

## JOURNAL OF THE HOUSE

## Fifty-fourth Legislative Assembly

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Bismarck, January 6, 1995

The House convened at 12:00 Noon, with Speaker Martin presiding.

The prayer was offered by the Rev. Bob Nordvall, Charity Lutheran Church, Bismarck.

The roll was called and all members were present except Representatives Dorso, Hagle, and Oban.

A quorum was declared by the Speaker.

## CORRECTION AND REVISION OF THE JOURNAL

MR. SPEAKER: Your Committee on Correction and Revision of the Journal (Rep. DROVDAL, Chairman) has carefully examined the Journals of the Third Organizational Day and the Journals of the First and Second Days and recommends that they be corrected as follows and when so corrected, recommends that they be approved:

Page 35, line 48, replace "Forseth" with "Froseth"

Page 64, line 53, delete the letter "E" and insert the letter "W"

Page 65, lines 40 and 42, delete the letter "E" and insert the letter "W"

Page 76, line 44, after the word "to" insert "the"

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

## THE HOUSE RECOGNIZED THE PRESENCE OF:

Former Representative Bruce Anderson.

## SECOND READING OF HOUSE BILL

HB 1079: A BILL for an Act to amend and reenact section 21-04-09 of the North Dakota Century Code, relating to approval of custodians for safekeeping securities pledged in place of depository bonds.

## ROLL CALL

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

YEAS: Aarsvold; Austin; Bateman; Belter; Berg; Bernstein; Boehm; Boucher; Brown; Byerly; Carlisle; Carlson; Christenson; Christopherson; Clark; Clayburgh; Coats; Dalrymple; DeKrey; Delmore; Delzer; Dewitz; Dobrinski; Drovdal; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Gorman; Grosz; Grumbo; Gulleson; Gunter; Hanson; Hausauer; Henegar, D.; Henegar, K.; Holm; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Klein; Kliniske; Koppelman; Kretschmar; Kroeber; Kunkel; Laughlin; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Mutzenberger; Nicholas; Nichols; Nottestad; Olson; Payne; Poolman; Price; Rennerfeldt; Retzer; Rydell; Sabby; Sandvig; Schimke; Schmidt; Shide; Sitz; Skarphol; Soukup; Stenehjem; Svedjian; Sveen; Thompson; Thoreson; Timm; Tollefson; Torgerson; Wald; Walker; Wardner; Wentz; Wilkie; Speaker Martin

ABSENT AND NOT VOTING: Dorso; Hagle; Oban

HB 1079 passed and the title was agreed to.

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#### SECOND READING OF HOUSE BILL

**HB 1093:** A BILL for an Act to amend and reenact section 39-01-16 of the North Dakota Century Code, relating to hearings on alleged violations by motor vehicle dealers.

#### ROLL CALL

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

**YEAS:** Aarsvold; Austin; Bateman; Belter; Berg; Bernstein; Boehm; Boucher; Brown; Byerly; Carlisle; Carlson; Christenson; Christopherson; Clark; Clayburgh; Coats; Dalrymple; DeKrey; Delmore; Delzer; DeWitz; Dobrinski; Drovdal; Freier; Froseth; Galvin; Gernholz; Glasheim; Gorder; Gorman; Grosz; Grumbo; Gulleason; Gunter; Hanson; Hausauer; Henegar, D.; Henegar, K.; Holm; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Klein; Kliniske; Koppelman; Kretschmar; Kroeber; Kunkel; Laughlin; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Mutzenberger; Nicholas; Nichols; Nottestad; Olson; Payne; Poolman; Price; Rennerfeldt; Retzer; Rydell; Sabby; Sandvig; Schimke; Schmidt; Shide; Sitz; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Timm; Tollefson; Torgerson; Wald; Walker; Wardner; Wentz; Wilkie; Speaker Martin

**ABSENT AND NOT VOTING:** Dorso; Hagle; Oban

HB 1093 passed and the title was agreed to.

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#### ANNOUNCEMENT

**THE CHIEF CLERK ANNOUNCED** that the report of the Commission on Uniform State Laws would be filed with the Legislative Council.

#### MOTION

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

#### MOTION

**REP. FREIER MOVED** that the House be on the Fifth and Ninth orders of business and at the conclusion of those orders, the House stand adjourned until 8:30 a.m., Monday, January 9, 1995, which motion prevailed.

#### REPORT OF STANDING COMMITTEE

**HB 1075: Education Committee (Rep. Rydell, Chairman)** recommends DO PASS (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1075 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1099: Transportation Committee (Rep. Belter, Chairman)** recommends DO PASS (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1099 was placed on the Eleventh order on the calendar.

#### FIRST READING OF HOUSE BILLS

Reps. Brown, Carlson, Drovdal, Grosz and Sen. Urlacher introduced:

**HB 1204:** A BILL for an Act to create and enact a new subsection to section 38-11.1-03 of the North Dakota Century Code, relating to definitions for purposes of oil and gas production damage compensation; and to amend and reenact section 38-11.1-05 of the North Dakota Century Code, relating to notice requirements for oil and gas drilling operations.

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

Reps. Wald, Froseth, Carlson, Skarphol and Sens. Mutch, Krebsbach introduced:  
**HB 1205:** A BILL for an Act to create and enact two new sections to chapter 26.1-26 of the North Dakota Century Code, relating to license requirements for insurance brokers and payment of insurance commissions by insurance brokers; and to amend and reenact sections 26.1-26-04 and 26.1-26-18 of the North Dakota Century Code, relating to commissions and bond requirements for insurance brokers and surplus lines insurance brokers.

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

Reps. Wald, Skarphol, Carlson, Dobrinski and Sens. Andrist, Kinnoin introduced:

**HB 1206:** A BILL for an Act to create and enact four new sections to chapter 65-05 of the North Dakota Century Code, relating to an employee's first report of injury to an employer.

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

Reps. Wald, Skarphol, Kelsch, Dobrinski and Sens. Andrist, Robinson introduced:

**HB 1207:** A BILL for an Act to amend and reenact section 65-04-20 of the North Dakota Century Code, relating to the installment payment of premiums for workers' compensation.

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

Reps. Wald, Skarphol, Bernstein and Sens. Kinnoin, B. Stenehjelm, Traynor introduced:

**HB 1208:** A BILL for an Act to amend and reenact sections 65-02-08, 65-02-15, 65-02-20, subsection 1 of section 65-05.1-06.1, and section 65-10-03 of the North Dakota Century Code, relating to workers' compensation attorney fees; to repeal sections 65-02-17 and 65-02-18 of the North Dakota Century Code, relating to binding arbitration; and to provide an effective date.

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

Reps. Skarphol, Bernstein, Delzer and Sens. Krebsbach, Mathern, Traynor introduced:

**HB 1209:** A BILL for an Act to require social security or taxpayer identification numbers on judgments for nonpayment of a debt.

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

Reps. Martin, Brown and Sen. Urlacher introduced:

**HB 1210:** A BILL for an Act to create and enact a new subsection to section 38-08-02 and a new section to chapter 38-08 of the North Dakota Century Code, relating to recording the location of oil and gas reserve pits.

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

Reps. Olson, Monson and Sen. Sand introduced:

**HB 1211:** A BILL for an Act to create and enact a new section to chapter 24-01 of the North Dakota Century Code, relating to yield or stop signs to be erected at intersections of paved and unpaved highways.

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

Reps. Austin, Carlson, Kretschmar introduced:

**HB 1212:** A BILL for an Act to amend and reenact subsection 3 of section 12.1-28-02 of the North Dakota Century Code, relating to the conducting of sports pools on professional or collegiate athletic events; and to provide a penalty.

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

Reps. Wald, Torgerson, Schimke, Boehm, Drovdal and Sen. Wanzek introduced:

**HB 1213:** A BILL for an Act to amend and reenact section 15-21-04.5, subsection 4 of section 15-29-08, subsection 2 of section 15-40.1-06, sections 15-40.1-07, 15-40.1-08, 15-41-06, 15-41-24, and 15-59-07 of the North Dakota Century Code, relating to school accreditation standards and high school graduation requirements; and to repeal sections 15-21-04.1, 15-41-07, and 15-45-03 of the North Dakota Century Code, relating to the adoption of accreditation standards and the outline of a state course of study by the superintendent of public instruction.

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

Reps. Olson, Gerntholz and Sen. Nething introduced:

**HB 1214:** A BILL for an Act to amend and reenact sections 4-02-04, 4-02-08, 4-02-26, 4-02-27, 4-02-27.2, 4-02-27.3, 4-02-30, 11-23-09, 53-03-03, 53-04.1-04, 53-05-02, subsections 30 and 31 of section 57-15-06.7, and subsection 1 of section 57-15-06.8 of the North Dakota Century Code, relating to fairs, fair associations, carnivals, and amusements and property tax levies for fairs; and to repeal sections 4-02-03, 4-02-09, 4-02-11, 4-02-15, 4-02-32, 4-02-33, 4-02-34, and subsection 3 of section 57-15-06.7 of the North Dakota Century Code, relating to fairs.

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

Rep. Dalrymple and Sen. G. Nelson introduced:

**HB 1215:** A BILL for an Act to authorize the state of North Dakota and the North Dakota state board of higher education, for the use and benefit of North Dakota state university agricultural experiment station otherwise known as the agronomy seed farm, to convey certain state-owned land to the city of Casselton, North Dakota.

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

Rep. Dalrymple introduced:

**HB 1216:** A BILL for an Act to amend and reenact section 15-60-10 of the North Dakota Century Code, relating to school construction loans.

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

Reps. Wald, Kretschmar, Carlson and Sens. Christmann, Robinson, Kinnoin introduced:

**HB 1217:** A BILL for an Act to amend and reenact section 65-01-01 of the North Dakota Century Code, relating to the purposes of the workers' compensation law.

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

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

**ROY GILBREATH, Chief Clerk**