

JOURNAL OF THE HOUSE

Fifty-fourth Legislative Assembly

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Bismarck, January 13, 1995

The House convened at 8:30 a.m., with Speaker Martin presiding.

The prayer was offered by the Rev. Darlene Perkins, All Nations United Church of Christ, Bismarck.

The roll was called and all members were present except Representatives Price and Walker.

A quorum was declared by the Speaker.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM C. PARKER, SECRETARY)

MR. SPEAKER: The Senate has passed and your favorable consideration is requested on: SB 2078, SB 2132, SB 2140, SB 2150, SB 2153, SB 2155, SB 2160, SB 2161, SB 2207, SB 2213.

REQUEST

REP. OBAN REQUESTED that the amendments to HB 1058 be considered individually, which request was granted.

SIXTH ORDER OF BUSINESS

HB 1058: REP. OLSON (Natural Resources Committee) MOVED that the amendments on HJ page 123 be adopted and then be placed on the Eleventh order with DO PASS.

REQUEST

REP. OBAN REQUESTED a verification vote on the motion to adopt the amendments to HB 1058, which request was granted.

The amendments to HB 1058 were adopted on a verification vote and HB 1058, as amended, was placed on the Eleventh order at the top of the calendar for second reading and final passage.

SIXTH ORDER OF BUSINESS

The amendments to HB 1116 and HB 1162 were adopted.

HB 1116 and HB 1162, as amended, were placed at the bottom of the Eleventh order on today's calendar.

HOUSE ENGRASSING REPORT

The following bills were engrossed: HB 1058, HB 1116, and HB 1162.

SECOND READING OF HOUSE BILL

HB 1058: A BILL for an Act to rename the state department of health and consolidated laboratories the North Dakota department of health; and to amend and reenact section 23-01-01.1 of the North Dakota Century Code, relating to changing references to the state department of health and consolidated laboratories to the North Dakota department of health.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 87 YEAS, 9 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Austin; Bateman; Belter; Berg; Bernstein; Boehm; Brown; Byerly; Carlisle; Carlson; Christopherson; Clark; Clayburgh; Dalrymple; DeKrey; Delmore; Delzer; DeWitz; Dorso; Drovdal; Freier; Froseth;

Galvin; Gerntholz; Glassheim; Gorder; Gorman; Grosz; Grumbo; Gulleon; Gunter; Hagle; Hanson; Hausauer; Henegar, D.; Henegar, K.; Holm; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Klein; Kliniske; Koppelman; Kretschmar; Kroeber; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Mutzenberger; Nicholas; Nottestad; Oban; Olson; Payne; Poolman; Rennerfeldt; Retzer; Rydell; Sabby; Schimke; Shide; Skarphol; Soukup; Stenehjelm; Svedjan; Sveen; Thompson; Thoreson; Timm; Tollefson; Torgerson; Wald; Wardner; Wentz; Wilkie; Speaker Martin

HAYS: Boucher; Christenson; Coats; Dobrinski; Laughlin; Nichols; Sandvig; Schmidt; Sitz

ABSENT AND NOT VOTING: Price; Walker

Engrossed HB 1058 passed and the title was agreed to.

MOTION

REP. FREIER MOVED that HCR 3002, HCR 3003, HCR 3004, HCR 3005, and HCR 3008 be removed from the Eleventh order on the calendar and be placed on the Consent Calendar, which motion prevailed.

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS ON CONSENT CALENDAR

- HCR 3002:** A concurrent resolution directing the Legislative Council to monitor the continued development of a continuum of services for the mentally ill and chemically dependent, including changes in the role of the State Hospital and expanded community services, to review the effectiveness of the clubhouse projects in Minot and Grand Forks, and to determine the feasibility and desirability of expanding the clubhouse model to other regions of the state.
- HCR 3003:** A concurrent resolution directing the Legislative Council to study methods to improve the cost effectiveness and efficiency of the Department of Human Services child support collection system and to review the roles of clerks of court, regional child support enforcement units, and the Department of Human Services in providing a coordinated and effective child support enforcement program.
- HCR 3004:** A concurrent resolution directing the Legislative Council to monitor the development and operation of criminal justice information systems in North Dakota and to study policies and issues relating to the confidentiality, dissemination, and retention of criminal justice information.
- HCR 3005:** A concurrent resolution directing the Legislative Council to study the problems associated with the unification of the state's judicial system into a single trial court of general jurisdiction, with emphasis on a review of venue statutes.
- HCR 3008:** A concurrent resolution directing the Legislative Council to study the feasibility and desirability of implementing recommendations by the North Dakota Health Task Force for improving the health status of North Dakotans, to monitor the rate of health care cost increases, to review the impact of newly enacted programs to improve the health status of North Dakotans, and to address unmet medical needs in rural areas.

ROLL CALL

The question being on the final adoption of the resolutions, which have been read, the roll was called and there were 96 YEAS, 0 NAYS, 0 EXCUSED, 2 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; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Gorman; Grosz; Grumbo; Gulleson; Gunter; Hagle; 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; Oban; Olson; Payne; Poolman; Rennerfeldt; Retzer; Rydell; Sabby; Sandvig; Schimke; Schmidt; Shide; Sitz; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Timm; Tollefson; Torgerson; Wald; Wardner; Wentz; Wilkie; Speaker Martin

ABSENT AND NOT VOTING: Price; Walker

HCR 3002, HCR 3003, HCR 3004, HCR 3005, and HCR 3008 were declared adopted on a recorded roll call vote, and the titles were agreed to.

MOTION

REP. TIMM MOVED that Engrossed HB 1085, which is on the Eleventh order, be rereferred to the **Finance and Taxation Committee**, which motion prevailed. Pursuant to Rep. Timm's motion, Engrossed HB 1085 was rereferred.

MOTION

REP. FREIER MOVED that the House waive the reading of the titles to HB 1027 and HB 1062, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1069: A BILL for an Act to amend and reenact section 14-03-10 of the North Dakota Century Code, relating to residency requirements for marriage licenses.

ROLL CALL

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

YEAS: Aarsvold; Austin; Bateman; Belter; Berg; Bernstein; Boehm; Boucher; Brown; Byerly; Carlisle; Carlson; Christenson; Christopherson; Clark; Clayburgh; Coats; Dalrymple; DeKrey; Delmore; Delzer; DeWitz; Dobrinski; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Gorman; Grosz; Grumbo; Gulleson; Gunter; Hagle; 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; Oban; Olson; Payne; Poolman; Rennerfeldt; Retzer; Rydell; Sabby; Sandvig; Schimke; Schmidt; Shide; Sitz; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Timm; Tollefson; Torgerson; Wald; Wardner; Wentz; Wilkie; Speaker Martin

ABSENT AND NOT VOTING: Price; Walker

Engrossed HB 1069 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1137: A BILL for an Act to amend and reenact section 43-34-05 of the North Dakota Century Code, relating to license fees for nursing home administrators.

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 67 YEAS, 29 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Berg; Bernstein; Boucher; Brown; Christenson; Christopherson; Delmore; Dobrinski; Dorso; Galvin; Gerntholz; Glassheim; Gorder; Gorman; Grumbo; Gulleson; Gunter; Hagle; Hanson; Hausauer; Henegar, D.; Henegar, K.; Holm; Huether; Jacobs; Kaldor; Keiser; Kelsch; Kempenich; Klein; Kliniske; Koppelman; Kretschmar; Kroeber; Kunkel; Laughlin; Lloyd; Mahoney; Maragos; Mickelson; Mutzenberger; Nicholas; Nichols; Nottestad; Oban; Olson; Payne; Retzer; Rydell; Sabby; Shide; Sitz; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Timm; Tollefson; Torgerson; Wald; Wardner; Wentz; Wilkie; Speaker Martin

NAYS: Austin; Bateman; Belter; Boehm; Byerly; Carlisle; Carlson; Clark; Clayburgh; Coats; Dalrymple; DeKrey; Delzer; DeWitz; Drovdal; Freier; Froseth; Grosz; Howard; Johnson; Kerzman; Martinson; Monson; Poolman; Rennerfeldt; Sandvig; Schimke; Schmidt; Skarphol

ABSENT AND NOT VOTING: Price; Walker

Engrossed HB 1137 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1027: A BILL for an Act to provide for the sentencing of offenders to the custody of the department of corrections and rehabilitation and to rename the state industrial school the state youth correctional center; to create and enact a new subsection to section 1-01-49 and a new section to chapter 12-47 of the North Dakota Century Code, relating to the definition of penitentiary and the authority of the warden; to amend and reenact sections 11-15-25, 12-46-01, 12-46-13, 12-46-15, 12-46-17, 12-46-18, 12-47-11, 12-47-12, 12-47-17, 12-47-21, 12-48-01, 12-55-31, 12-59-16, 12.1-32-02, 19-03.1-23, subsection 5 of section 27-20-31, section 27-20-32, subsection 2 of section 27-20-36, subsection 2 of section 27-20-37, and section 44-04-04 of the North Dakota Century Code, relating to commitment of offenders to custody of the department of corrections and rehabilitation; and to repeal chapter 12-51 of the North Dakota Century Code, relating to the Missouri River correctional center.

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 92 YEAS, 3 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; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Gorman; Grosz; Grumbo; Gulleson; Gunter; Hagle; Hanson; Hausauer; Henegar, D.; Henegar, K.; Holm; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Klein; Koppelman; Kretschmar; Kroeber; Kunkel; Laughlin; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Nicholas; Nichols; Nottestad; Olson; Payne; Poolman; Rennerfeldt; Retzer; Rydell; Sabby; Sandvig; Schimke; Schmidt; Shide; Sitz; Skarphol; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Timm; Tollefson; Torgerson; Wald; Wardner; Wentz; Wilkie; Speaker Martin

NAYS: Kliniske; Mutzenberger; Oban

ABSENT AND NOT VOTING: Price; Soukup; Walker

HB 1027 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1062: A BILL for an Act to amend and reenact subsection 2 of section 10-30.1-01, sections 10-30.1-09, 10-30.2-12, 40-57.1-04, 57-38-01, subdivision c of subsection 1 of section 57-38-01.3, sections 57-38-01.7, 57-38-01.8, 57-38-01.14, 57-38-01.16, 57-38-01.17, 57-38-30.3, 57-38-31, and 57-38-33 of the North Dakota Century Code, and section 1 of chapter 555 of the 1993 Session Laws, relating to elimination of the long-form income tax return and establishment of the short-form income tax return as the only individual income tax filing method; to repeal sections 57-38-01.1, 57-38-01.2, 57-38-01.13, 57-38-02, 57-38-03, 57-38-06.1, 57-38-29, 57-38-29.2, 57-38-30.4, 57-38-34.1, 57-38-67, 57-38-68, 57-38-69, 57-38-70, 57-38-71, 57-38-72, 57-38-73, and 57-38-74 and chapter 57-38.5 of the North Dakota Century Code, relating to the long-form individual income tax filing method; and to provide an effective date.

ROLL CALL

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

YEAS: Aarsvold; Austin; Byerly; Carlisle; Coats; DeKrey; Dobrinski; Froseth; Glasheim; Grumbo; Hanson; Henegar, D.; Kaldor; Kretschmar; Kroeber; Laughlin; Mahoney; Oban; Retzer; Sandvig; Sveen

NAYS: Bateman; Belter; Berg; Bernstein; Boehm; Boucher; Brown; Carlson; Christenson; Christopherson; Clark; Clayburgh; Dalrymple; Delmore; Delzer; DeWitz; Dorso; Drovdal; Freier; Galvin; Gerntholz; Gorman; Grosz; Gulleson; Gunter; Hausauer; Henegar, K.; Holm; Howard; Huether; Jacobs; Johnson; Keiser; Kelsch; Kempenich; Kerzman; Klein; Kliniske; Koppelman; Kunkel; Lloyd; Maragos; Martinson; Mickelson; Monson; Mutzenberger; Nicholas; Nichols; Nottestad; Olson; Payne; Poolman; Rennerfeldt; Rydell; Sabby; Schimke; Schmidt; Shide; Sitz; Skarphol; Soukup; Stenehjem; Svedjan; Thompson; Thoreson; Timm; Tollefson; Torgerson; Wald; Wardner; Wentz; Wilkie; Speaker Martin

ABSENT AND NOT VOTING: Gordor; Hagle; Price; Walker

HB 1062 was declared lost.

SECOND READING OF HOUSE BILL

HB 1063: A BILL for an Act to amend and reenact section 40-57.1-07 of the North Dakota Century Code, relating to the time of making application for new industry exemptions; and to provide an effective date.

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 68 YEAS, 28 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Austin; Belter; Berg; Bernstein; Boehm; Brown; Carlson; Christopherson; Clark; Delzer; DeWitz; Dorso; Freier; Gordor; Gorman; Grosz; Grumbo; Gunter; Hagle; Hanson; Hausauer; Henegar, D.; Holm; Howard; Huether; Jacobs; Johnson; Keiser; Kelsch; Kempenich; Klein; Kliniske; Koppelman; Kretschmar; Kunkel; Laughlin; Lloyd; Mahoney; Maragos; Mickelson; Monson; Nicholas; Nottestad; Oban; Olson; Payne; Poolman; Rennerfeldt; Retzer; Rydell; Sabby; Sandvig; Schmidt; Shide; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Timm; Tollefson; Torgerson; Wald; Wardner; Wentz; Speaker Martin

NAYS: Aarsvold; Bateman; Boucher; Byerly; Carlisle; Christenson; Clayburgh; Coats; Dalrymple; DeKrey; Delmore; Dobrinski; Drovdal; Froseth; Galvin; Gerntholz; Glassheim; Gulleson; Henegar, K.; Kaldor; Kerzman; Kroeber; Martinson; Mutzenberger; Nichols; Schimke; Sitz; Wilkie

ABSENT AND NOT VOTING: Price; Walker

HB 1063 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1072: A BILL for an Act to repeal section 29-06-05.2 of the North Dakota Century Code, relating to the authority of special agents of the federal bureau of investigation to make arrests.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 33 YEAS, 63 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Bateman; Belter; Bernstein; Boehm; Brown; Carlson; Clayburgh; Delzer; DeWitz; Dorso; Drovdal; Freier; Galvin; Gerntholz; Grosz; Holm; Kempenich; Koppelman; Kretschmar; Lloyd; Monson; Olson; Poolman; Rennerfeldt; Retzer; Sabby; Shide; Skarphol; Svedjan; Sveen; Timm; Tollefson; Torgerson

NAYS: Aarsvold; Austin; Berg; Boucher; Byerly; Carlisle; Christenson; Christopherson; Clark; Coats; Dalrymple; DeKrey; Delmore; Dobrinski; Froseth; Glassheim; Gorder; Gorman; Grumbo; Gulleson; Gunter; Hagle; Hanson; Hausauer; Henegar, D.; Henegar, K.; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kerzman; Klein; Kliniske; Kroeber; Kunkel; Laughlin; Mahoney; Maragos; Martinson; Mickelson; Mutzenberger; Nicholas; Nichols; Nottestad; Oban; Payne; Rydell; Sandvig; Schimke; Schmidt; Sitz; Soukup; Stenehjem; Thompson; Thoreson; Wald; Wardner; Wentz; Wilkie; Speaker Martin

ABSENT AND NOT VOTING: Price; Walker

HB 1072 was declared lost.

SECOND READING OF HOUSE BILL

HB 1077: A BILL for an Act to amend and reenact section 12.1-22-04 of the North Dakota Century Code, relating to unlawful entry into a vehicle.

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; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Gorman; Grosz; Grumbo; Gulleson; Gunter; Hagle; 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; Martinson; Mickelson; Monson; Mutzenberger; Nicholas; Nichols; Nottestad; Oban; Olson; Payne; Poolman; Rennerfeldt; Retzer; Rydell; Sabby; Sandvig; Schimke; Schmidt; Shide; Sitz; Skarphol; Soukup;

Stenehjelm; Svedjan; Sveen; Thompson; Thoreson; Timm; Tollefson; Torgerson; Wald; Wardner; Wentz; Wilkie; Speaker Martin

ABSENT AND NOT VOTING: Maragos; Price; Walker

HB 1077 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1082: A BILL for an Act to amend and reenact subsection 4 of section 12-48-15, section 12-48-20, and subdivision b of subsection 3 of section 12.1-08-06 of the North Dakota Century Code, relating to disposition of moneys earned by inmates and definitions relating to escape.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 96 YEAS, 0 NAYS, 0 EXCUSED, 2 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; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Glasheim; Gorder; Gorman; Grosz; Grumbo; Gulleon; Gunter; Hagle; 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; Oban; Olson; Payne; Poolman; Rennerfeldt; Retzer; Rydell; Sabby; Sandvig; Schimke; Schmidt; Shide; Sitz; Skarphol; Soukup; Stenehjelm; Svedjan; Sveen; Thompson; Thoreson; Timm; Tollefson; Torgerson; Wald; Wardner; Wentz; Wilkie; Speaker Martin

ABSENT AND NOT VOTING: Price; Walker

HB 1082 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1095: A BILL for an Act to amend and reenact section 57-51.1-02 of the North Dakota Century Code, relating to reduced oil extraction tax rates for certain oil production.

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; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Glasheim; Gorder; Gorman; Grosz; Grumbo; Gulleon; Gunter; Hagle; 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; Oban; Payne; Poolman; Rennerfeldt; Retzer; Rydell; Sabby; Sandvig; Schimke; Schmidt; Shide; Sitz; Skarphol; Soukup; Stenehjelm; Svedjan; Sveen; Thompson; Thoreson; Timm; Tollefson; Torgerson; Wald; Wardner; Wentz; Wilkie; Speaker Martin

ABSENT AND NOT VOTING: Olson; Price; Walker

HB 1095 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1097: A BILL for an Act to create and enact a new subsection to section 57-43.1-17 and a new subsection to section 57-43.2-14 of the North Dakota Century Code, relating to the effect of determination of motor vehicle fuels and special fuels taxes due.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 14 YEAS, 81 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Boucher; Coats; Dobrinski; Grumbo; Hanson; Kaldor; Kerzman; Kroeber; Laughlin; Mutzenberger; Sandvig; Sitz; Wilkie

NAYS: Austin; Bateman; Belter; Berg; Bernstein; Boehm; Brown; Byerly; Carlisle; Carlson; Christenson; Christopherson; Clark; Clayburgh; Dalrymple; DeKrey; Delmore; Delzer; DeWitz; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gordor; Gorman; Grosz; Gullerson; Gunter; Hagle; Hausauer; Henegar, D.; Henegar, K.; Holm; Howard; Huether; Jacobs; Johnson; Keiser; Kelsch; Kempenich; Klein; Kliniske; Koppelman; Kretschmar; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Nicholas; Nichols; Nottestad; Olson; Payne; Poolman; Rennerfeldt; Retzer; Rydell; Sabby; Schimke; Schmidt; Shide; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Timm; Tollefson; Torgerson; Wald; Wardner; Wentz; Speaker Martin

ABSENT AND NOT VOTING: Oban; Price; Walker

HB 1097 was declared lost.

SECOND READING OF HOUSE BILL

HB 1109: A BILL for an Act to change crime victims reparations to crime victims compensation; and to amend and reenact section 54-23.4-05 of the North Dakota Century Code, relating to the restitution and gift fund.

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; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gordor; Gorman; Grosz; Grumbo; Gunter; Hagle; 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; Oban; Olson; Payne; Poolman; Rennerfeldt; Retzer; Rydell; Sabby; Sandvig; Schimke; Schmidt; Shide; Sitz; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Timm; Tollefson; Torgerson; Wald; Wardner; Wentz; Wilkie; Speaker Martin

ABSENT AND NOT VOTING: Gullerson; Price; Walker

HB 1109 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1138: A BILL for an Act to amend and reenact subsections 5 and 6 of section 6-09.4-03 and subsection 4 of section 6-09.4-10 of the North Dakota Century Code, relating to the definitions applicable to the municipal bond bank and required debt service reserve for bonds of the municipal bond bank.

ROLL CALL

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

YEAS: Aarsvold; Austin; Bateman; Belter; Berg; Bernstein; Boehm; Boucher; Brown; Byerly; Carlisle; Carlson; Christenson; Christopherson; Clark; Clayburgh; Coats; Dalrymple; DeKrey; Delmore; Delzer; DeWitz; Dobrinski; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Gorman; Grosz; Grumbo; Gulleon; Gunter; Hagle; 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; Oban; Olson; Payne; Poolman; Rennerfeldt; Retzer; Rydell; Sabby; Sandvig; Schimke; Schmidt; Shide; Sitz; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Timm; Tollefson; Torgerson; Wald; Wardner; Wentz; Wilkie; Speaker Martin

ABSENT AND NOT VOTING: Price; Walker

HB 1138 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1140: A BILL for an Act to create and enact a new section to chapter 12-55 of the North Dakota Century Code, relating to the definition of pardon.

ROLL CALL

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

YEAS: Aarsvold; Austin; Bateman; Belter; Berg; Bernstein; Boehm; Boucher; Brown; Byerly; Carlisle; Carlson; Christenson; Christopherson; Clark; Clayburgh; Coats; Dalrymple; DeKrey; Delmore; Delzer; DeWitz; Dobrinski; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Gorman; Grosz; Grumbo; Gulleon; Gunter; Hagle; 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; Oban; Olson; Payne; Poolman; Rennerfeldt; Retzer; Rydell; Sabby; Sandvig; Schimke; Schmidt; Shide; Sitz; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Timm; Tollefson; Torgerson; Wald; Wardner; Wentz; Wilkie; Speaker Martin

ABSENT AND NOT VOTING: Price; Walker

HB 1140 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1143: A BILL for an Act to amend and reenact subsection 3 of section 5-01-01 of the North Dakota Century Code, relating to the alcohol content of beer for purposes of the regulation of alcohol.

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; Belter; Berg; Bernstein; Boehm; Boucher; Brown; Byerly; Carlisle; Carlson; Christenson; Christopherson; Clark; Clayburgh; Coats; Dalrymple; DeKrey; Delmore; Delzer; DeWitz; Dobrinski; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Gorman; Grosz; Grumbo; Gulleson; Gunter; Hagle; 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; Oban; Olson; Payne; Poolman; Rennerfeldt; Retzer; Rydell; Sabby; Sandvig; Schimke; Schmidt; Shide; Sitz; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Timm; Tollefson; Torgerson; Wald; Wardner; Wentz; Wilkie; Speaker Martin

ABSENT AND NOT VOTING: Bateman; Price; Walker

HB 1143 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1144: A BILL for an Act to amend and reenact section 5-03-07 of the North Dakota Century Code, relating to metric equivalents for wholesale alcoholic beverage taxes.

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 92 YEAS, 4 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Austin; Bateman; Belter; Berg; Bernstein; Boehm; Boucher; Byerly; Carlisle; Carlson; Christenson; Christopherson; Clark; Clayburgh; Coats; Dalrymple; DeKrey; Delmore; Delzer; DeWitz; Dobrinski; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Gorman; Grosz; Grumbo; Gulleson; Gunter; Hagle; 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; Oban; Poolman; Rennerfeldt; Retzer; Rydell; Sabby; Sandvig; Schimke; Schmidt; Shide; Sitz; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Timm; Tollefson; Torgerson; Wald; Wardner; Wentz; Wilkie; Speaker Martin

NAYS: Brown; Olson; Payne; Skarphol

ABSENT AND NOT VOTING: Price; Walker

HB 1144 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1153: A BILL for an Act to amend and reenact subsection 5 of section

43-32-30 of the North Dakota Century Code, relating to the practice of psychology in a public school or service unit of employment.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 1 YEA, 94 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Oban

NAYS: Aarsvold; Austin; Bateman; Belter; Berg; Bernstein; Boehm; Boucher; Brown; Byerly; Carlisle; Carlson; Christenson; Christopherson; Clark; Clayburgh; Coats; Dalrymple; DeKrey; Delmore; Delzer; DeWitz; Dobrinski; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Gorder; Gorman; Grosz; Grumbo; Gulleson; Gunter; Hagle; 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; Rennerfeldt; Retzer; Rydell; Sabby; Sandvig; Schimke; Schmidt; Shide; Sitz; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Timm; Tollefson; Torgerson; Wald; Wardner; Wentz; Wilkie; Speaker Martin

ABSENT AND NOT VOTING: Glasheim; Price; Walker

HB 1153 was declared lost.

SECOND READING OF HOUSE BILL

HB 1156: A BILL for an Act to create and enact chapter 26.1-37.1 of the North Dakota Century Code, relating to consumer credit insurance; and to repeal chapter 26.1-37 of the North Dakota Century Code, relating to credit insurance.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 7 YEAS, 87 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Boucher; Coats; Hanson; Kaldor; Mutzenberger; Oban; Wilkie

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

ABSENT AND NOT VOTING: Glasheim; Olson; Price; Walker

HB 1156 was declared lost.

SECOND READING OF HOUSE BILL

HB 1158: A BILL for an Act to repeal section 38-08-22 of the North Dakota Century Code, relating to regulation of oil and gas wellhead welders.

ROLL CALL

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

YEAS: Aarsvold; Austin; Bateman; Belter; Berg; Bernstein; Boehm; Boucher; Brown; Byerly; Carlisle; Carlson; Christenson; Christopherson; Clark; Clayburgh; Coats; Dalrymple; DeKrey; Delmore; Delzer; DeWitz; Dobrinski; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Gorman; Grosz; Grumbo; Gulleson; Gunter; Hagle; 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; Oban; Olson; Payne; Poolman; Rennerfeldt; Retzer; Rydell; Sabby; Sandvig; Schimke; Schmidt; Shide; Sitz; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Timm; Tollefson; Torgerson; Wald; Wardner; Wentz; Wilkie; Speaker Martin

ABSENT AND NOT VOTING: Price; Walker

HB 1158 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1159: A BILL for an Act to amend and reenact subsection 3 of section 38-08-11, subsection 1 of section 38-08-14, and subsection 1 of section 38-08-16 of the North Dakota Century Code, relating to notice of hearings in industrial commission proceedings and the court in which appeals may be taken from orders of the industrial commission and in which the commission may bring actions.

MOTION

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

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 83 YEAS, 13 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

NAYS: Aarsvold; Boucher; Christenson; Delzer; Dobrinski; Gulleson; Hagle; Kerzman; Kroeber; Laughlin; Mutzenberger; Nichols; Sitz

ABSENT AND NOT VOTING: Price; Walker

HB 1159 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1160: A BILL for an Act to repeal section 50-09-02.3 of the North Dakota Century Code, relating to a waiver from the federal government to allow

employment incentives for recipients of aid to families with dependent children benefits.

ROLL CALL

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

YEAS: Aarsvold; Austin; Bateman; Belter; Berg; Bernstein; Boehm; Boucher; Brown; Byerly; Carlisle; Carlson; Christenson; Christopherson; Clark; Clayburgh; Coats; Dalrymple; DeKrey; Delmore; Delzer; DeWitz; Dobrinski; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Gorman; Grosz; Grumbo; Gulleason; Gunter; Hagle; 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; Oban; Olson; Payne; Poolman; Rennerfeldt; Retzer; Rydell; Sabby; Sandvig; Schimke; Schmidt; Shide; Sitz; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Timm; Tollefson; Torgerson; Wald; Wardner; Wentz; Wilkie; Speaker Martin

ABSENT AND NOT VOTING: Price; Walker

HB 1160 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1161: A BILL for an Act to amend and reenact subsection 1 of section 54-57-03 of the North Dakota Century Code, relating to hearings before administrative hearings officers.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 15 YEAS, 80 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Boucher; Carlisle; Dobrinski; Galvin; Gunter; Henegar, D.; Henegar, K.; Kaldor; Laughlin; Mutzenberger; Nichols; Oban; Schmidt; Svedjan; Torgerson

NAYS: Aarsvold; Austin; Bateman; Belter; Berg; Bernstein; Boehm; Brown; Byerly; Carlson; Christenson; Christopherson; Clark; Clayburgh; Coats; Dalrymple; DeKrey; Delmore; Delzer; DeWitz; Dorso; Drovdal; Freier; Froseth; Gerntholz; Glassheim; Gorder; Gorman; Grosz; Grumbo; Gulleason; Hagle; Hanson; Hausauer; Holm; Howard; Huether; Jacobs; Johnson; Keiser; Kelsch; Kempenich; Kerzman; Klein; Kliniske; Koppelman; Kroeber; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Nicholas; Nottestad; Olson; Payne; Poolman; Rennerfeldt; Retzer; Rydell; Sabby; Sandvig; Schimke; Shide; Sitz; Skarphol; Soukup; Stenehjem; Sveen; Thompson; Thoreson; Timm; Tollefson; Wald; Wardner; Wentz; Wilkie; Speaker Martin

ABSENT AND NOT VOTING: Kretschmar; Price; Walker

HB 1161 was declared lost.

SECOND READING OF HOUSE BILL

HB 1166: A BILL for an Act to provide for the keeping of records of transactions by licensed pawnbrokers; and to provide a penalty.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 14 YEAS, 81 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Boucher; DeKrey; Dobrinski; Glassheim; Kaldor; Kretschmar; Mahoney; Maragos; Mutzenberger; Nichols; Oban; Sveen; Wentz

NAYS: Austin; Bateman; Belter; Berg; Bernstein; Boehm; Brown; Byerly; Carlisle; Carlson; Christenson; Christopherson; Clark; Clayburgh; Coats; Dalrymple; Delmore; Delzer; DeWitz; Dorso; Drovda; Freier; Froseth; Galvin; Gerntholz; Gorder; Gorman; Grosz; Grumbo; Gulleon; Gunter; Hagle; Hanson; Hausauer; Henegar, D.; Henegar, K.; Holm; Howard; Huether; Jacobs; Johnson; Keiser; Kelsch; Kempenich; Kerzman; Klein; Kliniske; Koppelman; Kroeber; Kunkel; Laughlin; Lloyd; Martinson; Mickelson; Monson; Nicholas; Nottestad; Olson; Payne; Poolman; Rennerfeldt; Rydell; Sabby; Sandvig; Schimke; Schmidt; Shide; Sitz; Skarphol; Soukup; Stenehjem; Svedjan; Thompson; Thoreson; Timm; Tollefson; Torgerson; Wald; Wardner; Wilkie; Speaker Martin

ABSENT AND NOT VOTING: Price; Retzer; Walker

HB 1166 was declared lost.

SECOND READING OF HOUSE BILL

HB 1175: A BILL for an Act to create and enact a new section to chapter 6-03 of the North Dakota Century Code, relating to relocation of a bank facility due to an emergency, and to amend and reenact sections 6-03-36 and 6-03-60 of the North Dakota Century Code, relating to the payment of dividends by a banking institution or association and loans to directors, officers, and employees.

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; Brown; Byerly; Carlisle; Carlson; Christenson; Christopherson; Clark; Clayburgh; Coats; Dalrymple; DeKrey; Delmore; Delzer; DeWitz; Dobrinski; Dorso; Drovda; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Gorman; Grosz; Grumbo; Gulleon; Gunter; Hagle; 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; Oban; Olson; Payne; Poolman; Rennerfeldt; Retzer; Rydell; Sabby; Sandvig; Schimke; Schmidt; Shide; Sitz; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Timm; Tollefson; Torgerson; Wald; Wardner; Wentz; Wilkie; Speaker Martin

ABSENT AND NOT VOTING: Boucher; Price; Walker

HB 1175 passed and the title was agreed to.

ANNOUNCEMENT

THE CHIEF CLERK ANNOUNCED, at the Speaker's request, that any material placed on Representatives' desks must be authorized by a House member or be individually addressed to each member.

ANNOUNCEMENT

THE CHIEF CLERK ANNOUNCED that the Legislative Compensation Commission Report would be filed with the Legislative Council.

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

MR. PRESIDENT: The House has passed and your favorable consideration is requested on: HB 1080, HB 1119, HB 1134, HB 1136.

MOTION

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

MOTION

REP. FREIER MOVED that the House be on the Fifth, Ninth, and Thirteenth orders of business and at the conclusion of those orders, the House stand adjourned until 8:30 a.m., Monday, January 16, 1995, which motion prevailed.

REPORT OF STANDING COMMITTEE

HB 1032: Judiciary Committee (Rep. Kretschmar, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1032 was placed on the Sixth order on the calendar.

Page 4, after line 25, insert:

"Immunity from liability. A hospital, its agents, or its employees acting in accordance with this Act or attempting in good faith to do so are immune from civil liability for that activity."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1043: Education Committee (Rep. Rydell, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO NOT PASS (11 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). HB 1043 was placed on the Sixth order on the calendar.

Page 1, line 12, replace "eighty-five" with "twenty"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1044: Education Committee (Rep. Rydell, Chairman) recommends DO PASS (11 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). HB 1044 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1071: Natural Resources Committee (Rep. Olson, Chairman) recommends DO NOT PASS (13 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). HB 1071 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1087: Education Committee (Rep. Rydell, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (13 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1087 was placed on the Sixth order on the calendar.

Page 1, line 9, overstrike "reside in" and insert immediately thereafter "are legal residents of"

Page 1, line 15, overstrike "resides in" and insert immediately thereafter "is a legal resident of"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1091: Political Subdivisions Committee (Rep. Soukup, Chairman) recommends DO NOT PASS (10 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). HB 1091 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1112: Education Committee (Rep. Rydell, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1112 was placed on the Sixth order on the calendar.

Page 1, line 2, replace the second comma with "and" and remove ", and 15-62.1-10"

Page 2, line 17, remove the overstrike over "~~may not~~", remove "shall", remove the overstrike over "~~or~~", and remove "and"

Page 2, line 19, remove the overstrike over "are" and remove "requirements or loan limits may be"

Page 3, line 14, after "plus" insert "no more than", remove the overstrike over "~~two~~", and remove "no"

Page 3, line 15, remove "more than three"

Page 4, remove lines 14 through 29

Page 5, remove lines 1 through 3

Re-number accordingly

REPORT OF STANDING COMMITTEE

HB 1122: Political Subdivisions Committee (Rep. Soukup, Chairman) recommends DO PASS (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1122 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1130: Political Subdivisions Committee (Rep. Soukup, Chairman) recommends DO PASS (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1130 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1139: Natural Resources Committee (Rep. Olson, Chairman) recommends DO PASS (11 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). HB 1139 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1147: Agriculture Committee (Rep. Nicholas, Chairman) recommends DO PASS (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1147 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1149: Agriculture Committee (Rep. Nicholas, Chairman) recommends DO PASS (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1149 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1154: Education Committee (Rep. Rydell, Chairman) recommends DO PASS (12 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1154 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1157: Natural Resources Committee (Rep. Olson, Chairman) recommends DO PASS (13 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). HB 1157 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1170: Agriculture Committee (Rep. Nicholas, Chairman) recommends **DO NOT PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1170 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3001: Agriculture Committee (Rep. Nicholas, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (11 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HCR 3001 was placed on the Tenth order on the calendar.

FIRST READING OF HOUSE BILLS

Reps. Wardner, Maragos, Bernstein and Sens. St. Aubyn, Wanzek introduced:

HB 1338: A BILL for an Act to amend and reenact section 32-09.1-21 of the North Dakota Century Code, relating to liens on wages.

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

Reps. DeKrey, Huether and Sens. Kinnoin, Krebsbach, Tennefos introduced:

HB 1339: A BILL for an Act to amend and reenact subsection 1 of section 47-16-07.1 of the North Dakota Century Code, relating to real property and dwelling security deposits.

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

Reps. Kempenich, Huether, Laughlin and Sens. Kinnoin, Mutch, Tennefos introduced:

HB 1340: A BILL for an Act to create and enact a new subsection to section 33-06-01 of the North Dakota Century Code, relating to maintenance of eviction actions; and to amend and reenact section 33-06-02 of the North Dakota Century Code, relating to service of notice of intention to evict.

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

Reps. Martinson, Maragos, Stenehjem, Wardner, Bernstein, Kliniske introduced:

HB 1341: A BILL for an Act to provide an appropriation for defraying the expenses of various economic development programs at institutions of higher education.

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

Rep. Nicholas introduced:

HB 1342: A BILL for an Act to create and enact a new section to chapter 24-02 of the North Dakota Century Code, relating to agreements between the department of transportation and tribal governments; and to amend and reenact section 54-40.2-02 of the North Dakota Century Code, relating to agreements between public agencies and tribal governments.

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

Rep. Nicholas introduced:

HB 1343: A BILL for an Act to amend and reenact section 4-10.6-02 of the North Dakota Century Code, relating to membership elections of the North Dakota corn utilization council.

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

Reps. Dobrinski, Nicholas, Sitz and Sens. Naaden, Tomac introduced:

HB 1344: A BILL for an Act to amend and reenact section 57-15-37.1 of the North Dakota Century Code, relating to township levies for airport purposes; and to provide an effective date.

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

Reps. Bateman, Boehm and Sen. Tomac introduced:

HB 1345: A BILL for an Act relating to elections regarding the selection of a time zone.

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

Reps. Jacobs, Grumbo, Huether, Poolman and Sens. Schobinger, Wanzek introduced:

HB 1346: A BILL for an Act to amend and reenact section 57-24-07 of the North Dakota Century Code, relating to notice by the county auditor of tax sales.

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

Reps. Price, Poolman, Delmore and Sens. Lee, W. Stenehjem, Yockim introduced:
HB 1347: A BILL for an Act to create and enact three new sections to chapter 26.1-36 of the North Dakota Century Code, relating to limits on preexisting conditions, renewability of insurance coverage, and modified community rating for accident and health insurance; and to amend and reenact subsection 5 of section 26.1-36-05, subsection 4 of section 26.1-36-22, section 26.1-36-37.2, subsection 11 of section 26.1-36.3-01, and subsection 1 of section 26.1-36.3-04 of the North Dakota Century Code, relating to the applicable period for an exclusion or limitation, coverage for dependents, premium rates, and loss ratios for accident and health insurance.

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

Reps. Drovdal, Kempenich, Boehm and Sens. Bowman, Heinrich, O'Connell introduced:

HB 1348: A BILL for an Act to create and enact a new section to chapter 15-41 of the North Dakota Century Code, relating to the approval of nonpublic high schools; and to amend and reenact subsection 1 of section 15-34.1-03 of the North Dakota Century Code, relating to compulsory attendance.

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

Rep. Grosz introduced:

HB 1349: A BILL for an Act to create and enact a new subsection to section 11-11-14 of the North Dakota Century Code, relating to the prohibition of animals running at large.

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

Reps. Huether, Wardner introduced:

HB 1350: A BILL for an Act to amend and reenact sections 15-40.3-01, 15-40.3-05, and 15-40.3-06 of the North Dakota Century Code, relating to students participating in open enrollment; and to repeal section 15-40.3-02 of the North Dakota Century Code, relating to grounds for disapproval of open enrollment.

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

Reps. Aarsvold, Kaldor, Kempenich and Sens. Freborg, Redlin, Robinson introduced:

HB 1351: A BILL for an Act to amend and reenact section 15-40.3-01 of the North Dakota Century Code, relating to open enrollment application procedures.

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

Reps. Martinson, Maragos, Poolman, Stenehjem, Sveen, Kunkel introduced:

HB 1352: A BILL for an Act to provide an appropriation for defraying expenses of the North Dakota university system and the various agencies and institutions under the supervision of the state board of higher education.

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

Rep. Dobrinski and Sen. O'Connell introduced:

HB 1353: A BILL for an Act to create and enact a new section to chapter 40-57.1 of the North Dakota Century Code, relating to reimbursement of income tax exemptions granted for new industries.

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

Reps. Bateman, Skarphol introduced:

HB 1354: A BILL for an Act to create and enact a new section to chapter 15-10 of the North Dakota Century Code, relating to the tenure status of persons employed by institutions of higher education.

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

Reps. Payne, Kretschmar and Sens. W. Stenehjem, Wogsland introduced:

HB 1355: A BILL for an Act to amend and reenact subsection 1 of section 53-06.1-06 of the North Dakota Century Code, relating to gaming site business employees providing payout assistance to charitable organizations.

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

Rep. Nicholas introduced:

HB 1356: A BILL for an Act to amend and reenact section 4-10-12.1 of the North Dakota Century Code, relating to liability for potato crop quantity and quality.

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

Reps. Sitz, Gunter introduced:

HB 1357: A BILL for an Act to create and enact a new subsection to section 57-38-40 of the North Dakota Century Code, relating to refunds of overpaid penalty and interest; and to provide an effective date.

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

Reps. Gulleason, Kretschmar, Sitz and Sen. Kelsh introduced:

HB 1358: A BILL for an Act to amend and reenact section 57-02-27.2 of the North Dakota Century Code, relating to the assessment of irrigated cropland for property tax purposes; and to provide an effective date.

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

Reps. Poolman, Clayburgh, Glasheim and Sens. Holmberg, St. Aubyn introduced:

HB 1359: A BILL for an Act to amend and reenact section 40-23-19 of the North Dakota Century Code, relating to a depreciation schedule for special assessments.

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

Reps. Glasheim, Delmore introduced:

HB 1360: A BILL for an Act to amend and reenact section 57-02.2-03 of the North Dakota Century Code, relating to the authority of cities and counties concerning property tax exemptions for improvements to commercial and residential buildings and structures; and to provide an effective date.

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

Reps. Clayburgh, Glasheim, Poolman and Sens. St. Aubyn, W. Stenehjem introduced:

HB 1361: A BILL for an Act to amend and reenact section 43-07-21 of the North Dakota Century Code, relating to withholding of a portion of a public contract price.

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

Reps. Clayburgh, Glasheim introduced:

HB 1362: A BILL for an Act to amend and reenact section 40-13-04 of the North Dakota Century Code, relating to salaries of city officers.

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

FIRST READING OF HOUSE CONCURRENT RESOLUTION

Reps. Boehm, Clark and Sen. Tomac introduced:

HCR 3013: A concurrent resolution urging Congress to repeal those sections of a recently passed federal mandate requiring a percentage of federal highway funds be transferred from states that do not enact statutes requiring the use of helmets by motorcyclists.

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

FIRST READING OF SENATE BILLS

SB 2078: A BILL for an Act to amend and reenact subsection 4 of section 49-21-01.1 of the North Dakota Century Code, relating to services not subject to telecommunications regulations.

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

SB 2132: A BILL for an Act to amend and reenact section 57-40.6-02 of the North Dakota Century Code, relating to imposition of a telephone access line excise tax by counties and cities.

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

SB 2140: A BILL for an Act to create and enact section 39-06.2-10.10 of the North Dakota Century Code, relating to penalties for violating out-of-service orders; and to provide a penalty.

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

SB 2150: A BILL for an Act to amend and reenact subdivision a of subsection 5 of section 57-51.1-03 of the North Dakota Century Code, relating to oil exempt from the oil extraction tax.

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

SB 2153: A BILL for an Act to amend and reenact section 57-38.3-02 of the North Dakota Century Code, relating to offsetting state income tax refunds to pay delinquent student loans.

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

SB 2155: A BILL for an Act to amend and reenact section 50-24.4-25 of the North Dakota Century Code, relating to nursing facility cost report extensions.

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

SB 2160: A BILL for an Act to amend and reenact subsection 24 of section 26.1-01-07 of the North Dakota Century Code, relating to insurance company appointment fees; and to provide an expiration date.

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

SB 2161: A BILL for an Act to create and enact a new section to chapter 26.1-45 of the North Dakota Century Code, relating to long-term care insurance nonforfeiture benefits; and to amend and reenact section 26.1-45-11 of the North Dakota Century Code, relating to long-term care insurance rules.

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

SB 2207: A BILL for an Act to amend and reenact subsection 7 of section 55-02-01.2 of the North Dakota Century Code, relating to admission fees charged by the superintendent of the state historical society for certain exhibits.

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

SB 2213: A BILL for an Act to repeal section 43-15-13 of the North Dakota Century Code, relating to the teaching of pharmacy by members of the state board of pharmacy.

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

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

ROY GILBREATH, Chief Clerk