

JOURNAL OF THE HOUSE

Fifty-fourth Legislative Assembly

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Bismarck, January 18, 1995

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

The prayer was offered by the Rev. Jeff Franko, Lord of Life Lutheran Church, Bismarck.

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

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 reexamined the Journal of the Tenth Day and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 158, line 41, remove "Commission on" and after "Holiday" insert "Commission"

Page 161, line 8, replace "3" with "10" and replace "10" with "3"

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

REQUEST AND ANNOUNCEMENT

SPEAKER MARTIN REQUESTED that the Chief Clerk announce that HB 1409, HB 1460, HB 1470, and HB 1475 are assigned to the Finance and Taxation Committee rather than the Appropriations Committee and that HB 1347 is assigned to the Human Services Committee rather than the Industry, Business and Labor Committee.

MOTION

REP. DALRYMPLE MOVED that HB 1248 be returned to the House floor from the Appropriations Committee for the purpose of withdrawal, which motion prevailed.

REQUEST

REP. DALRYMPLE REQUESTED the unanimous consent of the House to withdraw HB 1248. There being no objection, it was so ordered by the Speaker.

MOTION

REP. OLSON MOVED that HB 1261 and HB 1265 be returned to the House floor from the Natural Resources Committee for the purpose of withdrawal, which motion prevailed.

REQUEST

REP. CLAYBURGH REQUESTED the unanimous consent of the House to withdraw HB 1261 and HB 1265. There being no objection, it was so ordered by the Speaker.

FIRST READING OF HOUSE CONCURRENT RESOLUTION

Reps. Rydell, Kunkel, Laughlin, Coats, Kelsch and Sen. Naaden introduced:
HCR 3015: A concurrent resolution designating House and Senate employees and fixing their compensation.
 Was read the first time.

MOTION

REP. RYDELL MOVED that the rules be suspended, that HCR 3015 not be printed, not be referred to committee, not be read in its entirety, be printed in the Journal, be placed on the calendar for second reading and final passage, and messaged to the Senate immediately, which motion prevailed.

Reps. Rydell, Kunkel, Laughlin, Coats, Kelsch and Sen. Naaden introduced:

HOUSE CONCURRENT RESOLUTION NO. 3015

A concurrent resolution designating House and Senate employees and fixing their compensation.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That for the Fifty-fourth Legislative Assembly, the following persons are employed and appointed as employees of the House and Senate and are to be paid the daily wages opposite their respective names in accordance with their positions:

HOUSE

Roy Gilbreath, Chief Clerk	\$95.00
Lance Hagen, Assistant Chief Clerk	80.00
Barbara Middaugh, Desk Reporter	89.00
Jerome Moszer, Sergeant-at-Arms	74.00
David Hougen, Bill Clerk	74.00
Mavis Patchen, Secretary to Majority Leader	80.00
Mary Kelly, Staff Assistant to Majority Leader	74.00
Jeff Peterson, Staff Assistant to Majority Leader	74.00
Pamela Bergman, Secretary to Minority Leader	80.00
April Fairfield, Staff Assistant to Minority Leader	74.00
Scott Immel, Staff Assistant to Minority Leader	74.00
Lorrie Giese, Secretary to Speaker	74.00
Laurie Kaelberer, Chief Committee Clerk	78.00
Carol Nitschke, Appropriations Committee Clerk	78.00
Verna Kohls, Assistant Appropriations Committee Clerk	74.00
Betty Owen, Assistant Appropriations Committee Clerk	74.00
Pamela Geiger, Assistant Appropriations Committee Clerk	74.00
Janice Stein, Committee Clerk	74.00
Lavata Becker, Committee Clerk	74.00
Kathy Mayer, Committee Clerk	74.00
James Raile, Committee Clerk	74.00
Sandra Hohbein, Committee Clerk	74.00
Lois Schmidt, Committee Clerk	70.00
James McWilliams, Committee Clerk	70.00
Kristin Reich, Committee Clerk	70.00
Judith Kallis, Committee Clerk	70.00
Diana Bossert, Assistant Committee Clerk	62.00
Bert Knell, Assistant Committee Clerk	62.00
Bernice Clark, Deputy Sergeant-at-Arms	62.00
Craig Perry, Assistant Sergeant-at-Arms	58.00
Pamela Washburn, Assistant Sergeant-at-Arms	58.00
Brenda Huff, Assistant Sergeant-at-Arms	58.00
Gloria Olson, Chief Page and Bill Book Clerk	68.00
Phyllis Connolly, Calendar Clerk	74.00
Barbara Larson, Desk Page	58.00
Rollo Gerrard, Page and Bill Book Clerk	58.00
Scott Power, Page and Bill Book Clerk	58.00
Ken Radenz, Page and Bill Book Clerk	58.00
Carl Strum, Page and Bill Book Clerk	58.00
Erin Peck, Page and Bill Book Clerk	58.00
Andrea Thon Emerson, Page and Bill Book Clerk	58.00
James Mandigo, Page and Bill Book Clerk	58.00
Steven Alt, Page and Bill Book Clerk	58.00
Marion Basingwaite, Page and Bill Book Clerk	58.00
Arlene Flanders, Telephone Attendant	58.00

Danya Dietrich, Telephone Attendant	58.00
Irma Holmstrom, Telephone Attendant	58.00
Nancy Hausauer, Telephone Attendant	58.00
Patricia Smith, Telephone Page	58.00
Margaret Puetz, Information Desk Attendant	58.00
Herman Jacobsen, Chief Bill and Journal Room Clerk	70.00
Audrey Ely, Bill Room Clerk	58.00
Elias Nemer, Bill Room Clerk	58.00
Faye Caya, Bill Room Clerk	58.00
Herb Mittelstedt, Journal Room Clerk	58.00
Hella Keller, Journal Room Clerk	58.00
Peter Schafer, Supply Room Coordinator	58.00
Jamie Sprague, Parking Lot Attendant	58.00

SENATE

William Parker, Secretary of the Senate	\$95.00
Michael Boyd, Assistant Secretary of the Senate	80.00
Karen Hoovestol, Desk Reporter	89.00
Mary Alice Simonson, Bill Clerk	74.00
Thomas Brusegaard, Sergeant-at-Arms	74.00
Renaee Doan, Secretary to Majority Leader	80.00
Vernon Wagner, Staff Assistant to Majority Leader	74.00
Sandra Kershaw, Secretary to Minority Leader	80.00
Jim Sears, Staff Assistant to Minority Leader	74.00
Francis Bodine, Staff Assistant to Minority Leader	74.00
Georgia Clement, Payroll Clerk	70.00
Pauline Ziegler, Chief Committee Clerk	78.00
Susan Odell, Appropriations Committee Clerk	78.00
LaVonne Pietsch, Assistant Appropriations Committee Clerk	74.00
Carol Kolodejchuk, Committee Clerk	74.00
Sharon Renfrow, Committee Clerk	74.00
Barbara Klein, Committee Clerk	74.00
Vicki Eastgate, Committee Clerk	74.00
Tana Josserand, Committee Clerk	74.00
Candace Makeeff, Committee Clerk	70.00
Maria Effertz, Committee Clerk	70.00
Desiree Truscott, Committee Clerk	70.00
Kathryn Lillemon, Committee Clerk	70.00
Sherry Graham, Committee Clerk	70.00
Linda Wadman, Assistant Committee Clerk	62.00
Scott Wagner, Deputy Sergeant-at-Arms	62.00
John Wanser, Assistant Sergeant-at-Arms	58.00
John Clement, Assistant Sergeant-at-Arms	58.00
Colleen Popelka, Assistant Sergeant-at-Arms	58.00
Jack Neumann, Chief Page and Bill Book Clerk	68.00
Dan York, Desk Page	58.00
Francis Ely, Calendar Clerk	74.00
Kylah Aull, Page and Bill Book Clerk	58.00
Christian Andersen, Page and Bill Book Clerk	58.00
Valerie Johnson, Page and Bill Book Clerk	58.00
Althea Yantzer, Page and Bill Book Clerk	58.00
Carol Smith, Page and Bill Book Clerk	58.00
E. Duke Schneider, Chief Telephone Attendant	68.00
Delores Knutson, Telephone Attendant	58.00
Madonna Silvernagel, Telephone Attendant	58.00
Shirley Pasicznyk, Telephone Attendant	58.00
Sara Sorenson, Telephone Attendant	58.00
Glenn Erickson, Telephone Page	58.00
Marilyn Quamme, Information Desk Attendant	58.00
Ledores Robey, Bill Room Clerk	58.00
Randy Tangen, Bill Room Clerk	58.00
Burnetta Barth, Bill Room Clerk	58.00
Walter Schramm, Journal Room Clerk	58.00
Frank Zent, Journal Room Clerk	58.00
Nettie Monroe, Journal Room Clerk	58.00
Charles Holmes, Parking Lot Attendant	58.00

BE IT FURTHER RESOLVED, that each employee of the Fifty-fourth Legislative Assembly is entitled to an additional one dollar per day for each previous regular session of the Legislative Assembly during which that employee was paid for at least 45 days, as either an employee of the House or the Senate, and to receive this additional compensation, which may not exceed \$10 per day, that employee must certify to the Legislative Council the year of each regular session during which that employee was employed as required by this resolution; and

BE IT FURTHER RESOLVED, that if any employee resigns, is discharged, or for other reasons terminates employment, the compensation provided by this resolution for that employee ceases effective the last day of employment.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3015: A concurrent resolution designating House and Senate employees and fixing their compensation.

ROLL CALL

The question being on the final adoption of the resolution, which has been read, the roll was called and there were 97 YEAS, 0 NAYS, 0 EXCUSED, 1 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; Dorso; Drovdal; Freier; Froseth; Galvin; Gertholz; Glassheim; Gorder; Gorman; Grosz; Grumbo; Gullerson; 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; 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: Dobrinski

HCR 3015 was declared adopted on a recorded roll call vote.

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

MADAM PRESIDENT: The House has passed and your favorable consideration is requested on: HCR 3015.

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 2116, SB 2138, SB 2168, SB 2196, SB 2200, SB 2214, SB 2217.

SIXTH ORDER OF BUSINESS

The amendments to HB 1040, HB 1115, HB 1120, HB 1152, and HB 1303 were adopted.

HB 1040, HB 1115, HB 1120, HB 1152 and HB 1303, as amended, were placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SECOND READING OF HOUSE BILL

HB 1032: A BILL for an Act to create and enact a new chapter to title 14 and a new section to chapter 14-09 of the North Dakota Century Code, relating to the establishment of paternity; and to amend and reenact section 14-17-11 of the North Dakota Century Code, relating to the use of genetic tests in paternity proceedings.

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; Austin; Bateman; Belter; Berg; Bernstein; Boehm; Boucher; Brown; Byerly; Carlisle; Carlson; Christenson; Christopherson; Clark; Clayburgh; Coats; 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; Laughlin; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Mutzenberger; Nicholas; Nichols; Nottestad; Oban; Olson; Payne; Poolman; Price; Rennerfeldt; Retzer; Rydell; Sabby; Sandvig; Schimke; Schmidt; Shide; Sitz; Skarphol; Soukup; Stenehjøm; Svedjan; Sveen; Thompson; Thoreson; Timm; Tollefson; Torgerson; Wald; Walker; Wardner; Wentz; Wilkie; Speaker Martin

ABSENT AND NOT VOTING: Dobrinski

Engrossed HB 1032 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1087: A BILL for an Act to amend and reenact subsection 2 of section 15-10-19.1 of the North Dakota Century Code, relating to the definition of resident student for higher education tuition purposes.

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; 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; Price; Rennerfeldt; Retzer; Rydell; Sabby; Sandvig; Schimke; Schmidt; Shide; Sitz; Skarphol; Soukup; Stenehjøm; Svedjan; Sveen; Thompson; Thoreson; Timm; Tollefson; Torgerson; Walker; Wardner; Wentz; Wilkie; Speaker Martin

ABSENT AND NOT VOTING: Dobrinski; Wald

Engrossed HB 1087 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1112: A BILL for an Act to amend and reenact section 15-62.1-01, subsection 1 of section 15-62.1-02, sections 15-62.1-03 and 15-62.1-05 of the North Dakota Century Code, relating to a state guarantee student loan program.

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; Austin; Bateman; Belter; Berg; Bernstein; Boehm; Boucher; Brown; Byerly; Carlisle; Carlson; Christenson; Christopherson; Clark; Clayburgh; Coats; Dalrymple; DeKrey; Delmore; Delzer; DeWitz; 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; 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: Dobrinski

Engrossed HB 1112 passed and the title was agreed to.

MOTION

REP. FREIER MOVED that the House waive the reading of the title to HB 1116, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1116: A BILL for an Act to amend and reenact section 18-09-02, subsection 2 of section 23-13-02.3, sections 23-13-03.2, 23-13-03.3, and 23-13-16 of the North Dakota Century Code, relating to liquefied petroleum gas regulations, self-service motor fuel dispensing facilities, unauthorized filling, transfer, or covering of identification marks on liquefied petroleum gas containers, unauthorized possession of liquefied petroleum gas containers, and limitations on aboveground petroleum storage tanks.

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; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Gorman; Grosz; Grumbo; Gulleson; Gunter; Hagle; Hanson; Hausauer; Henegar, D.; Henegar, K.; Holm; Howard; Huether; 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; 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: Dobrinski; Jacobs

Engrossed HB 1116 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1162: A BILL for an Act to amend and reenact section 50-06-06.11 of the North Dakota Century Code, relating to child care provider payments; and to repeal section 50-06-06.12 of the North Dakota Century Code,

relating to withholding from child care provider reimbursement payments.

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; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Gorman; Grosz; Grumbo; Gullerson; 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; 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: Dobrinski; Gunter

Engrossed HB 1162 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1102: A BILL for an Act to amend and reenact section 43-07-12 of the North Dakota Century Code, relating to exemptions from contractor's bid requirements.

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; Austin; Bateman; Belter; Berg; Bernstein; Boehm; Boucher; Brown; Byerly; Carlisle; Carlson; Christenson; Christopherson; Clark; Clayburgh; Coats; Dalrymple; DeKrey; Delmore; Delzer; DeWitz; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Gorman; Grosz; Grumbo; Gullerson; 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; 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: Dobrinski

Engrossed HB 1102 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1107: A BILL for an Act to create and enact a new subsection to section 20.1-03-12 of the North Dakota Century Code, relating to nonresident paddlefish license fees; to amend and reenact subsection 24 of section 20.1-03-12 of the North Dakota Century Code, relating to paddlefish license fees; 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 95 YEAS, 2 NAYS, 0 EXCUSED, 1 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; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Gorman; Grosz; Grumbo; Gullerson; 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; Price; Rennerfeldt; Retzer; Rydell; Sabby; Sandvig; Schimke; Schmidt; Shide; Sitz; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Tollefson; Torgerson; Wald; Walker; Wardner; Wentz; Wilkie; Speaker Martin

NAYS: Skarphol; Timm

ABSENT AND NOT VOTING: Dobrinski

Engrossed HB 1107 passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF HOUSE BILL

HB 1108: A BILL for an Act to amend and reenact subsection 17 of section 20.1-02-05 of the North Dakota Century Code, relating to acting as a guide or outfitter without a license; and to provide a penalty.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 95 YEAS, 2 NAYS, 0 EXCUSED, 1 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; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Gorman; Grosz; Grumbo; Gullerson; 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; Price; Rennerfeldt; Retzer; Rydell; Sabby; Sandvig; Schmidt; Shide; Sitz; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Timm; Tollefson; Torgerson; Wald; Walker; Wardner; Wentz; Wilkie; Speaker Martin

NAYS: DeWitz; Schimke

ABSENT AND NOT VOTING: Dobrinski

Engrossed HB 1108 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1167: A BILL for an Act to provide for distinctive motor vehicle number plates for persons who are hearing impaired.

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

YEAS: Aarsvold; Boucher; Byerly; Clark; Dalrymple; Delmore; Glassheim; Gunter; Henegar, K.; Johnson; Kaldor; Kelsch; Kerzman; Kliniske; Kretschmar; Kunkel; Laughlin; Mahoney; Maragos; Martinson; Monson; Nicholas; Nichols; Olson; Price; Retzer; Sandvig; Schmidt; Sitz; Soukup; Stenehjerm; Sveen; Wentz; Wilkie

NAYS: Austin; Bateman; Belter; Berg; Bernstein; Boehm; Brown; Carlisle; Carlson; Christenson; Christopherson; Clayburgh; Coats; DeKrey; Delzer; DeWitz; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Gorder; Gorman; Grosz; Grumbo; Gulleson; Hagle; Hanson; Hausauer; Henegar, D.; Holm; Howard; Huether; Jacobs; Keiser; Kempenich; Klein; Koppelman; Kroeber; Lloyd; Mickelson; Mutzenberger; Nottestad; Oban; Payne; Poolman; Rennerfeldt; Rydell; Sabby; Schimke; Shide; Skarphol; Svedjan; Thompson; Thoreson; Timm; Tollefson; Torgerson; Wald; Walker; Wardner; Speaker Martin

ABSENT AND NOT VOTING: Dobrinski

Engrossed HB 1167 was declared lost.

SECOND READING OF HOUSE BILL

HB 1044: A BILL for an Act to amend and reenact sections 15-40.2-04, 15-40.2-05, and 15-40.3-05 of the North Dakota Century Code, relating to the transportation of students participating in open enrollment and other nonresident students; and to repeal section 15-34.2-02 of the North Dakota Century Code, relating to agreements for transportation of nonresident students.

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 80 YEAS, 17 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Austin; Bateman; Belter; Berg; Bernstein; Boucher; Byerly; Carlisle; Carlson; Christenson; Christopherson; Clark; Clayburgh; Coats; Dalrymple; DeKrey; Delmore; Delzer; Dorso; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorman; Grosz; Grumbo; Gulleson; Gunter; Hanson; Hausauer; Henegar, D.; Henegar, K.; Holm; Howard; Huether; Jacobs; Kaldor; Keiser; Kelsch; Kerzman; Klein; Kliniske; Koppelman; Kretschmar; Kroeber; Kunkel; Mahoney; Maragos; Martinson; Mickelson; Mutzenberger; Nicholas; Nichols; Nottestad; Oban; Poolman; Price; Retzer; Rydell; Sabby; Sandvig; Shide; Sitz; Skarphol; Soukup; Stenehjerm; Svedjan; Sveen; Thompson; Thoreson; Timm; Tollefson; Torgerson; Wald; Walker; Wardner; Wentz; Speaker Martin

NAYS: Boehm; Brown; DeWitz; Drovdal; Gorder; Hagle; Johnson; Kempenich; Laughlin; Lloyd; Monson; Olson; Payne; Rennerfeldt; Schimke; Schmidt; Wilkie

ABSENT AND NOT VOTING: Dobrinski

HB 1044 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1071: A BILL for an Act to create and enact a new section to chapter 32-03 of the North Dakota Century Code, relating to immunity from civil

liability for hunter education course instructors; and to amend and reenact section 20.1-03-01.1 of the North Dakota Century Code and section 1 of chapter 228 of the 1993 Session Laws, relating to bowhunter education requirements.

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 4 YEAS, 91 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Coats; Glassheim; Huether; Oban

NAYS: Aarsvold; Austin; Bateman; Belter; Berg; Bernstein; Boehm; Boucher; Brown; Byerly; Carlisle; Carlson; Christenson; Christopherson; Clark; Clayburgh; Dalrymple; DeKrey; Delzer; DeWitz; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Gorder; Gorman; Grosz; Grumbo; Gulleston; Gunter; Hagle; Hanson; Hausauer; Henegar, D.; Henegar, K.; Holm; Howard; Jacobs; Johnson; 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; Schmidt; Shide; Sitz; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Timm; Tollefson; Torgerson; Wald; Walker; Wardner; Wentz; Wilkie; Speaker Martin

ABSENT AND NOT VOTING: Dobrinski; Kaldor; Schimke

HB 1071 was declared lost.

SECOND READING OF HOUSE BILL

HB 1091: A BILL for an Act to amend and reenact section 3 of chapter 720 of the 1987 Session Laws as amended by section 6 of chapter 686 of the 1991 Session Laws as amended by section 1 of chapter 570 of the 1993 Session Laws, relating to the expiration date of the emergency services communication system advisory committee.

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 19 YEAS, 76 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Boucher; Christenson; Coats; Delmore; Glassheim; Grumbo; Gulleston; Hanson; Huether; Kaldor; Kerzman; Laughlin; Mutzenberger; Oban; Retzer; Sandvig; Schmidt; Wilkie

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

ABSENT AND NOT VOTING: Dobrinski; Hagle; Walker

HB 1091 was declared lost.

SECOND READING OF HOUSE BILL

HB 1098: A BILL for an Act to repeal section 54-01-17.2 of the North Dakota Century Code, relating to the North Dakota-Saskatchewan-Manitoba boundary advisory committee.

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; 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; Martinson; Mickelson; Monson; Mutzenberger; Nicholas; Nichols; Nottestad; Oban; 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: Dobrinski; Maragos

HB 1098 passed and the title was agreed to.

THE HOUSE RECOGNIZED THE PRESENCE OF:

Former Representative Michael Schatz.

SECOND READING OF HOUSE BILL

HB 1100: A BILL for an Act to amend and reenact sections 1-08-04.1, 48-10-01, and 48-10-03 of the North Dakota Century Code, relating to duties of the council on the arts and membership and duties of the capitol grounds planning commission; to repeal chapter 48-11 of the North Dakota Century Code, relating to the capitol arts and historic preservation advisory committee; and to transfer the balance of the capitol arts and historic preservation advisory committee special operating fund to the general 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 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; 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; Price; Rennerfeldt; Retzer; Rydell; Sabby; Sandvig; Schimke; Schmidt; Shide; Sitz; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Timm; Tollefson; Torgerson; Wald; Walker; Wardner; Wentz; Speaker Martin

ABSENT AND NOT VOTING: Dobrinski; Wilkie

HB 1100 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1106: A BILL for an Act to amend and reenact section 20.1-08-04.5 of the North Dakota Century Code, relating to the governor's proclamation concerning the hunting of deer with muzzleloading firearms.

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; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Gorman; Grosz; Grumbo; Gulleeson; Gunter; Hagle; Hanson; Hausauer; Henegar, D.; Henegar, K.; 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; 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: Dobrinski; Holm

HB 1106 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1122: A BILL for an Act to amend and reenact sections 40-21-06 and 40-21-08 of the North Dakota Century Code, relating to statements of principles on city election ballots.

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; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Gorman; Grosz; Grumbo; Gulleeson; 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; Price; 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: Dobrinski; Walker

HB 1122 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1125: A BILL for an Act to amend and reenact subsection 2 of section 52-09-06 and subsection 9 of section 52-09-20 of the North Dakota Century Code, relating to the investment of funds and the calculation of primary insurance benefits under the old-age and survivor insurance system.

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; Drovdal; Freier; Froseth; Galvin; Gerntholz; Glasshiem; 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; 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: Dobrinski; Dorso

HB 1125 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1126: A BILL for an Act to create and enact three new sections to chapter 54-52.1 and four new subsections to section 54-52.1-02 of the North Dakota Century Code, relating to dental, vision, long-term care, and employee assistance benefits coverage under the uniform group insurance program; and to amend and reenact subsection 6 of section 54-52-04 of the North Dakota Century Code, relating to the authority of the retirement board.

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 84 YEAS, 12 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

NAYS: Bateman; Boehm; Byerly; DeWitz; Drovdal; Grosz; Kempenich; Lloyd; Monson; Olson; Schimke; Skarphol

ABSENT AND NOT VOTING: Clayburgh; Dobrinski

HB 1126 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1127: A BILL for an Act to amend and reenact subsection 8 of section 54-52-01 of the North Dakota Century Code, relating to definitions for purposes of the public employees retirement system.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 97 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Austin; Bateman; Belter; Berg; Bernstein; Boehm; Boucher; Brown; Byerly; Carlisle; Carlson; Christenson; Christopherson; Clark; Clayburgh; Coats; Dalrymple; DeKrey; Delmore; Delzer; DeWitz; Dorso; Drovda; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Gorman; Grosz; Grumbo; Gulleston; 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; 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: Dobrinski

HB 1127 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1128: A BILL for an Act to amend and reenact subdivision b of subsection 4 of section 54-52-17 of the North Dakota Century Code, relating to the computation of benefits for participants in the judges' system under the public employees retirement system.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 94 YEAS, 1 NAY, 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; Dorso; Drovda; Froseth; Gerntholz; Glassheim; Gorder; Gorman; Grosz; Grumbo; Gulleston; Gunter; Hagle; 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; 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

NAYS: Freier

ABSENT AND NOT VOTING: Dobrinski; Galvin; Hanson

HB 1128 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1130: A BILL for an Act to amend and reenact section 2-05-06.5 of the North Dakota Century Code, relating to state assistance for public airports.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 97 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Dobrinski

HB 1130 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1139: A BILL for an Act to amend and reenact section 20.1-03-12 of the North Dakota Century Code, relating to resident fishing license fees; to repeal section 20.1-03-10.1 of the North Dakota Century Code, relating to trout and salmon license stamps; 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 78 YEAS, 19 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Austin; Bateman; Berg; Bernstein; Boehm; Boucher; Carlisle; Carlson; Christenson; Christopherson; Clark; Clayburgh; Dalrymple; DeKrey; Delmore; DeWitz; Dorso; Drovdal; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Gorman; Grosz; Grumbo; Gunter; Hagle; Hausauer; Henegar, D.; Henegar, K.; Holm; Howard; Huether; Jacobs; Johnson; Keiser; Kelsch; Kempenich; Klein; Kliniske; Koppelman; Kretschmar; Kroeber; Kunkel; Laughlin; Lloyd; Maragos; Martinson; Monson; Mutzenberger; Nicholas; Nichols; Nottestad; Oban; Olson; Payne; Price; Retzer; Rydell; Sabby; Schimke; Shide; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Timm; Tollefson; Torgerson; Wald; Walker; Wardner; Wentz; Speaker Martin

NAYS: Belter; Brown; Byerly; Coats; Delzer; Freier; Gulleeson; Hanson; Kaldor; Kerzman; Mahoney; Mickelson; Poolman; Rennerfeldt; Sandvig; Schmidt; Sitz; Skarphol; Wilkie

ABSENT AND NOT VOTING: Dobrinski

HB 1139 passed and the title was agreed to.

HOUSE ENGROSSING REPORT

The following bills were engrossed: HB 1040, HB 1115, HB 1120, HB 1152, and HB 1303.

MOTION

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

MOTION

REP. FREIER MOVED that the House be on the Fifth, Twelfth, and Thirteenth orders of business and at the conclusion of those orders, the House stand adjourned until 8:30 a.m., Thursday, January 19, 1995, which motion prevailed.

REPORT OF STANDING COMMITTEE

HB 1074: Human Services Committee (Rep. Svedjan, Chairman) recommends DO PASS (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1074 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1085, as engrossed: Finance and Taxation Committee (Rep. Timm, Chairman) recommends DO PASS (11 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING). Engrossed HB 1085 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1096: Finance and Taxation Committee (Rep. Timm, Chairman) recommends DO PASS (8 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING). HB 1096 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1101: Finance and Taxation Committee (Rep. Timm, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1101 was placed on the Sixth order on the calendar.

Page 1, line 1, after "to" insert "amend and reenact sections 57-59-03, 57-59-04, 57-59-05, and 57-59-06 of the North Dakota Century Code, relating to the membership and activities of the multistate tax commission; and to"

Page 1, after line 3, insert the following:

"SECTION 1. AMENDMENT. Section 57-59-03 of the North Dakota Century Code is amended and reenacted as follows:

57-59-03. Membership of multistate tax commission. ~~The governor shall appoint the member of the multistate tax commission to represent the state of North Dakota from among the persons made eligible by subdivision a of subsection 1 of article VI of the compact, or the head of the state tax department commissioner shall represent the state of North Dakota on the multistate tax commission.~~

SECTION 2. AMENDMENT. Section 57-59-04 of the North Dakota Century Code is amended and reenacted as follows:

57-59-04. Designation of an alternate. ~~The member representing the state of North Dakota on the multistate tax commission state tax commissioner may be represented thereon on the multistate tax commission by an alternate designated by him the state tax commissioner. Any such alternate must be a principal deputy or assistant of the member of the commission in the agency which the member heads state tax commissioner.~~

SECTION 3. AMENDMENT. Section 57-59-05 of the North Dakota Century Code is amended and reenacted as follows:

57-59-05. Legal counsel. The chief counsel of the legal and research division of the state tax department or his the chief counsel's designee, shall attend the meetings of the multistate tax commission as the legal counsel representing the state of North Dakota as provided for by subdivision a of subsection 1 of article VI of section 57-59-01.

SECTION 4. AMENDMENT. Section 57-59-06 of the North Dakota Century Code is amended and reenacted as follows:

57-59-06. Selection of representatives to meet with commission member. The governor, after consultation with representatives of local governments, shall appoint three persons who are representatives of subdivisions affected or likely to be affected by the multistate tax compact, or the governor state tax commissioner shall appoint three two persons who are representatives of subdivisions affected or likely to be affected by the multistate tax compact, from among persons nominated by the county commissioners' association of counties, county auditors' association, and league of municipalities cities. The member of the commission representing the state of North Dakota, state tax commissioner, and any alternate designated by him the state tax commissioner, shall consult regularly with these appointees, in accordance with subdivision b of subsection 1 of article VI of section 57-59-01. The state tax commissioner shall also consult regularly with the chairman and ranking minority party member of the finance and taxation committees of the senate and house of representatives as provided for in subdivision b of subsection 2 of article VI of section 57-59-01."

ReNUMBER accordingly

REPORT OF STANDING COMMITTEE

HB 1145: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends DO PASS (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1145 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1194: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends DO PASS (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1194 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1220: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends DO PASS (10 YEAS, 3 NAYS, 2 ABSENT AND NOT VOTING). HB 1220 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1233: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends DO PASS (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1233 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1235: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends DO PASS (14 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1235 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1259: Judiciary Committee (Rep. Kretschmar, Chairman) recommends DO PASS (9 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). HB 1259 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1327: Human Services Committee (Rep. Svedjan, Chairman) recommends DO PASS (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1327 was placed on the Eleventh order on the calendar.

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

MR. SPEAKER: The Senate has passed unchanged: HCR 3015.

FIRST READING OF HOUSE CONCURRENT RESOLUTIONS

Reps. Brown, Carlisle, Aarsvold, Kretschmar, Olson and Sens. Nalewaja, Andrist introduced:

HCR 3016: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of providing a community notification process by which communities would be informed of the release of a convicted sexual offender and of persons charged with or convicted of sexual offenses.

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

Reps. Kempenich, Brown and Sens. Wanzek, Bowman introduced:

HCR 3017: A concurrent resolution urging Congress and the President to reject federal mandates that violate the spirit of the Tenth Amendment to the Constitution of the United States.

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

Reps. Martin, Dorso, Oban, Kempenich and Sens. G. Nelson, Wogsland introduced:

HCR 3018: A concurrent resolution calling for a Conference of the States to be promoted and convened by the Council of State Governments.

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

Reps. Kliniske, Bernstein, Mickelson, Poolman and Sens. Nalewaja, Schobinger introduced:

HCR 3019: A concurrent resolution urging all public and private institutions of higher education in the state to take action with respect to assisting rape victims and publicizing rapes that occur on college or university campuses.

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

FIRST READING OF SENATE BILLS

SB 2116: A BILL for an Act to amend and reenact sections 29-05-31, 39-06.1-02, subsection 1 of section 39-06.1-03, sections 39-07-07, and 39-07-08 of the North Dakota Century Code, relating to uniform traffic citations, bond forfeitures, and procedures for disposition of noncriminal traffic violations.

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

SB 2138: A BILL for an Act to repeal chapter 61-24.1 of the North Dakota Century Code, relating to the Garrison Diversion Mitigation and Enhancement Lands Commission.

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

SB 2168: A BILL for an Act to amend and reenact subsection 4 of section 43-07-01, sections 43-07-02, 43-07-04, 43-07-08, 43-07-09, 43-07-10, 43-07-14, and 43-07-18 of the North Dakota Century Code, relating to the licensure and regulation of contractors by the secretary of state; to repeal section 43-07-11 of the North Dakota Century Code, relating to a contractor's bond; and to provide a civil penalty.

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

SB 2196: A BILL for an Act to amend and reenact section 36-14-19 of the North Dakota Century Code, relating to the disposal of animals.

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

SB 2200: A BILL for an Act to amend and reenact subsection 1 of section 5-03-01 of the North Dakota Century Code, relating to wholesale beer and liquor license qualifications.

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

SB 2214: A BILL for an Act to amend and reenact section 54-02-07 of the North Dakota Century Code, relating to Theodore Roosevelt rough rider award records.

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

SB 2217: A BILL for an Act to create and enact a new subdivision to subsection 2 of section 21-03-06 of the North Dakota Century Code, relating to city bond issues to provide local matching funds for capital construction projects at state higher education institutions.

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

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

ROY GILBREATH, Chief Clerk