg, J.; Bernstein; Bodine; Boucher; Brodshaug; Byerly; Carlisle; Carlson, A.; Carlson, C.; Christopherson; Clayburgh; Cleary; Coats; Dalrymple; DeWitz; Dobrinski; Dorso; Drovda; Freier; Froseth; Gates; Gerntholz; Glassheim; Goffe; Gorder; Gorman; 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; Martinson; Monson; Mutzenberger; Nelson; Ness; Nicholas; Nichols; Olsen, D.; Olson, A.; Payne; Poolman; Porter; Price; Pyle; Rydell; Schindler; Shide; Sitz; Skarphol; Soukup; St. Aubyn; Stenehjem; Stenson; Svedjan; Sveen; Thorpe; Timm; Torgerson; Wald; Wanzek; Wentz; Wilkie; Speaker R. Berg

MAYS: Bateman; Boehm; Brown; Grosz; Martin; Oban; Rennerfeldt; Ring; Tollefson

ABSENT AND NOT VOTING: Wardner

Engrossed SB 2052 passed and the title was agreed to.

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

MADAM PRESIDENT: The House has passed unchanged: SCR 4001, SCR 4010, SCR 4012, SCR 4021, SCR 4028, SCR 4030, SCR 4032, SCR 4035, SCR 4040, SCR 4042, SCR 4044, SCR 4045, SCR 4049.

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

MADAM PRESIDENT: The House has amended and subsequently passed: SB 2027, SB 2033, SB 2083, SB 2108, SB 2142, SB 2143, SB 2244, SB 2327, SB 2333, SB 2370, SB 2384, SB 2400, SB 2479.

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

MADAM PRESIDENT: The House has concurred in the Senate amendments and subsequently passed: HB 1046, HB 1308, HB 1072, HB 1157, HB 1263.

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

MADAM PRESIDENT: The House has amended and subsequently failed to pass: SB 2427.

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

MADAM PRESIDENT: The Speaker has signed and your signature is respectfully requested on: 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 SENATE FROM THE HOUSE (ROY GILBREATH, CHIEF CLERK)

MADAM PRESIDENT: The Speaker has signed: SB 2055, SB 2066, SB 2071, SB 2073, SB 2080, SB 2150, SB 2164, SB 2166, SB 2208, SB 2408, SB 2443, SB 2454, SB 2456, SB 2463.

SECOND READING OF SENATE BILL

SB 2170: A BILL for an Act to provide financial assistance to tribally controlled community colleges; and to provide an appropriation.

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 46 YEAS, 51 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Allmaras; Berg, J.; Bodine; Boucher; Brodshaug; Byerly; Cleary; Coats; Dobrinski; Glassheim; Goffe; Gorder; Grumbo; Gulleson; Hagle; Hausauer; Hokana; Huether; Jacobs; Johnson; Kaldor; Kelsch; Kerzman; Kilichowski; Kretschmar; Kroeber; Laughlin; Mahoney; Maragos;

Mutzenberger; Nelson; Ness; Nicholas; Nichols; Oban; Porter; Pyle; Ring; Rydell; Sitz; Stenehjelm; Stenson; Thorpe; Wentz; Wilkie

NAYS: Austin; Bateman; Belter; Bernstein; Boehm; Brown; Carlisle; Carlson, A.; Carlson, C.; Christopherson; Clayburgh; Dalrymple; DeWitz; Dorso; Drovda; Freier; Froseth; Gates; Gerntholz; Gorman; Grosz; Hanson; Henegar; Holm; Howard; Keiser; Kempenich; Klein; Kunkel; Martin; Martinson; Monson; Olsen, D.; Olson, A.; Payne; Poolman; Price; Rennerfeldt; Schindler; Shide; Skarphol; Soukup; St. Aubyn; Svedjan; Sveen; Timm; Tollefson; Torgerson; Wald; Wanzek; Speaker R. Berg

ABSENT AND NOT VOTING: Wardner

Engrossed SB 2170 was declared lost.

MOTION

REP. PAYNE MOVED that the vote by which SB 2170 failed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed on a verification vote.

SECOND READING OF SENATE BILL

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.

MOTION

REP. HOWARD MOVED the previous question, which motion failed.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 33 YEAS, 64 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Berg, J.; Brodshaug; Carlson, C.; Clayburgh; Cleary; Coats; Gates; Gerntholz; Glasshiem; Goffe; Grumbo; Hagle; Hanson; Hokana; Huether; Johnson; Kaldor; Kretschmar; Kroeber; Kunkel; Laughlin; Monson; Mutzenberger; Nelson; Nicholas; Oban; Pyle; Ring; Skarphol; St. Aubyn; Torgerson; Speaker R. Berg

NAYS: Allmaras; Austin; Bateman; Belter; Bernstein; Bodine; Boehm; Boucher; Brown; Byerly; Carlisle; Carlson, A.; Christopherson; Dalrymple; DeWitz; Dobrinski; Dorso; Drovda; Freier; Froseth; Gorder; Gorman; Grosz; Gulleson; Hausauer; Henegar; Holm; Howard; Jacobs; Keiser; Kelsch; Kempenich; Kerzman; Kilichowski; Klein; Mahoney; Maragos; Martin; Martinson; Ness; Nichols; Olsen, D.; Olson, A.; Payne; Poolman; Porter; Price; Rennerfeldt; Rydell; Schindler; Shide; Sitz; Soukup; Stenehjelm; Stenson; Sveen; Thorpe; Timm; Tollefson; Wald; Wanzek; Wentz; Wilkie

ABSENT AND NOT VOTING: Wardner

Engrossed SB 2181 was declared lost.

SECOND READING OF SENATE BILL

SB 2229: A BILL for an Act to provide for a continuing appropriation of lignite research funds; and to amend and reenact section 54-17.5-05 of the North Dakota Century Code, relating to lignite resource evidences of indebtedness issued by the industrial commission.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 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; Gordor; Gorman; Grosz; Grumbo; Gulleson; Hagle; Hanson; Hausauer; Henegar; Hokana; Holm; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kilichowski; Klein; Kroeber; Kunkel; Laughlin; Mahoney; Maragos; Martin; Martinson; Monson; Mutzenberger; Nelson; Ness; Nicholas; Nichols; Oban; Olsen, D.; Olson, A.; Payne; Poolman; Porter; Price; Pyle; Rennerfeldt; Ring; Rydell; Schindler; Shide; Sitz; Skarphol; Soukup; St. Aubyn; Stenehjem; Stenson; Svedjan; Sveen; Thorpe; Timm; Tollefson; Torgerson; Wald; Wanzek; Wentz; Speaker R. Berg

ABSENT AND NOT VOTING: Kerzman; Kretschmar; Wardner; Wilkie

SB 2229 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2294: A BILL for an Act to amend and reenact subsections 1 and 7 of section 14-15-11 and subsection 1 of section 14-15-16 of the North Dakota Century Code, relating to notice of a petition to adopt an adult.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 95 YEAS, 0 NAYS, 0 EXCUSED, 3 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; Gordor; Gorman; Grosz; Grumbo; Gulleson; Hagle; Hanson; Hausauer; Henegar; Hokana; Holm; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; 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; Wentz; Speaker R. Berg

ABSENT AND NOT VOTING: Kerzman; Wardner; Wilkie

SB 2294 passed and the title was agreed to.

SECOND READING OF SENATE BILL

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.

ROLL CALL

The question being on the final passage of the bill, which has been read, and

has committee recommendation of DO PASS, the roll was called and there were 95 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Allmaras; Austin; Bateman; 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; 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; Tollefson; Torgerson; Wald; Wanzek; Wentz; Wilkie; Speaker R. Berg

ABSENT AND NOT VOTING: Belter; Kerzman; Wardner

Engrossed SB 2298 passed and the title was agreed to.

SECOND READING OF SENATE BILL

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.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 95 YEAS, 0 NAYS, 0 EXCUSED, 3 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; 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; Tollefson; Torgerson; Wald; Wanzek; Wentz; Wilkie; Speaker R. Berg

ABSENT AND NOT VOTING: Kerzman; Timm; Wardner

Engrossed SB 2303 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2322: A BILL for an Act to amend and reenact subsection 1 of section 10-04-02, subsections 1 and 4 of section 10-04-03, section 26.1-01-02, subsections 1 and 3 of section 26.1-01-07.1, and subdivision a of subsection 2 of section 51-19-17 of the North Dakota Century Code, relating to replacing references to the "securities commissioner" with "insurance commissioner", the delegation of certain functions by the insurance commissioner, and the operation of the insurance regulatory trust fund.

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 34 YEAS, 63 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Allmaras; Berg, J.; Bodine; Boucher; Brodshaug; Cleary; Coats; Dobrinski; Glassheim; Goffe; Grumbo; Gulleeson; Hagle; Hanson; Hokana; Huether; Kaldor; Kerzman; Kilichowski; Kroeber; Laughlin; Mahoney; Mutzenberger; Nelson; Ness; Nichols; Oban; Pyle; Ring; Sitz; Stenson; Thorpe; Wilkie

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

ABSENT AND NOT VOTING: Wardner

Engrossed SB 2322 was declared lost.

SECOND READING OF SENATE BILL

SB 2336: A BILL for an Act to amend and reenact subsection 4 of section 19-03.1-37 of the North Dakota Century Code, relating to the receipt of certified copy of analytical findings as prima facie evidence of test results in prosecutions.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 97 YEAS, 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; Gorman; Grosz; Grumbo; Gulleeson; Hagle; Hanson; Hausauer; Henegar; Hokana; Holm; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Kilichowski; Klein; Kretschmar; Kroeber; Kunkel; Laughlin; Mahoney; Maragos; Martin; Martinson; Monson; Mutzenberger; Nelson; Ness; Nicholas; Nichols; Oban; Olsen, D.; Olson, A.; Payne; Poolman; Porter; Price; Pyle; Rennerfeldt; Ring; Rydell; Schindler; Shide; Sitz; Skarphol; Soukup; St. Aubyn; Stenehjem; Stenson; Svedjan; Sveen; Thorpe; Timm; Tollefson; Torgerson; Wald; Wanzek; Wentz; Wilkie; Speaker R. Berg

ABSENT AND NOT VOTING: Wardner

SB 2336 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2337: 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 exempt income and resources to determine medical assistance eligibility for the disabled.

ROLL CALL

The question being on the final passage of the bill, which has been read, and

has committee recommendation of DO PASS, the roll was called and there were 96 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Allmaras; Austin; Bateman; Belter; Berg, J.; Bernstein; Bodine; Boehm; Boucher; Brodshaug; Brown; Byerly; Carlisle; Carlson, A.; Carlson, C.; Christopherson; Clayburgh; Cleary; Coats; Dalrymple; DeWitz; Dobrinski; Dorso; Drovdal; Freier; Froseth; Gerntholz; Glassheim; Goffe; Gordier; 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; Wentz; Wilkie; Speaker R. Berg

ABSENT AND NOT VOTING: Gates; Wardner

SB 2337 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2354: A BILL for an Act to create and enact two new subsections to section 27-20-31 of the North Dakota Century Code, relating to the disposition of a delinquent child.

ROLL CALL

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

YEAS: Aarsvold; Allmaras; Austin; Bateman; Belter; Berg, J.; Bernstein; Bodine; Boehm; Boucher; Brodshaug; Brown; Byerly; Carlisle; Carlson, A.; Carlson, C.; Christopherson; Clayburgh; Cleary; Coats; Dalrymple; DeWitz; Dobrinski; Dorso; Drovdal; Freier; Froseth; Gerntholz; Glassheim; Goffe; Gordier; 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; Wentz; Wilkie; Speaker R. Berg

ABSENT AND NOT VOTING: Gates; Wardner

SB 2354 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2355: A BILL for an Act to amend and reenact section 29-17-34 of the North Dakota Century Code, relating to qualifications of jurors.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 70 YEAS, 27 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Allmaras; Austin; Bateman; Berg, J.; Bernstein; Bodine; Boehm; Boucher; Brodshaug; Carlisle; Carlson, A.; Carlson, C.; Christopherson; Clayburgh; Cleary; Coats; Dalrymple; Dorso; Froseth; Gates; Gerntholz; Glasheim; Goffe; Gorder; Gorman; Grumbo; Gullerson; Hagle; Hanson; Hausauer; Henegar; Hokana; Holm; Jacobs; Johnson; Kaldor; Kelsch; Kerzman; Kilichowski; Kretschmar; Kroeber; Kunkel; Laughlin; Mahoney; Maragos; Martin; Martinson; Mutzenberger; Nelson; Ness; Nicholas; Nichols; Oban; Payne; Poolman; Porter; Pyle; Ring; Sitz; Skarphol; St. Aubyn; Stenehjem; Stenson; Svedjan; Sveen; Thorpe; Torgerson; Wentz; Wilkie

NAYS: Belter; Brown; Byerly; DeWitz; Dobrinski; Drovdal; Freier; Grosz; Howard; Huether; Keiser; Kempenich; Klein; Monson; Olsen, D.; Olson, A.; Price; Rennerfeldt; Rydell; Schindler; Shide; Soukup; Timm; Tollefson; Wald; Wanzek; Speaker R. Berg

ABSENT AND NOT VOTING: Wardner

SB 2355 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2356: A BILL for an Act to amend and reenact subsection 1 of section 27-09.1-07 and subsection 2 of section 27-09.1-08 of the North Dakota Century Code, relating to jury qualification forms and disqualification from jury service.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 97 YEAS, 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; Glasheim; 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; Wentz; Wilkie; Speaker R. Berg

ABSENT AND NOT VOTING: Wardner

Reengrossed SB 2356 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2378: A BILL for an Act to create and enact a new section to chapter 12.1-32 and two new subsections to section 54-23.3-04 of the North Dakota Century Code, relating to the imposition, collection, allocation, and disbursement of funds generated from a sentencing surcharge and the powers and duties of the director of the department of corrections and rehabilitation; and to provide an appropriation.

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 46 YEAS, 51 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Allmaras; Berg, J.; Bodine; Boucher; Brodshaug; Byerly; Carlisle; Cleary; Coats; Froseth; Glasheim; Goffe; Grumbo; Gulleson; Hagle; Hanson; Hausauer; Hokana; Johnson; Kaldor; Keiser; Kelsch; Kerzman; Kilichowski; Kretschmar; Kroeber; Laughlin; Mahoney; Maragos; Monson; Mutzenberger; Nelson; Ness; Oban; Olson, A.; Pyle; Rennerfeldt; Ring; St. Aubyn; Stenehjem; Stenson; Sveen; Torgerson; Wentz; Wilkie

NAYS: Austin; Bateman; Belter; Bernstein; Boehm; Brown; Carlson, A.; Carlson, C.; Christopherson; Clayburgh; Dalrymple; DeWitz; Dobrinski; Dorso; Drovdal; Freier; Gates; Gerntholz; Gorder; Gorman; Grosz; Henegar; Holm; Howard; Huether; Jacobs; Kempenich; Klein; Kunkel; Martin; Martinson; Nicholas; Nichols; Olsen, D.; Payne; Poolman; Porter; Price; Rydell; Schindler; Shide; Sitz; Skarphol; Soukup; Svedjan; Thorpe; Timm; Tollefson; Wald; Wanzek; Speaker R. Berg

ABSENT AND NOT VOTING: Wardner

Engrossed SB 2378 was declared lost.

SECOND READING OF SENATE BILL

SB 2447: A BILL for an Act to create and enact a new subsection to section 15-27.6-04 of the North Dakota Century Code, relating to negotiations between teachers and interim district school boards.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 52 YEAS, 44 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Allmaras; Austin; Berg, J.; Bodine; Boucher; Brodshaug; Carlson, A.; Carlson, C.; Clayburgh; Cleary; Coats; Dobrinski; Gerntholz; Glasheim; Goffe; Grumbo; Gulleson; Hagle; Hanson; Hausauer; Hokana; Jacobs; Kaldor; Kelsch; Kerzman; Kilichowski; Kroeber; Laughlin; Mahoney; Maragos; Martinson; Monson; Mutzenberger; Nelson; Ness; Nicholas; Nichols; Oban; Porter; Price; Pyle; Ring; Rydell; Sitz; St. Aubyn; Stenehjem; Stenson; Thorpe; Torgerson; Wentz; Wilkie

NAYS: Bateman; Belter; Bernstein; Boehm; Brown; Byerly; Carlisle; Christopherson; Dalrymple; DeWitz; Dorso; Drovdal; Freier; Froseth; Gates; Gorder; Gorman; Grosz; Henegar; Holm; Howard; Huether; Johnson; Keiser; Kempenich; Klein; Kunkel; Martin; Olsen, D.; Olson, A.; Payne; Poolman; Rennerfeldt; Schindler; Shide; Skarphol; Soukup; Svedjan; Sveen; Timm; Tollefson; Wald; Wanzek; Speaker R. Berg

ABSENT AND NOT VOTING: Kretschmar; Wardner

Engrossed SB 2447 passed and the title was agreed to.

MOTION

REP. COATS MOVED that the vote by which SB 2447 passed be reconsidered and the motion to reconsider be laid on the table, which motion failed on a verification vote.

SECOND READING OF SENATE BILL

SB 2459: A BILL for an Act to amend and reenact subsection 9 of section 15-27.6-04 of the North Dakota Century Code, relating to the training of teachers employed in consortia.

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 13 YEAS, 84 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Bodine; Coats; Goffe; Gulleon; Hagle; Hanson; Huether; Kroeber; Laughlin; Mahoney; Porter; Ring

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

ABSENT AND NOT VOTING: Wardner

Engrossed SB 2459 was declared lost.

HOUSE ENGROSSING AND ENROLLING REPORT

The following bills were enrolled: HB 1025, HB 1041, HB 1042, HB 1067, HB 1077, HB 1078, HB 1082.

SECOND READING OF SENATE BILL

SB 2474: A BILL for an Act to amend and reenact sections 43-07-04 and 43-07-10 of the North Dakota Century Code, relating to contractor licensing.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 96 YEAS, 1 NAY, 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; Glasheim; 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; 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; Wentz; Wilkie; Speaker R. Berg

NAYS: Laughlin

ABSENT AND NOT VOTING: Wardner

Engrossed SB 2474 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2484: A BILL for an Act to authorize the North Dakota independent living

council to develop and implement a statewide network of centers for independent living and independent living services for people with disabilities.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 97 YEAS, 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; 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; Wentz; Wilkie; Speaker R. Berg

ABSENT AND NOT VOTING: Wardner

SB 2484 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2496: A BILL for an Act to amend and reenact subsection 2 of section 15-27.3-13 of the North Dakota Century Code, relating to the hiring of teachers by reorganized school districts.

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 34 YEAS, 63 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Berg, J.; Bodine; Boucher; Brodshaug; Carlson, C.; Cleary; Coats; Goffe; Grumbo; Gulleson; Hagle; Hanson; Hokana; Jacobs; Kilichowski; Kretschmar; Kroeber; Laughlin; Mahoney; Maragos; Martinson; Monson; Mutzenberger; Nelson; Oban; Poolman; Porter; Pyle; Ring; Rydell; Stenehjem; Stenson; Thorpe; Wilkie

NAYS: Aarsvold; Allmaras; Austin; Bateman; Belter; Bernstein; Boehm; Brown; Byerly; Carlisle; Carlson, A.; Christopherson; Clayburgh; Dalrymple; DeWitz; Dobrinski; Dorso; Drovdal; Freier; Froseth; Gates; Gerntholz; Glassheim; Gorder; Gorman; Grosz; Hausauer; Henegar; Holm; Howard; Huether; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Klein; Kunkel; Martin; Ness; Nicholas; Nichols; Olsen, D.; Olson, A.; Payne; Price; Rennerfeldt; Schindler; Shide; Sitz; Skarphol; Soukup; St. Aubyn; Svedjan; Sveen; Timm; Tollefson; Torgerson; Wald; Wanzek; Wentz; Speaker R. Berg

ABSENT AND NOT VOTING: Wardner

SB 2496 was declared lost.

SECOND READING OF SENATE BILL

SB 2506: A BILL for an Act to amend and reenact section 20.1-01-25 of the

North Dakota Century Code, relating to depositing refuse on recreation lands; to provide a penalty; and to declare an emergency.

ROLL CALL

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

YEAS: Aarsvold; Allmaras; Austin; Bateman; Belter; Berg, J.; Bernstein; Bodine; Boehm; Boucher; Brodshaug; Brown; Byerly; Carlisle; Carlson, A.; Carlson, C.; Christopherson; Clayburgh; Cleary; Coats; Dalrymple; DeWitz; Dobrinski; Dorso; Drovda; Freier; Froseth; Gates; Gerntholz; Glassheim; Goffe; Gorder; Gorman; Grosz; Grumbo; Gullerson; Hagle; Hanson; Hausauer; Henegar; Hokana; 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; Stenehjøm; Stenson; Svedjan; Sveen; Thorpe; Timm; Tollefson; Torgerson; Wald; Wanzek; Wentz; Wilkie; Speaker R. Berg

ABSENT AND NOT VOTING: Holm; Wardner

Engrossed SB 2506 passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF SENATE BILL

SB 2507: A BILL for an Act relating to a federal waiver to use medical assistance funds to provide services for developmentally disabled individuals who are not mentally retarded.

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 43 YEAS, 53 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Allmaras; Berg, J.; Bodine; Boucher; Brodshaug; Cleary; Coats; Dobrinski; Drovda; Glassheim; Goffe; Gorman; Grumbo; Gullerson; Hagle; Hanson; Hokana; Huether; Johnson; Kaldor; Kerzman; Kilichowski; Kretschmar; Kroeber; Kunkel; Laughlin; Mahoney; Maragos; Mutzenberger; Nelson; Ness; Nicholas; Nichols; Oban; Olson, A.; Pyle; Ring; Sitz; Stenson; Thorpe; Wentz; Wilkie

NAYS: Austin; Bateman; Belter; Bernstein; Boehm; Brown; Byerly; Carlisle; Carlson, A.; Carlson, C.; Christopherson; Clayburgh; Dalrymple; DeWitz; Dorso; Freier; Froseth; Gates; Gerntholz; Gorder; Grosz; Hausauer; Henegar; Howard; Jacobs; Keiser; Kelsch; Kempenich; Klein; Martin; Martinson; Monson; Olsen, D.; Payne; Poolman; Porter; Price; Rennerfeldt; Rydell; Schindler; Shide; Skarphol; Soukup; St. Aubyn; Stenehjøm; Svedjan; Sveen; Timm; Tollefson; Torgerson; Wald; Wanzek; Speaker R. Berg

ABSENT AND NOT VOTING: Holm; Wardner

SB 2507 was declared lost.

SECOND READING OF SENATE BILL

SB 2513: A BILL for an Act to amend and reenact section 49-06-02 of the North Dakota Century Code, relating to valuation of public utility property for ratemaking purposes.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 97 YEAS, 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; 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; Stenehjelm; Stenson; Svedjan; Sveen; Thorpe; Timm; Tollefson; Torgerson; Wald; Wanzek; Wentz; Wilkie; Speaker R. Berg

ABSENT AND NOT VOTING: Wardner

Engrossed SB 2513 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2514: A BILL for an Act to amend and reenact section 15-10-02 of the North Dakota Century Code, relating to student membership on the state board of higher education.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 79 YEAS, 18 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

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

NAYS: Austin; Bateman; Belter; Brown; Carlson, A.; Dorso; Froseth; Grosz; Hagle; Keiser; Kempenich; Poolman; Price; Stenehjelm; Sveen; Timm; Tollefson; Wald

ABSENT AND NOT VOTING: Wardner

SB 2514 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2520: A BILL for an Act to amend and reenact subsection 4 of section 37-19.1-02 of the North Dakota Century Code, relating to the veterans' employment preference; and to declare an emergency.

ROLL CALL

The question being on the final passage of the bill, which has been read, and

has committee recommendation of DO PASS, the roll was called and there were 79 YEAS, 18 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

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

NAYS: Bodine; Brown; Byerly; Cleary; Coats; DeWitz; Dobrinski; Hagle; Hokana; Huether; Kerzman; Kilichowski; Nelson; Rennerfeldt; Schindler; Sitz; Stenson; Thorpe

ABSENT AND NOT VOTING: Wardner

Engrossed SB 2520 passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF SENATE BILL

SB 2521: A BILL for an Act to amend and reenact subsection 11 of section 20.1-02-05 of the North Dakota Century Code, relating to powers of the director of the game and fish department.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 97 YEAS, 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; Glasheim; 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; Wentz; Wilkie; Speaker R. Berg

ABSENT AND NOT VOTING: Wardner

SB 2521 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2533: A BILL for an Act to amend and reenact sections 11-13-12 and 11-18-02 of the North Dakota Century Code, relating to prohibiting the recording of deeds transferring property on which taxes are unpaid but not delinquent.

MOTION

REP. AUSTIN MOVED the previous question, which motion failed.

MOTION

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

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 76 YEAS, 20 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Allmaras; Austin; Berg, J.; Bernstein; Bodine; Boucher; Brodshaug; Christopherson; Clayburgh; Cleary; Coats; DeWitz; Dobrinski; Drovdal; Freier; Froseth; Gerntholz; Glassheim; Goffe; Gorder; Gorman; 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.; Payne; Poolman; Porter; Price; Pyle; Ring; Schindler; Sitz; Skarphol; Soukup; St. Aubyn; Stenehjelm; Stenson; Sveen; Thorpe; Torgerson; Wanzek; Wentz; Wilkie

NAYS: Bateman; Belter; Boehm; Brown; Byerly; Carlisle; Carlson, A.; Carlson, C.; Dalrymple; Dorso; Gates; Grosz; Keiser; Rennerfeldt; Rydell; Shide; Svedjan; Timm; Tollefson; Speaker R. Berg

ABSENT AND NOT VOTING: Wald; Wardner

Engrossed SB 2533 passed and the title was agreed to.

MOTION

REP. MARTINSON MOVED that the time certain for debate on SCR 4033 would be set for 1:00 p.m., Wednesday, March 17, 1993, which motion prevailed.

MOTION

REP. FREIER MOVED that the absent member be excused, which motion prevailed.

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

REPORT OF STANDING COMMITTEE

SB 2007: 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). SB 2007 was placed on the Sixth order on the calendar.

Page 1, line 10, replace "166,653" with "183,356"

Page 1, line 11, replace "5,440" with "4,896"

Page 1, line 14, replace "385,000" with "385,000"

Page 1, remove line 15

Page 1, line 16, replace "597,857" with "612,534"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 316 - INDIAN AFFAIRS COMMISSION

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

- The salaries and wages line item is increased by \$21,439 from the general fund for a salary increase for the executive director, decreased by \$1,152 from the general fund for reduced employee health insurance costs, and decreased by \$3,584 from the general fund to reflect Governor Schafer's salary increase recommendation for a net general fund increase in salaries and wages of \$16,703.
- The interagency legal fees line item of \$1,482 is deleted to reflect Governor Schafer's recommendation regarding legal fees charged by the Attorney General.

In addition to the changes made to reflect Governor Schafer's recommended appropriation, this amendment decreases the information services line item by \$544 from the general fund to reflect a 10 percent reduction.

In total, this amendment increases the appropriation to the Indian Affairs Commission by \$14,677 from the general fund.

REPORT OF STANDING COMMITTEE

SB 2011, as engrossed: Appropriations Committee (Rep. Dalrymple, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (20 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2011 was placed on the Sixth order on the calendar.

Page 1, line 6, after the second comma insert "and from special funds derived from federal funds and other income"

Page 1, after line 9, insert:

"Total all funds	\$350,000
Less estimated income	<u>56,000</u> "

Page 1, line 10, replace "350,000" with "294,000"

Re-number accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 665 - STATE FAIR ASSOCIATION

HOUSE - General fund support for premiums is reduced by \$56,000 and funding of \$56,000 from other funds to be generated by the State Fair for premiums is added.

REPORT OF STANDING COMMITTEE

SB 2012, as reengrossed: Appropriations Committee (Rep. Dalrymple, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (20 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Reengrossed SB 2012 was placed on the Sixth order on the calendar.

Page 1, line 11, replace "359,511" with "351,669"

Page 1, line 12, replace "9,220" with "8,298"

Page 1, line 15, replace "1,643,014" with "1,580,479"

Page 1, line 16, replace "2,205,687" with "2,134,388"

Page 1, line 17, replace "1,571,107" with "1,583,107"

Page 1, line 18, replace "634,580" with "551,281"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 709 - COUNCIL ON THE ARTS

HOUSE - This amendment makes the following changes to the Senate version:

The salaries and wages line item is reduced by \$7,842 from the general fund to reflect Governor Schafer's salary increase recommendation for state employees.

The information services line item is reduced by \$922 from the general fund to reflect a 10 percent reduction in information services costs.

The grants line item is reduced by \$62,535 from the general fund from a total of \$1,643,014 to \$1,580,479 to remove general fund increases for grants included in the Senate version. A comparison of general fund grant programs is as follows:

	SENATE VERSION	HOUSE REDUCTION	HOUSE VERSION
ACCESS grants	\$ 72,748	\$(19,535)	\$ 53,213
Arts in education grants	78,000	(43,000)	35,000
Touring arts grants	<u>41,350</u>	<u>0</u>	<u>41,350</u>
Total general fund	\$192,098	\$(62,535)	\$129,563

Other funds are increased and general fund support is reduced by \$12,000 to provide that 20 percent of the folklorist position's salary and benefits be provided from other funds. The 1991 Legislative Assembly appropriated 50 percent of the folklorist position's salary and benefits from other funds.

In total, this amendment reduces the Senate version by \$71,299. General fund support is reduced by \$83,299 and funding from other funds is increased by \$12,000.

REPORT OF STANDING COMMITTEE

SB 2024, as engrossed: Finance and Taxation Committee (Rep. Timm, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (13 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2024 was placed on the Sixth order on the calendar.

Page 1, line 16, replace "two" with "four"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2101, as engrossed: Industry, Business and Labor Committee (Rep. Dorso, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2101 was placed on the Sixth order on the calendar.

Page 1, line 3, after "act" insert "; and to provide a civil penalty"

Page 1, line 7, after "records" insert "- Civil penalty"

Page 2, line 6, insert:

- "3. A person conducting an audit for unclaimed property is subject to the following penalty for violation of this section:

- a. The administrator and state employees conducting audits on the administrator's behalf are subject to the provisions, penalties, and exemptions provided in chapter 6-08.1 when auditing financial institutions as defined therein;
- b. All other companies, persons, firms, or other entities performing audits for unclaimed property on behalf of the state or otherwise, may not disclose any confidential information concerning any financial institution or other holder to any person or other entity other than the administrator. Any company, person, firm, or entity who intentionally discloses information in violation of this section is liable to the person, institution, business, or entity that was audited in an amount equal to the greater of one thousand dollars or the actual damages caused by the disclosure of the information. Any person who discloses information in good faith reliance on any provision of this section is not liable for that disclosure."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2243, as engrossed: Industry, Business and Labor Committee (Rep. Dorso, Chairman) recommends DO PASS and BE REREFERRED to the Appropriations Committee (14 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). Engrossed SB 2243 was rereferred to the Appropriations Committee.

REPORT OF STANDING COMMITTEE

SB 2266: Transportation Committee (Rep. Belter, Chairman) recommends DO PASS (8 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). SB 2266 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2285, as engrossed: Judiciary Committee (Rep. Kretschmar, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2285 was placed on the Sixth order on the calendar.

Page 2, line 7, replace "as provided in section 2 of this Act" with "and that a copy of the test results be released to the defendant's or alleged juvenile offender's physician and each requesting victim's physician. The physicians for the defendant or alleged juvenile offender and requesting victim must be specifically named in the court order"

Page 2, line 20, replace "laboratory" with "court"

Page 2, line 21, replace "defendant or alleged juvenile" with "physicians designated in the court order, who shall then release the test results to the defendant or alleged juvenile offender and each requesting victim as designated in the court order"

Page 2, remove lines 22 through 26

Page 2, line 27, remove "minor's parents or guardian"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2286: Judiciary Committee (Rep. Kretschmar, Chairman) recommends DO PASS (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2286 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2317, as engrossed: Industry, Business and Labor Committee (Rep. Dorso, Chairman) recommends DO PASS (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2317 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2328: Industry, Business and Labor Committee (Rep. Dorso, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (12 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING). SB 2328 was placed on the Sixth order on the calendar.

Page 1, after line 15, insert:

"As used in this subsection, the term "reasonable interest" means the same rate of interest as paid on death proceeds left on deposit with the insurer. This provision does not apply if proof of death is filed more than one hundred eighty days after the date of death."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2340: Industry, Business and Labor Committee (Rep. Dorso, Chairman) recommends DO PASS (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2340 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2343: Transportation Committee (Rep. Belter, Chairman) recommends BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION (8 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). SB 2343 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2347, as engrossed: Transportation Committee (Rep. Belter, Chairman) recommends DO NOT PASS (12 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2347 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2362, as engrossed: Finance and Taxation Committee (Rep. Timm, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2362 was placed on the Sixth order on the calendar.

Page 1, line 6, replace "organized for the purpose of counseling consumers with respect to" with "engaged in the business of debt adjusting as defined in section 13-06-01 and includes any nonprofit community service organization that is exempt from federal taxation under section 501(c)(3) of the Internal Revenue Code [26 U.S.C. 501(c)(3)] and which provides credit counseling services"

Page 1, remove line 7

Page 1, line 8, remove "creditors"

Page 2, line 23, replace "daily" with "monthly"

Page 3, line 2, replace "seventy-five" with "fifty"

Page 3, line 7, replace "remaining eighty-five percent" with "remainder"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2373, as engrossed: Judiciary Committee (Rep. Kretschmar, Chairman)

recommends DO PASS (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING).
Engrossed SB 2373 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2381, as engrossed: Transportation Committee (Rep. Belter, Chairman) recommends DO NOT PASS (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING).
Engrossed SB 2381 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2385, as engrossed: Industry, Business and Labor Committee (Rep. Dorso, Chairman) recommends DO PASS (14 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING).
Engrossed SB 2385 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2398: Natural Resources Committee (Rep. A. Olson, Chairman) recommends DO PASS (11 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING). SB 2398 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2401: Transportation Committee (Rep. Belter, Chairman) recommends DO PASS (7 YEAS, 2 NAYS, 5 ABSENT AND NOT VOTING). SB 2401 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2426: Appropriations Committee (Rep. Dalrymple, Chairman) recommends DO NOT PASS (14 YEAS, 7 NAYS, 1 ABSENT AND NOT VOTING). SB 2426 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2439: Judiciary Committee (Rep. Kretschmar, Chairman) recommends DO PASS (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2439 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2449, as engrossed: Finance and Taxation Committee (Rep. Timm, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (8 YEAS, 7 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2449 was placed on the Sixth order on the calendar.

Page 1, line 5, replace the second "subsection" with "subsections 3 and"

Page 8, replace lines 5 through 28 with:

"SECTION 10. AMENDMENT. Subsections 3 and 4 of section 57-38-30.3 of the 1991 Supplement to the North Dakota Century Code are amended and reenacted as follows:

3. The adjusted federal income tax liability for a resident individual, estate, and trust must be determined by multiplying the federal income tax liability by a fraction, the numerator of which is the adjusted gross income taxable to this state and the denominator of which is the total adjusted gross income as reported on the federal income tax return. ~~Interest income from United States obligations and other income not taxable to this state because of federal statutes, United States, or state constitutional provisions and distributions described in subdivision c of subsection 4.2 of section 57-38-01 from a qualified investment fund~~ To the extent they are included in the taxpayer's federal adjusted gross income, the following amounts must be excluded from the numerator:

- a. Interest income from obligations of the United States and income exempt from state income tax under federal statute

or United States or North Dakota constitutional provisions.

b. The portion of a distribution from a qualified investment fund described in subsection 4.2 of section 57-38-01 which is attributable to investments by the qualified investment fund in obligations of the United States, obligations of North Dakota or its political subdivisions, and any other obligation the interest from which is exempt from state income tax under federal statute or United States or North Dakota constitutional provisions.

4. The adjusted federal income tax liability of a nonresident individual, estate, and trust must be determined by multiplying the federal income tax liability by a fraction, the numerator of which is the adjusted gross income derived from sources within this state and the denominator of which is the total adjusted gross income as reported on the federal income tax return. ~~Interest income from United States obligations and other income not taxable to this state because of federal statutes, United States, or state constitutional provisions and distributions described in subdivision c of subsection 4.2 of section 57-38-01 from a qualified investment fund~~ To the extent they are included in the taxpayer's federal adjusted gross income, the following amounts must be excluded from the numerator:

a. Interest income from obligations of the United States and income exempt from state income tax under federal statute or United States or North Dakota constitutional provisions.

b. The portion of a distribution from a qualified investment fund described in subsection 4.2 of section 57-38-01 which is attributable to investments by the qualified investment fund in obligations of the United States, obligations of North Dakota or its political subdivisions, and any other obligation the interest from which is exempt from state income tax under federal statute or United States or North Dakota constitutional provisions."

Page 9, remove lines 1 and 2

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2460: Judiciary Committee (Rep. Kretschmar, Chairman) recommends DO PASS (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2460 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2471, as engrossed: Industry, Business and Labor Committee (Rep. Dorso, Chairman) recommends DO NOT PASS (13 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2471 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2475: Political Subdivisions Committee (Rep. Martin, Chairman) recommends DO PASS (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2475 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2482, as engrossed: Political Subdivisions Committee (Rep. Martin,

Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2482 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2492: Industry, Business and Labor Committee (Rep. Dorso, Chairman) recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2492 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2511: Transportation Committee (Rep. Belter, Chairman) recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2511 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2519, as engrossed: Education Committee (Rep. Gates, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (8 YEAS, 7 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2519 was placed on the Sixth order on the calendar.

Page 2, line 12, replace "September" with "July"

Page 2, line 13, replace "three" with "two"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2524, as engrossed: Finance and Taxation Committee (Rep. Timm, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2524 was placed on the Sixth order on the calendar.

Page 1, line 3, replace "; and to amend and reenact subsection 1 of section 11-17-04" with a period

Page 1, remove line 4

Page 1, remove lines 6 through 18

Page 2, remove the underscore under lines 1 through 6

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2529, as engrossed: Judiciary Committee (Rep. Kretschmar, Chairman) recommends **DO PASS** (13 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). Engrossed SB 2529 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2538: Government and Veterans Affairs Committee (Rep. D. Olsen, Chairman) recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2538 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4005: Judiciary Committee (Rep. Kretschmar, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SCR 4005 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4013: Judiciary Committee (Rep. Kretschmar, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (10 YEAS, 1 NAY, 3 ABSENT AND NOT VOTING). SCR 4013 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4015: Judiciary Committee (Rep. Kretschmar, Chairman) recommends **DO PASS**

and BE PLACED ON THE CONSENT CALENDAR (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SCR 4015 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4018: Judiciary Committee (Rep. Kretschmar, Chairman) recommends DO PASS and BE PLACED ON THE CONSENT CALENDAR (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SCR 4018 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4025: Education Committee (Rep. Gates, Chairman) recommends DO PASS and BE PLACED ON THE CONSENT CALENDAR (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4025 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4033: Judiciary Committee (Rep. Kretschmar, Chairman) recommends DO PASS (9 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). SCR 4033 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4034: Transportation Committee (Rep. Belter, Chairman) recommends DO NOT PASS (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SCR 4034 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4037: Agriculture Committee (Rep. Nicholas, Chairman) recommends DO PASS and BE PLACED ON THE CONSENT CALENDAR (10 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). SCR 4037 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4039: Education Committee (Rep. Gates, Chairman) recommends DO PASS and BE PLACED ON THE CONSENT CALENDAR (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4039 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4046: Education Committee (Rep. Gates, Chairman) recommends DO PASS and BE PLACED ON THE CONSENT CALENDAR (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4046 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4050: Education Committee (Rep. Gates, Chairman) recommends DO PASS and BE PLACED ON THE CONSENT CALENDAR (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4050 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4051, as engrossed: Education Committee (Rep. Gates, Chairman) recommends DO PASS and BE PLACED ON THE CONSENT CALENDAR (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SCR 4051 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4053, as engrossed: Education Committee (Rep. Gates, Chairman) recommends DO PASS and BE PLACED ON THE CONSENT CALENDAR (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SCR 4053 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4055, as engrossed: Human Services Committee (Rep. Rydell, Chairman) recommends DO PASS and BE PLACED ON THE CONSENT CALENDAR (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SCR 4055 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4056: Natural Resources Committee (Rep. A. Olson, Chairman) recommends DO PASS and BE PLACED ON THE CONSENT CALENDAR (14 YEAS, 0 NAYS,

1 ABSENT AND NOT VOTING). SCR 4056 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4057: Human Services Committee (Rep. Rydell, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SCR 4057 was placed on the Sixth order on the calendar.

Page 1, line 2, after "Act" insert "and its relationship to existing North Dakota law"

Page 2, line 2, after "and" insert "its relationship to existing North Dakota law and"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SCR 4058, as engrossed: Human Services Committee (Rep. Rydell, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (11 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SCR 4058 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4061: Human Services Committee (Rep. Rydell, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4061 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4063: Political Subdivisions Committee (Rep. Martin, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4063 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4064: Political Subdivisions Committee (Rep. Martin, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SCR 4064 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4071: Transportation Committee (Rep. Belter, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4071 was placed on the Tenth order on the calendar.

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

ROY GILBREATH, Chief Clerk