

JOURNAL OF THE HOUSE

Fifty-third Legislative Assembly

Bismarck, March 25, 1993

The House convened at 9:00 a.m., with Speaker R. Berg presiding.

The prayer was offered by the Rev. Ray Martin, First United Methodist Church, Mandan.

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

A quorum was declared by the Speaker.

HOUSE ENROSSING AND ENROLLING REPORT

The following bills were enrolled: HB 1024, HB 1085, HB 1113, HB 1114, HB 1161, HB 1162, HB 1164, HB 1166, HB 1167, HB 1169, HB 1218, HB 1270, HB 1278, HB 1283, HB 1296, HB 1310, HB 1353, HB 1362, HB 1367, HB 1379.

COMMUNICATION FROM GOVERNOR EDWARD T. SCHAFER

March 23, 1993

This is to inform you that on March 22, 1993, I signed the following: HB 1046, HB 1072, HB 1080, HB 1082, HB 1094, HB 1105, HB 1109, HB 1112, HB 1127, HB 1129, HB 1131, HB 1133, HB 1144, HB 1147, HB 1200, HB 1214, HB 1257, HB 1263, HB 1268, HB 1271, HB 1277, HB 1279, HB 1295, HB 1308, HB 1343, HB 1355, HB 1359, and HB 1388.

COMMUNICATION FROM GOVERNOR EDWARD T. SCHAFER

March 23, 1993

This is to inform you that on March 23, 1993, I signed the following: HB 1157.

COMMUNICATION FROM GOVERNOR EDWARD T. SCHAFER

March 23, 1993

This is to inform you that on March 23, 1993, I signed the following: HB 1258 and HB 1324.

MOTION

REP. FREIER MOVED that the House stand in recess until 1:00 p.m., which motion prevailed.

THE HOUSE RECONVENED pursuant to recess taken, with Speaker R. Berg presiding.

SIGNING OF BILLS AND RESOLUTIONS

The Speaker signed the following enrolled bills and resolutions: HB 1027, HB 1061, HB 1172, HB 1175, HB 1183, HB 1229, HB 1246, HB 1264, HB 1281, HB 1291, HB 1302, HB 1307, HCR 3008, HCR 3009, HCR 3022, HCR 3024, HCR 3028, HCR 3029, HCR 3042, HCR 3047, HCR 3049, HCR 3054, HCR 3055, HCR 3060, HCR 3063, HCR 3064, HCR 3065.

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

MADAM PRESIDENT: The Speaker has appointed as a conference committee to act with a like committee from the Senate on:

SB 2024: Reps. Timm; Wardner; Nelson

SB 2441: Reps. Rennerfeldt; Belter; Dobrinski

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 1027, HB 1061, HB 1172, HB 1175, HB 1183, HB 1229, HB 1246, HB 1264, HB 1281, HB 1291, HB 1302, HB 1307, HCR 3008, HCR 3009, HCR 3022, HCR 3024, HCR 3028, HCR 3029, HCR 3042, HCR 3047, HCR 3049, HCR 3054, HCR 3055, HCR 3060, HCR 3063, HCR 3064, HCR 3065.

SIGNING OF BILLS AND RESOLUTIONS

The Speaker signed the following enrolled bills and resolutions: SB 2086, SB 2092, SB 2110, SB 2199, SB 2226, SB 2351, SB 2396, SB 2475, SB 2482, SB 2492, SB 2498, SB 2528, SB 2529, SB 2536, SB 2537, SB 2538, SCR 4011, SCR 4014.

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

MADAM PRESIDENT: The Speaker has signed: SB 2086, SB 2092, SB 2110, SB 2199, SB 2226, SB 2351, SB 2396, SB 2475, SB 2482, SB 2492, SB 2498, SB 2528, SB 2529, SB 2536, SB 2537, SB 2538, SCR 4011, SCR 4014.

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

MR. SPEAKER: The Senate has passed unchanged: HB 1397, HB 1406, HB 1408, HB 1410, HB 1444, HB 1453, HB 1472, HB 1489, HB 1506, HB 1507, HB 1508, HB 1509, HB 1510, HCR 3018, HCR 3025.

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

MR. SPEAKER: The Senate has concurred in the House amendments and subsequently passed: SB 2033, SB 2036, SB 2049, SB 2060, SB 2068, SB 2079, SB 2093, SB 2116, SB 2122, SB 2123, SB 2130, SB 2133, SB 2142, SB 2143.

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

MR. SPEAKER: The Senate has concurred in the House amendments and subsequently passed: SB 2148, SB 2153, SB 2161, SB 2176, SB 2184, SB 2189, SB 2211, SB 2251, SB 2255, SB 2265, SB 2276, SB 2288, SB 2290, SB 2306.

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

MR. SPEAKER: The Senate has concurred in the House amendments and subsequently passed: SB 2313, SB 2333, SB 2334, SB 2375, SB 2397, SB 2415, SB 2425, SB 2470, SB 2472, SB 2476, SB 2479, SB 2487, SB 2488, SB 2519.

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

MR. SPEAKER: The Senate has concurred in the House amendments and subsequently passed: SB 2527, SB 2534.

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

MR. SPEAKER: The Senate has failed to pass: HB 1390, HB 1449, HB 1460, HCR 3021.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on SB 2277: Reps. Stenehjem, Rydell, Brodshaug.

MOTION

REP. D. OLSEN MOVED that the House reconsider its action whereby the House did not concur in the Senate amendments to HB 1075, and that the House does concur in the Senate amendments to HB 1075, and that the Conference Committee on HB 1075 be dissolved, which motion prevailed.

ANNOUNCEMENT BY THE SPEAKER

SPEAKER R. BERG ANNOUNCED that the Conference Committee on HB 1075 was dissolved. HB 1075 was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1075: A BILL for an Act to create and enact two new sections to chapter 54-52 of the North Dakota Century Code, relating to prior service retiree adjustments under the public employees retirement system; to amend and reenact subdivision a of subsection 3 and subdivision a of subsection 4 of section 54-52-17 of the North Dakota Century Code, relating to normal retirement date for participating members of the

public employees retirement system and the computation of benefits under the public employees retirement system; and to provide an effective date.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 93 YEAS, 0 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Allmaras; Austin; Bateman; Belter; Berg, J.; Bernstein; Bodine; Boehm; Boucher; Brodshaug; Brown; Byerly; Carlisle; Carlson, A.; Carlson, C.; Christopherson; Clayburgh; Coats; DeWitz; Dobrinski; Dorso; Drovdal; Freier; Froseth; Gates; Glassheim; Goffe; Gorder; Gorman; Grosz; Grumbo; Gulleon; Hagle; Hanson; 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.; Poolman; Porter; Price; Pyle; Rennerfeldt; Ring; Rydell; Schindler; Shide; Sitz; Skarphol; Soukup; St. Aubyn; Stenehjem; Stenson; Svedjan; Sveen; Thorpe; Timm; Tollefson; Torgerson; Wald; Wanzek; Wardner; Wentz; Wilkie; Speaker R. Berg

ABSENT AND NOT VOTING: Cleary; Dalrymple; Gerntholz; Hausauer; Payne

HB 1075 passed and the title was agreed to.

SIXTH ORDER OF BUSINESS

REP. FREIER MOVED that the rules be suspended and that the House consider and adopt all of the amendments on the Sixth order of business in one motion, which include SB 2216, SB 2367, SB 2471, and SCR 4038, which motion prevailed.

SB 2216, SB 2367, SB 2471, and SCR 4038, as amended, were placed on the Fourteenth order of business on the calendar.

MOTION

REP. FREIER MOVED that the House waive the reading of the titles to SB 2216, SB 2367, and SB 2471, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2216: A BILL for an Act to create and enact a new section to chapter 15-34.1 of the North Dakota Century Code, relating to definitions; to amend and reenact section 1 of chapter 181 of the 1991 Session Laws of North Dakota, section 10 of chapter 2 and sections 4 and 7 of chapter 198 of the 1989 Session Laws of North Dakota, relating to home-based instruction of students; and to repeal section 9 of chapter 198 of the 1989 Session Laws of North Dakota, relating to the expiration date for statutes on home-based instruction of students; 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 94 YEAS, 3 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

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

NAYS: Glassheim; Nelson; Wilkie

ABSENT AND NOT VOTING: Cleary

Engrossed SB 2216 passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF SENATE BILL

SB 2367: A BILL for an Act to amend and reenact sections 14-02.4-01, 14-02.4-03, 14-02.4-06, and 14-02.4-08 of the North Dakota Century Code, relating to discriminatory practices in employment.

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; Coats; Dalrymple; DeWitz; Dobrinski; Dorso; Drovdal; Freier; Froseth; Gates; Gertholz; 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; Stenehjelm; Stenson; Svedjan; Sveen; Thorpe; Timm; Tollefson; Torgerson; Wald; Wanzen; Wardner; Wentz; Wilkie; Speaker R. Berg

ABSENT AND NOT VOTING: Cleary

Engrossed SB 2367 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2471: A BILL for an Act to permit the merger of a corporation organized for profit into a nonprofit corporation doing business as a hospital; and to declare an emergency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 21 YEAS, 76 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Bernstein; Boucher; Carlisle; Coats; Hausauer; Henegar; Kaldor; Keiser; Kelsch; Kretschmar; Laughlin; Maragos; Martin; Martinson; Mutzenberger; Nicholas; Oban; Porter; St. Aubyn; Stenehjelm

NAYS: Allmaras; Austin; Bateman; Belter; Berg, J.; Bodine; Boehm; Brodshaug; Brown; Byerly; Carlson, A.; Carlson, C.; Christopherson; Clayburgh; Dalrymple; DeWitz; Dobrinski; Dorso; Drovdal; Freier; Froseth; Gates; Gertholz; Glassheim; Goffe; Gorder; Gorman; Grosz; Grumbo; Gulleson; Hagle; Hanson; Hokana; Holm; Howard; Huether; Jacobs; Johnson;

Kempenich; Kerzman; Kilichowski; Klein; Kroeber; Kunkel; Mahoney; Monson; Nelson; Ness; Nichols; Olsen, D.; Olson, A.; Payne; Poolman; Price; Pyle; Rennerfeldt; Ring; Rydell; Schindler; Shide; Sitz; Skarphol; Soukup; Stenson; Svedjan; Sveen; Thorpe; Timm; Tollefson; Torgerson; Wald; Wanzek; Wardner; Wentz; Wilkie; Speaker R. Berg

ABSENT AND NOT VOTING: Cleary

Engrossed SB 2471 was declared lost.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4038: A concurrent resolution directing the Legislative Council to study the variables that affect the costs of workers' compensation coverage and the impact that allowing employers to self-insure for workers' compensation coverage or to receive additional coverage from the Workers Compensation Bureau would have on the cost of delivering workers' compensation in this state.

The question being on the final adoption of the amended resolution, which has been read, and has committee recommendation of DO PASS.

SCR 4038 was declared adopted on a verification vote.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. TIMM MOVED that the House do concur in the Senate amendments to Reengrossed HB 1023 as printed on HJ page 1310, which motion prevailed on a verification vote.

Reengrossed HB 1023, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1023: A BILL for an Act to authorize the state to purchase oil put options; to provide an appropriation; and to provide an expiration date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 58 YEAS, 38 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Allmaras; Berg, J.; Bodine; Boucher; Brodshaug; Carlisle; Coats; Dobrinski; Gerntholz; Glassheim; Goffe; Grumbo; Gulleason; Hagle; Hanson; Hausauer; Hokana; Holm; Huether; Johnson; Kaldor; Kelsch; Kerzman; Kilichowski; Klein; Kretschmar; Kroeber; Kunkel; Laughlin; Mahoney; Maragos; Martinson; Monson; Mutzenberger; Nelson; Ness; Nicholas; Nichols; Oban; Poolman; Price; Pyle; Ring; Rydell; Sitz; St. Aubyn; Stenehjelm; Stenson; Svedjan; Sveen; Thorpe; Timm; Tollefson; Wanzek; Wardner; Wentz; Wilkie

NAYS: Austin; Bateman; Belter; Bernstein; Boehm; Brown; Byerly; Carlson, A.; Carlson, C.; Christopherson; Clayburgh; Dalrymple; DeWitz; Dorso; Drowdal; Freier; Froseth; Gates; Gorder; Gorman; Grosz; Henegar; Howard; Jacobs; Keiser; Kempenich; Martin; Olsen, D.; Olson, A.; Payne; Porter; Rennerfeldt; Schindler; Shide; Skarphol; Soukup; Torgerson; Speaker R. Berg

ABSENT AND NOT VOTING: Cleary; Wald

Reengrossed HB 1023 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. NICHOLAS MOVED that the House do concur in the Senate amendments to HB 1091 as printed on HJ page 1310, which motion prevailed.

HB 1091, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1091: A BILL for an Act to amend and reenact section 36-15-21 of the North Dakota Century Code, relating to calfhood vaccination against brucellosis; to repeal section 36-14-02 of the North Dakota Century Code, relating to the killing of an infected animal for human consumption; and to provide an effective date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, 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; 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; 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; Wanzen; Wardner; Wentz; Wilkie; Speaker R. Berg

ABSENT AND NOT VOTING: Cleary; Martin; Wald

HB 1091 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. BELTER MOVED that the House do concur in the Senate amendments to Engrossed HB 1097 as printed on HJ page 1266, which motion prevailed.

Engrossed HB 1097, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1097: A BILL for an Act to amend and reenact section 39-16.1-07 of the North Dakota Century Code, relating to the revocation or suspension of an operator's license for failure to comply with financial responsibility laws.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, 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; 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; Wanzen; Wardner; Wentz; Wilkie; Speaker R. Berg

ABSENT AND NOT VOTING: Cleary; Wald

Engrossed HB 1097 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. TIMM MOVED that the House do concur in the Senate amendments to Engrossed HB 1103 as printed on HJ pages 1347-1348, which motion prevailed.

Engrossed HB 1103, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1103: A BILL for an Act to create and enact a new subsection to section 57-02-08 of the North Dakota Century Code, relating to a property tax exemption for certain property leased from the state for pasture or grazing purposes or upon which the state makes payments in lieu of taxes; to amend and reenact subsection 1 of section 57-02-26 and section 57-02.3-01 of the North Dakota Century Code, relating to the taxable status of, and payments in lieu of taxes on, certain property leased from the state; and to provide an effective date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 90 YEAS, 7 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

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

NAYS: Allmaras; Clayburgh; Dobrinski; Klein; Nichols; Payne; Price

ABSENT AND NOT VOTING: Cleary

Engrossed HB 1103 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. NICHOLAS MOVED that the House do concur in the Senate amendments to Engrossed HB 1134 as printed on HJ page 1119, which motion prevailed.

Engrossed HB 1134, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1134: A BILL for an Act to amend and reenact subsection 6 of section 60-03-01 of the North Dakota Century Code, relating to the definition of roving grain and hay buyer.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, 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; 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; Wardner; Wentz; Wilkie; Speaker R. Berg

ABSENT AND NOT VOTING: Cleary

Engrossed HB 1134 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. DORSO MOVED that the House do concur in the Senate amendments to Engrossed HB 1138 as printed on HJ page 1310, which motion prevailed.

Engrossed HB 1138, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1138: A BILL for an Act to amend and reenact section 65-02-20 of the North Dakota Century Code, relating to the workers compensation bureau managed care program; and to provide for application of this Act.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, 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; 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; Wardner; Wentz; Wilkie; Speaker R. Berg

ABSENT AND NOT VOTING: Cleary

Engrossed HB 1138 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. DORSO MOVED that the House do concur in the Senate amendments to HB 1139 as printed on HJ pages 1266-1267, which motion prevailed.

HB 1139, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1139: A BILL for an Act to amend and reenact section 65-05.1-06.2 of the North Dakota Century Code, relating to workers' compensation rehabilitation services bids.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, 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; 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; Tollefson; Torgerson; Wald; Wanzek; Wardner; Wentz; Wilkie; Speaker R. Berg

ABSENT AND NOT VOTING: Cleary; Timm

HB 1139 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. A. OLSON MOVED that the House do concur in the Senate amendments to Engrossed HB 1142 as printed on HJ page 1267, which motion prevailed.

Engrossed HB 1142, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1142: A BILL for an Act to regulate the disposal of dredged and fill material in certain waters of the state of North Dakota; to provide a penalty; and to provide an effective date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 72 YEAS, 25 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Austin; Bateman; Bernstein; Boehm; Brodshaug; Brown; Carlisle; Carlson, A.; Christopherson; DeWitz; Dorso; Freier; Froseth; Gates; Gerntholz; Goffe; Gorder; Gorman; Grosz; Gulleeson; Hagle; Hanson; Hausauer; Henegar; Hokana; Holm; Howard; Huether; Jacobs; Johnson; Keiser; Kelsch; Kempenich; Klein; Kretschmar; Kroeber; Kunkel; Laughlin; Maragos; Martin; Martinson; Monson; Ness; Nicholas; Oban; Olsen, D.; Olson, A.; Payne; Poolman; Porter; Price; Rennerfeldt; Rydell; Schindler; Shide; Sitz; Skarphol; Soukup; St. Aubyn; Stenehjem;

Stenson; Svedjan; Sveen; Thorpe; Timm; Tollefson; Torgerson; Wald; Wanzek; Wardner; Wentz; Speaker R. Berg

NAYS: Aarsvold; Allmaras; Belter; Berg, J.; Bodine; Boucher; Byerly; Carlson, C.; Clayburgh; Coats; Dalrymple; Dobrinski; Drovdal; Glassheim; Grumbo; Kaldor; Kerzman; Kilichowski; Mahoney; Mutzenberger; Nelson; Nichols; Pyle; Ring; Wilkie

ABSENT AND NOT VOTING: Cleary

Engrossed HB 1142 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. DORSO MOVED that the House do concur in the Senate amendments to Engrossed HB 1163 as printed on HJ page 1311, which motion prevailed.

Engrossed HB 1163, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1163: A BILL for an Act to amend and reenact section 65-02-08 of the North Dakota Century Code, relating to workers compensation bureau rulemaking power and payment of attorneys' fees; and to provide an effective date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 73 YEAS, 23 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

NAYS: Aarsvold; Berg, J.; Bodine; Carlson, C.; Coats; Goffe; Gulleon; Hanson; Hokana; Kaldor; Kerzman; Kilichowski; Kroeber; Laughlin; Mahoney; Mutzenberger; Nelson; Ness; Oban; Ring; Sitz; Stenson; Thorpe

ABSENT AND NOT VOTING: Bateman; Cleary

Engrossed HB 1163 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. DORSO MOVED that the House do concur in the Senate amendments to HB 1165 as printed on HJ page 1311, which motion prevailed.

HB 1165, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1165: A BILL for an Act to amend and reenact subsections 4 and 7 of section 65-01-14 of the North Dakota Century Code, relating to workers' compensation informal decisions; and to provide an effective date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 92 YEAS, 5 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Allmaras; Austin; Bateman; Belter; Berg, J.; Bernstein; Boehm; Boucher; Brodshaug; Brown; Byerly; Carlisle; Carlson, A.; Carlson, C.; Christopherson; Clayburgh; Coats; Dalrymple; DeWitz; Dobrinski; Dorso; Drovdal; Freier; Froseth; Gates; Gerntholz; Glassheim; 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; Rydell; Schindler; Shide; Skarphol; Soukup; St. Aubyn; Stenehjem; Svedjan; Sveen; Thorpe; Timm; Tollefson; Torgerson; Wald; Wanzek; Wardner; Wentz; Wilkie; Speaker R. Berg

NAYS: Bodine; Goffe; Ring; Sitz; Stenson

ABSENT AND NOT VOTING: Cleary

HB 1165 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. GATES MOVED that the House do concur in the Senate amendments to HB 1184 as printed on HJ pages 1268-1269, which motion prevailed.

HB 1184, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1184: A BILL for an Act to amend and reenact sections 15-27.3-10, 15-34.2-01, 15-34.2-03, 15-40.1-16, 15-40.1-16.1, and 15-47-02.1 of the North Dakota Century Code, relating to state aid and school district payments for family-type transportation; and to repeal sections 15-40.1-16.2 and 15-40.1-16.3 of the North Dakota Century Code, relating to state aid to school districts for family-type transportation.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, 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; Coats; Dalrymple; DeWitz; Dobrinski; Dorso; Drovdal; Freier; Froseth; Gates; Gerntholz; Glassheim; Goffe; Gorder; 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; Timm; Tollefson; Torgerson; Wald; Wanzek; Wardner; Wentz; Speaker R. Berg

ABSENT AND NOT VOTING: Cleary; Gorman; Thorpe; Wilkie

HB 1184 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. NICHOLAS MOVED that the House do concur in the Senate amendments to HB 1203 as printed on HJ page 1270, which motion prevailed.

HB 1203, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

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

ROLL CALL

The question being on the final passage of the amended bill, which has been read, 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; Coats; Dalrymple; DeWitz; Dobrinski; Dorso; Drovdal; Freier; Froseth; Gates; Gerntholz; Glassheim; Goffe; Gorder; 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; 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; Speaker R. Berg

ABSENT AND NOT VOTING: Cleary; Gorman; Poolman; Wilkie

HB 1203 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. D. OLSEN MOVED that the House do concur in the Senate amendments to Engrossed HB 1234 as printed on HJ pages 1350-1351, which motion prevailed.

Engrossed HB 1234, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1234: A BILL for an Act to provide for a suggestion incentive program for state employees; and to declare an emergency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, 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; Coats; Dalrymple; DeWitz; Dobrinski; Dorso; Drovdal; Freier; Froseth; Gates; Gerntholz; Glassheim; Goffe; Gorder; 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

ABSENT AND NOT VOTING: Cleary; Gorman

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

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. KRETSCHMAR MOVED that the House do concur in the Senate amendments to Engrossed HB 1247 as printed on HJ page 1187, which motion prevailed.

Engrossed HB 1247, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1247: A BILL for an Act to amend and reenact section 16.1-13-08 of the North Dakota Century Code, relating to filling a vacancy in the office of United States senator.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 90 YEAS, 3 NAYS, 0 EXCUSED, 5 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; Coats; Dalrymple; DeWitz; Dobrinski; Dorso; Drovdal; Freier; Froseth; Gates; Gerntholz; Glassheim; Goffe; Gorder; Grosz; Grumbo; Gulleon; Hagle; Hanson; 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; 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; Wardner; Wentz; Speaker R. Berg

NAYS: Belter; Nichols; Ring

ABSENT AND NOT VOTING: Cleary; Gorman; Hausauer; Porter; Wilkie

Engrossed HB 1247 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. KRETSCHMAR MOVED that the House do concur in the Senate amendments to Engrossed HB 1286 as printed on HJ page 1187, which motion prevailed on a verification vote.

Engrossed HB 1286, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1286: A BILL for an Act to amend and reenact section 27-05-27 and subsection 3 of section 29-15-21 of the North Dakota Century Code, relating to a demand for change of judge.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 73 YEAS, 21 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

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

NAYS: Aarsvold; Allmaras; Berg, J.; Bodine; Brodshaug; Coats; Glassheim; Grumbo; Gulleson; Hokana; Kerzman; Kilichowski; Kroeber; Mahoney; Mutzenberger; Oban; Pyle; Ring; Sitz; Stenson; Thorpe

ABSENT AND NOT VOTING: Cleary; Gorman; Hausauer; Wilkie

Engrossed HB 1286 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. KRETSCHMAR MOVED that the House do concur in the Senate amendments to HB 1306 as printed on HJ pages 1188-1189, which motion prevailed.

HB 1306, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1306: A BILL for an Act to amend and reenact sections 14-03-17 and 14-03-20 of the North Dakota Century Code, relating to names on marriage licenses and certificates.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 89 YEAS, 4 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Allmaras; Austin; Bateman; Belter; Berg, J.; Bernstein; Bodine; Boehm; Boucher; Brodshaug; Brown; Byerly; Carlisle; Carlson, A.; Carlson, C.; Christopherson; Clayburgh; Coats; Dalrymple; DeWitz; Dobrinski; Dorso; Drowdal; Freier; Froseth; Gates; Gerntholz; Glassheim; Goffe; Gorder; Grosz; Grumbo; Gulleson; Hagle; Hanson; Henegar; Hokana; Holm; Howard; Huether; Jacobs; Johnson; Keiser; Kelsch; Kempenich; Kerzman; Kilichowski; 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; Wanzek; Wardner; Wentz; Speaker R. Berg

NAYS: Kaldor; Klein; Oban; Ring

ABSENT AND NOT VOTING: Cleary; Gorman; Hausauer; Wald; Wilkie

HB 1306 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. DORSO MOVED that the House do concur in the Senate amendments to Engrossed HB 1335 as printed on HJ pages 1189-1190, which motion prevailed.

Engrossed HB 1335, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1335: A BILL for an Act to amend and reenact section 65-05-09.1 of the North Dakota Century Code, relating to social security offset against workers' compensation benefits.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, 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; Coats; Dalrymple; Dewitz; Dobrinski; Dorso; Drovdal; Freier; Froseth; Gates; Gerntholz; Glassheim; Goffe; Gordier; 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; Wanzek; Wardner; Wentz; Speaker R. Berg

ABSENT AND NOT VOTING: Cleary; Gorman; Wald; Wilkie

Engrossed HB 1335 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. DORSO MOVED that the House do concur in the Senate amendments to HB 1337 as printed on HJ page 1190, which motion prevailed.

HB 1337, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1337: A BILL for an Act relating to the rental and acquisition of ownership of personal property through consumer rental purchase agreements; to provide a penalty; and to provide an effective date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 93 YEAS, 0 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Allmaras; Austin; Bateman; Belter; Berg, J.; Bernstein; Bodine; Boehm; Boucher; Brodshaug; Brown; Byerly; Carlisle; Carlson, A.; Carlson, C.; Christopherson; Clayburgh; Coats; Dalrymple;

DeWitz; Dobrinski; Dorso; Drovdal; Freier; Froseth; Gates; Gerntholz; Glassheim; Goffe; Gorder; 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; 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; Wanzen; Wardner; Wentz; Speaker R. Berg

ABSENT AND NOT VOTING: Cleary; Gorman; Nicholas; Wald; Wilkie

HB 1337 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. MARTIN MOVED that the House do concur in the Senate amendments to Engrossed HB 1347 as printed on HJ pages 1270-1271, which motion prevailed.

Engrossed HB 1347, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1347: A BILL for an Act to provide for optional, advisory study by local citizens and leaders of statutory tools to adapt their local government structure and operation to local needs and resources, and to prepare for maximum effectiveness, creativity, and efficiency in future local governance; to create and enact two new chapters to title 11, two new sections to chapter 11-05, a new section to chapter 11-06, a new section to chapter 11-09.1, a new section to title 40, a new section to chapter 40-05.1, two new sections to chapter 40-49, a new chapter to title 40, and three new chapters to title 54 of the North Dakota Century Code, relating to optional tools for restructuring local governance including joint powers agreements, options for combining or separating elective county offices or redesignating county offices as elective or appointive, options for sharing offices among counties and among other local governments, options for broader participation in county and city home rule, procedures for optional transfers of local government powers or functions to counties, changes in county lines, county consolidation, and procedures for increasing or decreasing the number of members of city governing boards and city park commissioners, for combining boards of park commissioners, and for dissolving a city park district; to amend and reenact sections 11-05-02, 11-05-04, 11-05-05, 11-05-07, 11-05-25, 11-05-26, 11-05.1-01, 11-05.1-03, 11-05.1-04, 11-05.1-06, 11-08-02.1, 11-08-05, 11-09-03, 11-09-07, 11-09-48, 11-09.1-02, 11-09.1-03, 11-09.1-04, subsection 3 of section 11-09.1-05, sections 11-10-02, 40-04.1-01, 40-04.1-02, 40-05.1-01, 40-05.1-03, 40-05.1-04, 40-08-03, 40-08-04, 40-09-01, 40-09-04, 40-10-02, 40-12-01, 40-14-04, 40-49-05, and 54-40-08 of the North Dakota Century Code and to amend and reenact section 10 of chapter 326 and sections 4, 8, and 9 of chapter 442 of the 1991 Session Laws of North Dakota, relating to procedures for adopting the consolidated office and county manager forms of county government, the city manager plan, county and city home rule, and county consolidation, joint powers agreements, the removal of the minimum population requirement for adopting city home rule, membership on the governing bodies of cities and city park boards, and appointive offices in council cities; and to repeal sections 11-05-01, 11-05-03, 11-05-08, 11-05-10, 11-05-11, 11-05-11.1, 11-05-12, 11-05-13, 11-05-14, 11-05-16, 11-05-17, 11-05-18, 11-05-19, 11-05-20, 11-05-21, 11-05-22, 11-05-23, 11-05-24, 11-05-27, 11-06-02, 11-06-05, 11-08-02, 11-09-02, 11-09.1-08, 40-05.1-09, 40-08-03.1, 40-08-03.2, 40-08-04.1, 40-08-06.1, and 54-40-07 of the North Dakota Century Code and section 5 of chapter 326 and section 6 of

chapter 442 of the 1991 Session Laws of North Dakota, relating to procedures for county consolidation and changes in county lines, membership on the governing bodies of cities, and clarification of the authority of political subdivisions to enter into joint powers agreements.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 88 YEAS, 7 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

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

NAYS: Brown; Carlisle; Kempenich; Kerzman; Martinson; Shide; Skarphol

ABSENT AND NOT VOTING: Gorman; Mutzenberger; Wilkie

Engrossed HB 1347 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. DORSO MOVED that the House do concur in the Senate amendments to Engrossed HB 1357 as printed on HJ page 1312, which motion prevailed.

Engrossed HB 1357, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

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

ROLL CALL

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

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

ABSENT AND NOT VOTING: Gorman; Wilkie

Engrossed HB 1357 passed and the title was agreed to.

MOTION

REP. MARTINSON MOVED that the House do not concur in the Senate amendments to HB 1374, HB 1383, HB 1136, HB 1467, and HB 1490 and that the following Conference Committees be appointed to meet with like committees from the Senate, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1374: Reps. Nicholas, C. Carlson, Boucher.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1383: Reps. Svedjan, Rydell, Boucher.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1136: Reps. Tollefson, Jacobs, Mahoney.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1467: Reps. Schindler, Sveen, Gulleeson.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1490: Reps. Gorder, D. Olsen, Boucher.

MOTION

REP. MARTINSON MOVED that the House stand in recess until 2:30 p.m., which motion prevailed.

THE HOUSE RECONVENED pursuant to recess taken, with Speaker R. Berg presiding.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. MARTIN MOVED that the House do concur in the Senate amendments to Engrossed HB 1376 as printed on HJ page 1314, which motion prevailed.

Engrossed HB 1376, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1376: A BILL for an Act to amend and reenact section 40-55-01 of the North Dakota Century Code, relating to the power of a county commission to act on behalf of an unorganized township for a public recreation system.

ROLL CALL

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

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

Pyle; Rennerfeldt; Ring; Rydell; Schindler; Shide; Sitz; Skarphol; Soukup; St. Aubyn; Stenehjem; Stenson; Svedjan; Sveen; Thorpe; Timm; Tollefson; Torgerson; Wanzek; Wardner; Wentz; Wilkie; Speaker R. Berg

ABSENT AND NOT VOTING: Olsen, D.; Wald

Engrossed HB 1376 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. RYDELL MOVED that the House do concur in the Senate amendments to HB 1393 as printed on HJ page 1314, which motion failed on a verification vote.

MOTION

REP. MARTINSON MOVED that the House do not concur in the Senate amendments to HB 1393 as printed on HJ page 1314, and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. KRETSCHMAR MOVED that the House do concur in the Senate amendments to HB 1394 as printed on HJ pages 1314-1315, which motion prevailed.

HB 1394, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1394: A BILL for an Act relating to authentication of medical records by electronic signature and to the recording of medical records.

ROLL CALL

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

ABSENT AND NOT VOTING: Kaldor

HB 1394 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. D. OLSEN MOVED that the House do concur in the Senate amendments to HB 1400 as printed on HJ page 1315, which motion prevailed.

HB 1400, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1400: A BILL for an Act to create and enact a new chapter to title 54 of the North Dakota Century Code, relating to the establishment of a tourism department; to amend and reenact subdivision g of subsection 1 of section 6-09-15, subsection 3 of section 10-06-04.3, sections 24-02-37.1, 24-03-21, subdivision o of subsection 1 of section 28-32-01, section 37-03-14, paragraph 7 of subdivision a of subsection 2 of section 39-01-01, section 39-24-05, subsection 3 of section 39-24-08, sections 39-24-09.1, 39-24-11, 39-29-01.1, subsection 2 of section 39-29-05, subsection 3 of section 39-29-08, section 39-29-10, 39-29-12, sections 55-08-01.1, 55-08-01.2, 55-08-01.3, 55-08-02.1, subsection 1 of section 55-08-03.1, sections 55-08-07, 55-08-07.1, 55-08-07.2, 55-08-08, 55-08-09, 55-08-10, 55-08-11, 55-08-12, 55-08-13, 55-08-14.1, 55-10-04, subsection 3 of section 55-11-02, section 57-02-08.7, subsection 6 of section 57-39.2-28, section 61-29-04, and subsection 1 of section 61-33-09 of the North Dakota Century Code, relating to the parks and tourism department and the allocation of powers and duties to the parks and recreation department or the tourism department; and to repeal sections 55-08-01.4, 55-08-01.5, and 55-08-01.6 of the North Dakota Century Code, relating to the tourism division of the parks and tourism department.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, 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; Boucher; Brodshaug; Brown; Byerly; Carlisle; Carlson, A.; Carlson, C.; Christopherson; Clayburgh; Cleary; Coats; Dalrymple; DeWitz; Dobrinski; Dorso; Drowdal; Freier; Froseth; Gates; Gerntholz; Glassheim; Gordner; 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; 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; Goffe; Ring

HB 1400 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. BELTER MOVED that the House do concur in the Senate amendments to HB 1405 as printed on HJ page 1190, which motion prevailed.

HB 1405, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1405: A BILL for an Act to amend and reenact subsection 3 of section 20.1-13-10 of the North Dakota Century Code, relating to windsurfing or boardsailing.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 80 YEAS, 18 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

NAYS: Aarsvold; Boucher; Brown; Dobrinski; Kaldor; Kerzman; Mahoney; Mutzenberger; Nelson; Nichols; Payne; Poolman; Ring; Sitz; St. Aubyn; Stenson; Sveen; Wilkie

HB 1405 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. KRETSCHMAR MOVED that the House do concur in the Senate amendments to HB 1417 as printed on HJ page 1190, which motion prevailed.

HB 1417, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1417: A BILL for an Act to create and enact a new chapter to title 26.1 of the North Dakota Century Code, relating to bail bonds; and to provide a penalty.

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; 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

HB 1417 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. GATES MOVED that the House do concur in the Senate amendments to HB 1426 as printed on HJ page 1350, which motion prevailed.

HB 1426, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1426: A BILL for an Act to amend and reenact section 11-10-10.5 of the

North Dakota Century Code, relating to the employment of a county superintendent of schools.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, 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; 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; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Kilichowski; Klein; Kretschmar; Kroeber; Kunkel; Laughlin; Mahoney; Maragos; Martin; Martinson; Monson; Mutzenberger; Ness; Nicholas; Nichols; Oban; Olsen, D.; Olson, A.; Payne; Poolman; Porter; Price; Rennerfeldt; Ring; Rydell; Schindler; Shide; Skarphol; Soukup; St. Aubyn; Stenehjem; Svedjan; Sveen; Timm; Tollefson; Torgerson; Wald; Wanzek; Wardner; Wentz; Speaker R. Berg

NAYS: Boucher; Holm; Nelson; Pyle; Sitz; Stenson; Thorpe; Wilkie

HB 1426 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. DORSO MOVED that the House do concur in the Senate amendments to Engrossed HB 1436 as printed on HJ page 1315, which motion prevailed.

Engrossed HB 1436, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1436: A BILL for an Act to create and enact a new section to chapter 34-07 of the North Dakota Century Code, relating to exemption of newspaper carriers and shopper carriers from North Dakota child labor laws; to amend and reenact sections 34-07-01, 34-07-02, 34-07-03, 34-07-05, 34-07-06, 34-07-11, 34-07-12, 34-07-14, 34-07-15, 34-07-16, 34-07-17, 34-07-18, 34-07-19, and 34-07-20 of the North Dakota Century Code, relating to who may employ youth under the age of fourteen in the state, who may issue certificates to minors who wish to work, the limitations on the hours a minor fourteen or fifteen years of age may work, and hazardous occupations in which minors may not be employed; and to repeal sections 34-07-07, 34-07-08, 34-07-10, and 34-07-13 of the North Dakota Century Code, relating to employment certificates for minors.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 92 YEAS, 6 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Allmaras; Austin; Bateman; Belter; Berg, J.; Bernstein; Bodine; Boucher; Brodshaug; 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; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Kilichowski; Klein; Kretschmar; Kroeber; Kunkel; Laughlin; Mahoney; Maragos; Martin; Martinson; Monson; Mutzenberger; Nelson; Ness; Nicholas; Nichols; Oban; Olsen, D.; Payne; Poolman; Porter; Price; Pyle; Rennerfeldt; Ring; Rydell; Schindler; Shide; Sitz;

Skarphol; Soukup; St. Aubyn; Stenehjem; Stenson; Svedjan; Sveen; Timm; Tollefson; Torgerson; Wald; Wanzek; Wardner; Wentz; Wilkie; Speaker R. Berg

NAYS: Boehm; Brown; Gulleeson; Johnson; Olson, A.; Thorpe

Engrossed HB 1436 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. GATES MOVED that the House do concur in the Senate amendments to Engrossed HB 1474 as printed on HJ page 1315, which motion prevailed.

Engrossed HB 1474, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1474: A BILL for an Act to amend and reenact section 15-29-10 of the North Dakota Century Code, relating to school district records and complaints against school district employees.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 91 YEAS, 7 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Allmaras; Austin; Belter; Berg, J.; Bernstein; Bodine; 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; Grumbo; Gulleeson; Hagle; Hanson; Hausauer; Henegar; Hokana; Holm; Howard; Huether; Jacobs; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Kilichowski; Klein; Kretschmar; Kroeber; Laughlin; Mahoney; Maragos; Martin; Martinson; Monson; Mutzenberger; Nelson; Ness; Nicholas; Nichols; Oban; Olsen, D.; Olson, A.; Payne; Porter; Price; Pyle; Rennerfeldt; Ring; Rydell; Schindler; Shide; Sitz; Skarphol; Soukup; St. Aubyn; Stenehjem; Stenson; Svedjan; Sveen; Thorpe; Timm; Tollefson; Torgerson; Wald; Wanzek; Wardner; Wentz; Wilkie; Speaker R. Berg

NAYS: Bateman; Boehm; Glasheim; Grosz; Johnson; Kunkel; Poolman

Engrossed HB 1474 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. KRETSCHMAR MOVED that the House do concur in the Senate amendments to HB 1475 as printed on HJ page 1315, which motion prevailed.

HB 1475, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1475: A BILL for an Act relating to abortion referrals and the distribution of birth control devices.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 64 YEAS, 34 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Austin; Bateman; Belter; Bernstein; Bodine; Boehm; Brown; Byerly; Carlisle; Carlson, A.; Carlson, C.; Clayburgh; Cleary; Coats;

Dalrymple; DeWitz; Dobrinski; Dorso; Freier; Froseth; Gerntholz; Goffe; Gorder; Gorman; Grosz; Grumbo; Hagle; Hausauer; Henegar; Holm; Howard; Jacobs; Johnson; Kempenich; Kerzman; Klein; Kretschmar; Kroeber; Kunkel; Laughlin; Martin; Martinson; Monson; Nicholas; Nichols; Olsen, D.; Olson, A.; Poolman; Porter; Rennerfeldt; Shide; Soukup; St. Aubyn; Stenehjelm; Sveen; Timm; Tollefson; Torgerson; Wald; Wanzen; Wardner; Wilkie; Speaker R. Berg

NAYS: Allmaras; Berg, J.; Boucher; Brodshaug; Christopherson; Drovda; Gates; Glassheim; Gulleson; Hanson; Hokana; Huether; Kaldor; Keiser; Kelsch; Kilichowski; Mahoney; Maragos; Mutzenberger; Nelson; Ness; Oban; Payne; Price; Pyle; Ring; Rydell; Schindler; Sitz; Skarphol; Stenson; Svedjan; Thorpe; Wentz

HB 1475 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. KRETSCHMAR MOVED that the House do concur in the Senate amendments to Engrossed HB 1484 as printed on HJ page 1191, which motion prevailed.

Engrossed HB 1484, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1484: A BILL for an Act to provide for the recovery of profits from a crime by a person with a right to recover from a convicted felon for injuries caused by the convicted felon.

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; 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; Stenehjelm; Stenson; Svedjan; Sveen; Thorpe; Timm; Tollefson; Torgerson; Wald; Wanzen; Wardner; Wentz; Wilkie; Speaker R. Berg

Engrossed HB 1484 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. RYDELL MOVED that the House do concur in the Senate amendments to Engrossed HB 1485 as printed on HJ page 1315, which motion prevailed.

Engrossed HB 1485, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1485: A BILL for an Act to amend and reenact sections 26.1-36-10 and 26.1-36-29 of the North Dakota Century Code, relating to coordination of accident and health insurance benefits.

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; 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; Wardner; Wentz; Wilkie; Speaker R. Berg

Engrossed HB 1485 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. BELTER MOVED that the House do concur in the Senate amendments to Engrossed HB 1488 as printed on HJ page 1193, which motion prevailed.

Engrossed HB 1488, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1488: A BILL for an Act to amend and reenact section 39-08-20 and subsection 3 of section 39-16.1-19 of the North Dakota Century Code, relating to driving without liability insurance and reissuance of a motor vehicle operator's license following certain cancellations of financial responsibility; and to declare an emergency.

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; 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; Wardner; Wentz; Wilkie; Speaker R. Berg

Engrossed HB 1488 passed, the title was agreed to, and the emergency clause was declared carried.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. DORSO MOVED that the House do concur in the Senate amendments to Engrossed HB 1491 as printed on HJ pages 1315-1316, which motion prevailed.

Engrossed HB 1491, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1491: A BILL for an Act to create and enact a new section to chapter 34-05, a new section to chapter 34-14, a new section to chapter 52-04, and a new section to chapter 65-04 of the North Dakota Century Code, relating to determining an independent contractor's status and to independent contractors for purposes of wage claims, unemployment compensation contributions, and workers' compensation premiums; and to amend and reenact section 65-01-03 of the North Dakota Century Code, relating to independent contractors for purposes of workers' compensation.

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 1491 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. A. OLSON MOVED that the House do concur in the Senate amendments to Engrossed HB 1495 as printed on HJ pages 1191-1192, which motion prevailed.

Engrossed HB 1495, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1495: A BILL for an Act to create and enact a new subsection to section 20.1-03-11 of the North Dakota Century Code, relating to licenses issued to landowners to hunt moose; and to amend and reenact section 20.1-08-04.2 of the North Dakota Century Code, relating to the governor's proclamation concerning the hunting of moose.

ROLL CALL

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

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; Stenehjem; Stenson; Svedjan; Sveen; Thorpe; Timm; Tollefson; Torgerson; Wald; Wanzek; Wardner; Wentz; Wilkie; Speaker R. Berg

NAYS: Gates; St. Aubyn

Engrossed HB 1495 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. DORSO MOVED that the House do concur in the Senate amendments to Engrossed HB 1497 as printed on HJ page 1316, which motion prevailed.

Engrossed HB 1497, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1497: A BILL for an Act to amend and reenact sections 44-04-18 and 44-04-18.4 of the North Dakota Century Code, relating to copying of open records and confidentiality of trade secrets and commercial and financial information.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 93 YEAS, 5 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; Jacobs; Johnson; Keiser; Kelsch; Kempenich; Kerzman; Kilichowski; Klein; Kretschmar; Kroeber; Kunkel; Laughlin; Mahoney; Maragos; Martin; Martinson; Monson; 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; Wardner; Wentz; Wilkie; Speaker R. Berg

NAYS: Huether; Kaldor; Mutzenberger; Oban; Ring

Engrossed HB 1497 passed and the title was agreed to.

MOTIONS

REP. MARTINSON MOVED that the House do concur in the Senate amendments to HCR 3019, HCR 3026, HCR 3039, HCR 3041, HCR 3043, and HCR 3050, which motion prevailed.

HCR 3019, HCR 3026, HCR 3039, HCR 3041, HCR 3043, and HCR 3050, as amended, were placed on the Eleventh order for second reading and final passage.

The question then was on the adoption of HCR 3019, HCR 3026, HCR 3039, HCR 3041, HCR 3043, and HCR 3050, as amended. HCR 3019, HCR 3026, HCR 3039, HCR 3041, HCR 3043, and HCR 3050, as amended, were adopted on a voice vote.

REP. MARTINSON MOVED that a time certain for debate on the Sixth and Fourteenth orders of business to SB 2466 be set at 1:00 p.m., on Monday, March 29, 1993, which motion prevailed.

REP MARTINSON MOVED that the rules be suspended and that the Minority Reports on SB 2466 be heard before the Majority Report, which motion prevailed.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. TIMM MOVED that the House do concur in the Senate amendments to Engrossed HB 1211 as printed on HJ page 1396, which motion prevailed.

Engrossed HB 1211, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1211: A BILL for an Act to amend and reenact subsection 6 of section 6-06-02, sections 6-06-04, 6-06-36, 6-08-26, subsections 3 and 4 of section 10-15-36, sections 10-15-54, 10-23-02, 10-23-04, 10-23-05, 10-23-06, 10-23-07, 10-28-01, 10-28-02, 43-07-07, 44-06-02, 45-10.1-15, 45-11-01, subsection 1 of section 54-05.1-03, and section 54-09-04 of the North Dakota Century Code, relating to fees collected by the secretary of state.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 55 YEAS, 42 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Allmaras; Austin; Belter; Bernstein; Boucher; Byerly; Carlisle; Carlson, A.; Carlson, C.; Christopherson; Clayburgh; Dalrymple; DeWitz; Froseth; Gerntholz; Goffe; Gordier; Gorman; Guleson; Hagle; Hausauer; Henegar; Hokana; Holm; Howard; Huether; Jacobs; Johnson; Keiser; Kempenich; Klein; Kretschmar; Kunkel; Maragos; Monson; Nelson; Nicholas; Payne; Porter; Price; Rennerfeldt; Rydell; Schindler; Soukup; St. Aubyn; Stenehjem; Svedjan; Sveen; Torgerson; Wald; Wanzek; Wardner; Wentz; Wilkie; Speaker R. Berg

NAYS: Aarsvold; Bateman; Berg, J.; Bodine; Boehm; Brodshaug; Brown; Cleary; Coats; Dobrinski; Drovdal; Freier; Gates; Glassheim; Grosz; Grumbo; Hanson; Kaldor; Kelsch; Kerzman; Kilichowski; Kroeber; Laughlin; Mahoney; Martin; Martinson; Mutzenberger; Ness; Nichols; Oban; Olsen, D.; Olson, A.; Poolman; Pyle; Ring; Shide; Sitz; Skarphol; Stenson; Thorpe; Timm; Tollefson

ABSENT AND NOT VOTING: Dorso

Engrossed HB 1211 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. TIMM MOVED that the House do concur in the Senate amendments to Engrossed HB 1429 as printed on HJ page 1396, which motion prevailed.

Engrossed HB 1429, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1429: A BILL for an Act to create and enact a new section to chapter 57-38 of the North Dakota Century Code, relating to an income tax

credit for equipment to convert motor vehicles to alternative fuel; to provide an effective date; and to provide an expiration date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 84 YEAS, 14 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

Engrossed HB 1429 passed and the title was agreed to.

REPORT OF CONFERENCE COMMITTEE

REP. CHRISTOPHERSON MOVED that the House adopt the conference committee report on Engrossed HB 1181, as printed on HJ page 1418, which motion was withdrawn subsequently.

MOTION

REP. MARTINSON MOVED that Engrossed HB 1181 be placed at the bottom of the Seventh order, which motion prevailed.

REPORT OF CONFERENCE COMMITTEE

REP. D. OLSEN MOVED that the conference committee report on Engrossed HB 1225 as printed on HJ page 1419 be adopted, which motion prevailed.

Engrossed HB 1225, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1225: A BILL for an Act to create and enact a new section to chapter 12.1-31 of the North Dakota Century Code, relating to care of an elderly adult; and to provide a penalty.

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; 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; Stenehjøm; Stenson; Svedjan; Sveen; Thorpe; Timm; Tollefson; Torgerson; Wald; Wanzek; Wardner; Wentz; Wilkie; Speaker R. Berg

Engrossed HB 1225 passed and the title was agreed to.

REPORT OF CONFERENCE COMMITTEE

REP. PRICE MOVED that the conference committee report on HB 1096 as printed on HJ page 1390 be adopted, which motion prevailed.

HB 1096, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1096: A BILL for an Act to amend and reenact subsections 7, 11, and 16 of section 50-24.4-01 of the North Dakota Century Code, relating to nursing home rates.

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; 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; Stenehjøm; Stenson; Svedjan; Sveen; Thorpe; Timm; Tollefson; Torgerson; Wald; Wanzek; Wardner; Wentz; Wilkie; Speaker R. Berg

HB 1096 passed and the title was agreed to.

MOTION

REP. MARTINSON MOVED that HB 1181, which is on the Seventh order, be laid over one legislative day, which motion prevailed.

REPORT OF CONFERENCE COMMITTEE

REP. TOLLEFSON MOVED that the conference committee report on Engrossed HB 1168 as printed on HJ pages 1390-1391 be adopted, which motion prevailed.

Engrossed HB 1168, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1168: A BILL for an Act to amend and reenact section 26.1-02-02 and subsections 3 and 5 of section 26.1-03-17 of the North Dakota Century Code, relating to the penalty for failure of an insurance company to pay the renewal fee for a certificate of authority and to insurance premium tax credits, penalties, and refunds; and to provide a penalty.

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; 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; Wardner; Wentz; Wilkie; Speaker R. Berg

Engrossed HB 1168 passed and the title was agreed to.

MOTION

REP. MARTINSON MOVED that HB 1181, which was laid over one legislative day on the Seventh order, be heard at this time, which motion prevailed.

REPORT OF CONFERENCE COMMITTEE

REP. CHRISTOPHERSON MOVED that the conference committee report on Engrossed HB 1181 as printed on HJ page 1418 be adopted, which motion prevailed.

Engrossed HB 1181, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1181: A BILL for an Act to create and enact a new section to chapter 14-09, a new subsection to section 14-09-08.6, and a new section to chapter 50-09 of the North Dakota Century Code, relating to provisions for child support; to amend and reenact sections 14-09-08.1, 14-09-08.2, 14-09-08.3, subsection 3 of section 14-09-08.4, sections 14-09-08.5, 14-09-08.8, 14-09-08.11, 14-09-08.12, if House Bill No. 1021 of the fifty-third legislative assembly does not become effective, subsection 3 of section 14-09-09.7, sections 14-09-09.13, 14-09-09.16, 14-09-09.17, subsection 2 of section 14-12.1-19, section 14-12.1-24, subsection 1 of section 14-12.1-40, sections 14-17-09, 14-17-18, and 50-09-02.1 of the North Dakota Century Code and subsection 3 of section 16 of chapter 148 of the 1989 Session Laws of North Dakota, as amended by section 1 of chapter 152 of the 1991 Session Laws of North Dakota, relating to provisions for child support; and to provide an effective date.

ROLL CALL

The question being on the final adoption 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; 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; Wanzen; Wardner; Wentz; Wilkie; Speaker R. Berg

Engrossed HB 1181 passed and the title was agreed to.

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

MADAM PRESIDENT: The House has reconsidered its action whereby it did not concur with the Senate amendments to HB 1075 and wishes to inform you that the House does now concur with the Senate amendments to HB 1075 and subsequently passed the same. Also, the House has dissolved the House Conference Committee on HB 1075.

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

MADAM PRESIDENT: The Speaker has appointed as a conference committee to act with a like committee from the Senate on:

SB 2277: Reps. Stenehjem; Rydell; Brodshaug

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

MADAM PRESIDENT: The House does not concur in the Senate amendments to HB 1136, HB 1374, HB 1383, HB 1467, and HB 1490 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1136: Reps. Tollefson; Jacobs; Mahoney
HB 1374: Reps. Nicholas; C. Carlson; Boucher
HB 1383: Reps. Svedjan; Rydell; Boucher
HB 1467: Reps. Schindler; Sveen; Gulleon
HB 1490: Reps. Gorder; D. Olsen; Boucher

MOTION

REP. FREIER MOVED that the absent members 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 9:00 a.m., Friday, March 26, 1993, which motion prevailed.

REPORT OF STANDING COMMITTEE

SB 2201, as engrossed: Political Subdivisions Committee (Rep. Martin, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2201 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2466, as engrossed: Human Services Committee (Rep. Rydell, Chairman) A MAJORITY of your committee (Reps. Rydell, Christopherson, Henegar, Stenehjem, Austin, Price, D. Olsen, Gorder, Svedjan) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS**.

Page 14, line 28, replace "estimated quarterly" with "annual"

Page 15, line 1, after the period insert "The health premium surcharge under this subsection must be based on the person's or contractor's income tax year and must be paid when the person or contractor is required to file an annual income tax return with the state tax commissioner."

Page 15, line 24, replace "ninety-two percent of the hospital" with "seven and one-half percent of the total income, as determined for federal income tax purposes, of each individual who files a return under chapter 57-38. For purposes of this subsection, "total income" includes income from wages, salaries, tips, taxable interest,

dividends, refunds of state income taxes, alimony, business, capital gain, individual retirement account distributions, pensions, annuities, rents, royalties, partnerships, estates, trusts, farms, unemployment compensation, social security benefits, and any other source which is includable in total income as determined on the federal individual income tax return."

Page 15, remove lines 25 through 28

Page 16, line 23, replace "Waivers" with "Demonstration project" and replace "thirty days after the effective" with "January 1, 1995"

Page 16, line 24, remove "date of this Act"

Page 16, line 25, replace "Apply" with "Submit"

Page 16, line 26, replace "for all waivers under" with "an application to conduct a demonstration project under section 1115 of the Social Security Act [42 U.S.C. 1315] through which all federal funds for"

Page 16, line 27, replace "which are necessary to enable this" with "[42 U.S.C. 1396, et seq.] may be deposited in the"

Page 16, remove line 28

Page 17, line 2, after "fund" insert "and may be expended in the provision of covered services under this Act and the administration of this Act"

Page 17, line 4, after "individuals" insert "and that authorize the waiver of federal requirements that would otherwise prevent the payment of those funds to the state for administration and expenditure in a manner provided for in this Act"

Page 17, line 8, after "fund" insert "and to expend federal funds in the provision of covered services under this Act and the administration of this Act"

Page 17, after line 18, insert:

"SECTION 24. APPROPRIATION. There is hereby appropriated out of any moneys not otherwise appropriated, from special funds derived from federal funds, the sum of \$1,250,000, or so much of the sum as may be necessary, and out of any moneys in the general fund of the state treasury, not otherwise appropriated, the sum of \$1,250,000, or so much of the sum as may be necessary, to the department of human services for the purpose of carrying out its duties under section 21 of this Act for the biennium beginning July 1, 1993, and ending June 30, 1995."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2466, as engrossed: Human Services Committee (Rep. Rydell, Chairman) MINORITY A. of your committee (Reps. Boucher, Brodshaug, Cleary) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS.

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

Page 4, line 25, after "2." insert "Develop a funding mechanism for the program.

3."

Page 4, line 26, replace "3." with "4."

Page 4, line 27, replace "4." with "5."

Page 4, line 28, replace "5." with "6."

Page 5, line 1, replace "6." with "7."

Page 5, line 3, replace "7." with "8."

Page 5, line 4, replace "8." with "9."

Page 5, line 7, replace "9." with "10."

Page 5, line 11, replace "10." with "11."

Page 5, line 14, replace "11." with "12."

Page 5, line 17, replace "12." with "13."

Page 5, line 18, replace "13." with "14."

Page 5, line 20, replace "14." with "15."

Page 6, line 24, replace "three" with "two" and after "years" insert ", three have a term of three years,"

Page 8, line 10, remove "Any recommendation made by the board or staff of the"

Page 8, remove lines 11 through 19

Page 10, line 12, replace "general" with "legislative"

Page 12, line 2, remove "and for whom a health premium surcharge is paid, either by"

Page 12, line 3, remove "that person or by an employer,"

Page 12, line 4, replace "also pays the income tax surcharge required" with "meets the requirements of"

Page 12, line 5, remove "by"

Page 14, remove lines 17 through 29

Page 15, remove lines 1 through 28

Page 16, remove lines 1 through 22

Page 16, line 23, replace "Waivers" with "Demonstration project" and replace "thirty days after the effective" with "January 1, 1995"

Page 16, line 24, remove "date of this Act"

Page 16, line 25, replace "Apply" with "Submit"

Page 16, line 26, replace "for all waivers under" with "an application to conduct a demonstration project under section 1115 of the Social Security Act [42 U.S.C. 1315] through which all federal funds for"

Page 16, line 27, replace "which are necessary to enable this" with "[42 U.S.C. 1396, et seq.] may be deposited in the"

Page 16, remove line 28

Page 17, line 2, after "fund" insert "and may be expended in the provision of covered services under this Act and the administration of this Act"

Page 17, line 4, after "individuals" insert "and that authorize the waiver of federal requirements that would otherwise prevent the payment of those funds to the state for administration and expenditure in a manner provided for in this Act"

Page 17, line 8, after "fund" insert "and to expend federal funds in the provision of covered services under this Act and the administration of this Act"

Page 17, after line 12, insert:

"SECTION 20. REPORT TO LEGISLATIVE COUNCIL. By July 1, 1994, the board shall report to the legislative council on the funding mechanism developed by the board under section 4 of this Act. If the legislative council approves of the mechanism developed, the board shall prepare and submit proposed legislation to the fifty-fourth legislative assembly to enact the funding mechanism developed. If the legislative council does not approve the mechanism developed, the board shall develop an alternative funding mechanism and shall prepare and submit proposed legislation to the fifty-fourth legislative assembly to enact the alternative funding mechanism."

Page 17, line 17, after "8" insert "and section 20"

Page 17, after line 18, insert:

"SECTION 22. APPROPRIATION. There is hereby appropriated out of any moneys not otherwise appropriated, from special funds derived from federal funds, the sum of \$1,250,000, or so much of the sum as may be necessary, and out of any moneys in the general fund of the state treasury, not otherwise appropriated, the sum of \$1,250,000, or so much of the sum as may be necessary, to the department of human services for the purpose of carrying out its duties under section 18 of this Act for the biennium beginning July 1, 1993, and ending June 30, 1995."

Page 17, line 23, replace "21" with "18"

ReNUMBER accordingly

REPORT OF STANDING COMMITTEE

SB 2466, as engrossed: Human Services Committee (Rep. Rydell, Chairman)
MINORITY B of your committee (Reps. Bodine, Kerzman) recommends
AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS.

Page 14, line 21, replace "seven and" with "five"

Page 14, line 22, remove "one-half"

Page 14, line 29, replace "seven" with "nine"

Page 15, line 24, replace "ninety-two percent of the hospital" with "five percent of wages received from a North Dakota employer is imposed on each employee, and a health surcharge premium of nine and one-half percent of the total income as determined for federal income tax purposes, excluding any income subject to the surcharge imposed on wages under this section, is imposed on each individual who files a return under chapter 57-38. For purposes of this subsection, "total income" includes income not subject to the surcharge imposed on wages under this section, tips, taxable interest, dividends, refunds of state income taxes, alimony, business, capital gain, individual retirement account distributions, pensions, annuities, rents, royalties, partnerships, estates, trusts, farms, unemployment compensation, social

security benefits, and any other source which is included in total income as determined on the federal individual income tax return, and subject to income taxes in this state. "Total income" does not include income of a self-employed person or independent contractor which is subject to the surcharge under section 18 of this Act."

Page 15, remove lines 25 through 28

Page 16, line 23, replace "Waivers" with "Demonstration project" and replace "thirty days after the effective" with "January 1, 1995"

Page 16, line 24, remove "date of this Act"

Page 16, line 25, replace "Apply" with "Submit"

Page 16, line 26, replace "for all waivers under" with "an application to conduct a demonstration project under section 1115 of the Social Security Act [42 U.S.C. 1315] through which all federal funds for"

Page 16, line 27, replace "which are necessary to enable this" with "[42 U.S.C. 1396, et seq.] may be deposited in the"

Page 16, remove line 28

Page 17, line 2, after "fund" insert "and may be expended in the provision of covered services under this Act and the administration of this Act"

Page 17, line 4, after "individuals" insert "and that authorize the waiver of federal requirements that would otherwise prevent the payment of those funds to the state for administration and expenditure in a manner provided for in this Act"

Page 17, line 8, after "fund" insert "and to expend federal funds in the provision of covered services under this Act and the administration of this Act"

Page 17, after line 18, insert:

"SECTION 24. APPROPRIATION. There is hereby appropriated out of any moneys not otherwise appropriated, from special funds derived from federal funds, the sum of \$1,250,000, or so much of the sum as may be necessary, and out of any moneys in the general fund of the state treasury, not otherwise appropriated, the sum of \$1,250,000, or so much of the sum as may be necessary, to the department of human services for the purpose of carrying out its duties under section 21 of this Act for the biennium beginning July 1, 1993, and ending June 30, 1995."

Renumber accordingly

The reports of the majority and the minority A and minority B were placed on the Sixth order of business on the calendar for the succeeding legislative day.

REPORT OF STANDING COMMITTEE

SB 2505: 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 2505 was placed on the Sixth order on the calendar.

Page 1, line 11, remove "first"

Page 1, remove line 12

Page 1, line 13, remove "tons] of" and after "production" insert "not exceeding the production limitation"

Page 1, line 16, after the underscored period insert "For purposes of this subdivision, the production limitation is three million eight hundred thousand tons [3447302.02 metric tons] through calendar year 1995, three million six hundred thousand tons [3265865.07 metric tons] in calendar years 1996 and 1997, and three million four hundred thousand tons [3084428.12 metric tons] in calendar years after 1997."

Page 1, line 17, replace "three million four hundred" with "the production limitation"

Page 1, line 18, remove "thousand tons [3,084,428.12 metric tons]"

Page 4, line 29, replace "1992" with "1993"

Reumber accordingly

REPORT OF STANDING COMMITTEE

SB 2523, as engrossed: Agriculture Committee (Rep. Nicholas, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2523 was placed on the Sixth order on the calendar.

Page 1, line 4, after "control" insert "and pest control by county weed boards"

Page 1, line 7, after "Code" insert "and sections 2, 3, 4, 6, 7, 9, and 10 of House Bill No. 1054, as approved by the fifty-third legislative assembly"

Page 1, line 8, remove "and to"

Page 1, line 9, after "control" insert ", and pest control by county weed boards"

Page 1, line 20, after "part" insert "or, if authorized, to suppress, eradicate, or prevent or retard the spread of a pest"

Page 2, line 2, after "and" insert an underscored comma

Page 2, line 3, after "authorization" insert an underscored comma

Page 2, line 11, after "plant" insert "or, if authorized, a pest"

Page 3, line 3, after the period insert ""Pest" means any pest as defined in section 4-33-01."

13."

Page 4, line 2, overstrike the period

Page 4, line 3, after "~~Official~~" insert "or, if authorized, pest control program."

Page 4, line 15, after "weeds" insert "or, if authorized, pests"

Page 4, line 29, after "state" insert "and, if authorized, pest control progress and activity in the state"

Page 5, line 6, after "practices" insert "or, if authorized, pest control practices"

Page 7, line 28, after "weeds" insert "and, if authorized, pests"

- Page 8, line 9, after "county" insert "and, if authorized, the progress of pest control activities within the county"
- Page 8, line 27, after "weeds" insert "and, if authorized, pests"
- Page 9, line 2, after "weed" insert "and, if authorized, pest"
- Page 13, line 25, after "weeds" insert "or, if authorized, pests"
- Page 14, line 1, after "weeds" insert "or, if authorized, pests"
- Page 15, line 16, after "weeds" insert "or, if authorized, pests"
- Page 15, line 19, after "weeds" insert "or, if authorized, pests"
- Page 15, line 26, after "weeds" insert "or, if authorized, pests"
- Page 15, line 27, after "weeds" insert "or, if authorized, pests"
- Page 15, line 29, after "weeds" insert "or, if authorized, pests"
- Page 16, line 1, after "weeds" insert "or, if authorized, pests"
- Page 16, line 6, after "weeds" insert "or, if authorized, pests"
- Page 16, line 8, after "weeds" insert "or, if authorized, pests"
- Page 16, line 9, after "weeds" insert "or, if authorized, pests"
- Page 16, line 10, after "weeds" insert "or, if authorized, pests"
- Page 18, line 12, after "Weed" insert "and pest"
- Page 18, line 14, after "weed" insert "and pest"
- Page 18, line 18, after "weed" insert "or, if authorized, pest"
- Page 18, line 23, after "weeds" insert "and pests"
- Page 18, line 26, after "weeds" insert "or, if authorized, pests"
- Page 18, line 29, after "weeds" insert "and, if authorized, pests"
- Page 19, line 2, after "weeds" insert "or, if authorized, pests"
- Page 19, line 5, after "weeds" insert "or, if authorized, pests"
- Page 19, line 12, after "weeds" insert "or, if authorized, pests"
- Page 19, line 16, after "weeds" insert "or, if authorized, pests"
- Page 20, line 13, after the underscored period insert "Penalties collected pursuant to this section for failure or refusal to perform remedial requirements for the control of pests on an infested area must be credited to the weed control fund in the political subdivision in which the penalty originated but dedicated for use by the county weed board to control pests."

Page 20, line 19, remove the first "and"

Page 20, line 20, after "Code" insert ", and sections 2, 3, 4, 6, 7, 9, and 10 of House Bill No. 1054, as approved by the fifty-third legislative assembly,"

Renumber accordingly

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

ROY GILBREATH, Chief Clerk