

## JOURNAL OF THE HOUSE

## Fifty-fourth Legislative Assembly

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Bismarck, January 23, 1995

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

The prayer was offered by the Rev. Phil Ackerman, Holy Spirit Church, Fargo.

The roll was called and all members were present.

A quorum was declared by the Speaker.

## HOUSE ENGROSSING REPORT

The following bills were engrossed: HB 1046, HB 1055, HB 1084, HB 1142, HB 1173, HB 1176, HB 1184, HB 1185, HB 1189, HB 1205, HB 1236, HB 1254, HB 1263, and HB 1315.

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

MADAM PRESIDENT: The House has passed and your favorable consideration is requested on: HB 1074, HB 1085, HB 1096, HB 1101, HB 1141, HB 1145, HB 1147, HB 1149, HB 1154, HB 1157, HB 1194, HB 1202.

## 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 2095, SB 2129, SB 2136, SB 2157, SB 2184, SB 2185, SB 2201, SB 2204, SB 2222, SB 2223, SB 2268.

## MOTION

REP. OBAN MOVED that HB 1047, which is on the Sixth order, be laid over two legislative days, which motion prevailed.

## SIXTH ORDER OF BUSINESS

The amendments on the Sixth order of business to HB 1039, HB 1051, and HB 1256 were adopted.

HB 1039, HB 1051 and HB 1256, as amended, were placed on the Eleventh order of business on the calendar for the succeeding legislative day.

## MOTION

REP. DORSO MOVED that HB 1055 be placed at the bottom of the calendar, which motion prevailed.

## MOTION

REP. NICHOLAS MOVED that HB 1358 be returned to the House floor from the Agriculture Committee for the purpose of withdrawal, which motion prevailed.

## REQUEST

REP. GULLESON REQUESTED the unanimous consent of the House to withdraw HB 1358. There being no objection, it was so ordered by the Speaker.

## MOTION

REP. TIMM MOVED that HB 1404 be returned to the House floor from the Finance and Taxation Committee for the purpose of withdrawal, which motion prevailed.

## REQUEST

REP. MUTZENBERGER REQUESTED the unanimous consent of the House to withdraw HB 1404. There being no objection, it was so ordered by the Speaker.

## SECOND READING OF HOUSE BILL

HB 1046: A BILL for an Act to amend and reenact section 15-21-18 of the North Dakota Century Code, relating to joint meetings and cooperative

activities of the boards of higher education, vocational and technical education, and public school education.

#### 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 91 YEAS, 7 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Austin; Belter; Berg; Bernstein; Boucher; Brown; Byerly; Carlisle; Carlson; Christenson; Christopherson; Clark; Clayburgh; Coats; Dalrymple; DeKrey; Delmore; Delzer; DeWitz; Dobrinski; Dorso; Drovdal; Freier; Froseth; Gerntholz; Glassheim; Gorder; Gorman; Grosz; Grumbo; Gulleason; 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; Schmidt; Shide; Sitz; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Tollefson; Torgerson; Walker; Wardner; Wentz; Wilkie; Speaker Martin

**NAYS:** Bateman; Boehm; Galvin; Holm; Schimke; Timm; Wald

Engrossed HB 1046 passed and the title was agreed to.

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#### SECOND READING OF HOUSE BILL

**HB 1084:** A BILL for an Act to create and enact a new section to chapter 43-23 of the North Dakota Century Code, relating to injunctive actions by the North Dakota real estate commission.

#### 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 98 YEAS, 0 NAYS, 0 EXCUSED, 0 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; 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

Engrossed HB 1084 passed and the title was agreed to.

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#### SECOND READING OF HOUSE BILL

**HB 1142:** A BILL for an Act to amend and reenact subsection 3 of section 57-02-08.3, sections 57-38-49, 57-38-50, subsections 3, 4, 5, and 6 of section 57-39.2-13, subsections 3, 4, 5, and 6 of section 57-40.2-16, subsections 2, 3, and 4 of section 57-40.3-07.1, subsections 3, 4, and 6 of section 57-43.1-17.4, and subsections 3, 4, and 6 of section 57-43.2-16.3 of the North Dakota Century Code, relating to the filing

of tax liens with the secretary of state; and to provide an effective date.

#### ROLL CALL

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

**YEAS:** Aarsvold; 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; 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:** Kunkel

Engrossed HB 1142 passed and the title was agreed to.

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#### SECOND READING OF HOUSE BILL

**HB 1173:** A BILL for an Act to create and enact chapters 26.1-03.1 and 26.1-10.1 of the North Dakota Century Code, relating to risk-based capital for insurers and disclosure of material transactions; and to amend and reenact section 26.1-03-11.3 of the North Dakota Century Code, relating to confidentiality and sharing of certain information.

#### 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 91 YEAS, 7 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Austin; Bateman; Belter; Berg; Bernstein; Boucher; Brown; Byerly; Carlisle; Carlson; Christenson; Christopherson; Clark; Clayburgh; Coats; Dalrymple; DeKrey; Delmore; Delzer; DeWitz; Dobrinski; Dorso; Drovdal; Freier; Galvin; Gerntholz; Glassheim; Gorman; Grosz; Grumbo; Gulleson; Gunter; Hagle; Hanson; Hausauer; Henegar, D.; Henegar, K.; Holm; Howard; Huether; Jacobs; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Klein; Kliniske; Koppelman; 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; Walker; Wardner; Wentz; Wilkie; Speaker Martin

**NAYS:** Boehm; Froseth; Gorder; Johnson; Kretschmar; Schimke; Wald

Engrossed HB 1173 passed and the title was agreed to.

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#### SECOND READING OF HOUSE CONCURRENT BILL

**HB 1176:** A BILL for an Act to create and enact a new section to chapter 6-06 of the North Dakota Century Code, relating to examination of credit union computer servicers.

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

Engrossed HB 1176 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1184:** A BILL for an Act to amend and reenact sections 26.1-22.1-07 and 26.1-22.1-10 of the North Dakota Century Code, relating to inspection of boilers and certificates of inspection.

**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; 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; 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:** Bateman

Engrossed HB 1184 passed and the title was agreed to.

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**REQUEST AND ANNOUNCEMENT**

**SPEAKER MARTIN REQUESTED** that the Chief Clerk announce that HB 1467 is assigned to the Industry, Business and Labor Committee rather than the Political Subdivisions Committee.

**HOUSE ENGROSSING REPORT**

The following bills were engrossed: HB 1039, HB 1051, and HB 1256.

## 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., Tuesday, January 24, 1995, which motion prevailed.

## REPORT OF STANDING COMMITTEE

HB 1052: 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 1052 was placed on the Sixth order on the calendar.

Page 1, line 2, after "chance" insert "; and to declare an emergency"

Page 3, after line 14, insert:

"SECTION 2. EMERGENCY. This Act is declared to be an emergency measure."

Renumber accordingly

## REPORT OF STANDING COMMITTEE

HB 1053: Judiciary Committee (Rep. Kretschmar, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (8 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). HB 1053 was placed on the Sixth order on the calendar.

Page 1, line 13, replace "twenty-five" with "ten"

Renumber accordingly

## REPORT OF STANDING COMMITTEE

HB 1081: Agriculture Committee (Rep. Nicholas, Chairman) recommends DO PASS (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1081 was placed on the Eleventh order on the calendar.

## REPORT OF STANDING COMMITTEE

HB 1086: Agriculture Committee (Rep. Nicholas, Chairman) recommends DO PASS (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1086 was placed on the Eleventh order on the calendar.

## REPORT OF STANDING COMMITTEE

HB 1105: Natural Resources Committee (Rep. Olson, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (14 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1105 was placed on the Sixth order on the calendar.

Page 1, line 9, after the period insert "The director may accept payment by wire transfer, electronic transfer, or a nationally recognized credit or debit card for licenses issued pursuant to this section. A reasonable fee not exceeding the discount charged by the credit card issuer may be added to the payment as a service charge for the acceptance of the credit or debit card. The director shall determine which nationally recognized cards will be accepted for payments made under this section. If payment is made by a credit or debit card, the liability for a license purchased under this section is not discharged until the director receives payment or credit from the institution responsible for making the payment or credit."

Renumber accordingly

## REPORT OF STANDING COMMITTEE

HB 1114: Natural Resources Committee (Rep. Olson, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (14 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1114 was placed on the Sixth order on the calendar.

Page 1, line 13, overstrike "emergency"

Page 1, line 14, overstrike "commission" and insert immediately thereafter "legislative assembly"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

HB 1118: Natural Resources Committee (Rep. Olson, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (14 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1118 was placed on the Sixth order on the calendar.

Page 2, line 4, replace "any" with "relevant"

Page 2, line 5, after "requires" insert "relating to the environmental safety of the facility"

Page 2, line 6, replace the first "and" with "if any," and after "design" insert ", and fluids used in the facility"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

HB 1123: Political Subdivisions Committee (Rep. Soukup, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (11 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1123 was placed on the Sixth order on the calendar.

Page 1, line 2, replace "or" with a comma and after "cities" insert ", or school districts"

Page 1, line 5, replace "or" with a comma and after "cities" insert ", or school districts"

Page 1, line 8, replace "a cumulative" with "an"

Page 1, line 10, replace "and" with a comma and after "cities" insert ", or school districts"

Page 1, line 12, replace "and" with a comma and after "cities" insert ", and school districts"

Page 1, line 14, after the period insert "The legislative council shall request a fiscal analysis from appropriate representatives and officials of cities, counties, or school districts only when:

- a. The response of the agency to which a fiscal note request was directed indicates that the agency cannot estimate the fiscal impact of the bill or resolution; or
  - b. It appears that no state agency has primary responsibility for compiling and maintaining the information necessary for the proper preparation of a fiscal note required by subsection 1.
3. A fiscal analysis from representatives and officials of cities, counties, or school districts must state the estimated fiscal effect of the bill or, if fiscal impact cannot be determined on the basis of available information, whether the bill or resolution appears to have fiscal impact of one hundred thousand dollars or more upon cities, counties, or school districts. Only in cases in which fiscal analysis has been requested from representatives and

officials of cities, counties, or school districts and that analysis states that fiscal impact cannot be determined on the basis of available information and estimates a negative fiscal impact of one hundred thousand dollars or more upon cities, counties, or school districts, the fiscal note requirement of subsection 1 is not satisfied and the bill or resolution may not be considered for final passage in either house of the legislative assembly unless the fiscal note requirement of subsection 1 is waived by a majority vote of the members elected to that house of the legislative assembly."

Page 1, remove lines 15 through 22

Page 2, remove lines 1 through 12

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1124: Agriculture Committee (Rep. Nicholas, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1124 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact section 4-24-10 of the North Dakota Century Code, relating to agricultural commodity group reports.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

**SECTION 1. AMENDMENT.** Section 4-24-10 of the 1993 Supplement to the North Dakota Century Code is amended and reenacted as follows:

**4-24-10. Agricultural commodity promotion groups to report to legislative assembly - Report contents.** Between the first and tenth legislative day of each regular legislative session, the North Dakota potato council, the North Dakota oilseed council, the North Dakota edible bean council, the North Dakota barley council, the North Dakota soybean council, the North Dakota corn utilization council, the North Dakota beekeepers association, the North Dakota turkey federation, the North Dakota milk stabilization board, the North Dakota dairy promotion commission, the North Dakota state wheat commission, and the North Dakota beef commission must file a report at a public hearing before the standing agriculture committee of each house of the legislative assembly. The presiding officer of each house of the legislative assembly may direct that the reports be filed with some other standing committee of that house. The ~~Each~~ report must contain a ~~summarization~~ **summary** of the activities of the ~~respective commodity groups~~ **group** during the preceding biennium, ~~and must include an audit report prepared by the state auditor on or before July first of each even-numbered year, a single page uniform financial statement prepared by the state auditor summarizing the audit report, the revenues and expenditures of the respective agricultural commodity group for the current biennium and the anticipated revenues and expenditures for the next biennium.~~

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1148: Agriculture Committee (Rep. Nicholas, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1148 was placed on the Sixth order on the calendar.

Page 1, line 2, remove "19-20.1-03.1,"

Page 1, line 4, remove the second "fertilizer"

Page 1, line 5, remove "licensing schedules, distributing fertilizer without a license,"

Page 6, remove lines 4 through 19

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

HB 1181: Natural Resources Committee (Rep. Olson, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (14 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1181 was placed on the Sixth order on the calendar.

Page 1, line 13, replace "any animal" with "the fur-bearing animal or unprotected wild animal"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

HB 1196: Agriculture Committee (Rep. Nicholas, Chairman) recommends DO PASS (10 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1196 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

HB 1223: 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 1223 was placed on the Sixth order on the calendar.

Page 1, line 19, after "may" insert ", following a restitution hearing pursuant to section 12.1-32-08,"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

HB 1229: Appropriations Committee (Rep. Dairymple, Chairman) recommends DO NOT PASS (15 YEAS, 3 NAYS, 5 ABSENT AND NOT VOTING). HB 1229 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

HB 1240: Judiciary Committee (Rep. Kretschmar, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (12 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). HB 1240 was placed on the Sixth order on the calendar.

Page 1, line 7, remove the overstrike over "en"

Page 1, line 8, remove the overstrike over "~~not more than~~", after "two" insert "twelve", and remove the overstrike over "~~occasions per year~~"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

HB 1244: 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 1244 was placed on the Sixth order on the calendar.

Page 1, replace lines 8 through 11 with "magistrate who issues a warrant for arrest shall order the information in the complaint and warrant confidential, if the law enforcement officer articulates a reason for the confidentiality. The magistrate shall limit the duration of the

order to the time of the arrest of the accused and shall exempt law enforcement officers in the performance of official duties."

Page 1, replace lines 15 through 18 with "magistrate who issues a search warrant shall order the information in the complaint and warrant confidential, if the law enforcement officer articulates a reason for the confidentiality. The magistrate shall limit the duration of the order to the time of the arrest of the accused and shall exempt law enforcement officers in the performance of official duties."

Re-number accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1262: Judiciary Committee (Rep. Kretschmar, Chairman)** recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1262 was placed on the Sixth order on the calendar.

Page 1, line 11, remove "and any protection order issued"

Page 1, remove line 12

Page 1, line 13, remove "and 14-07.1-03"

Page 1, line 14, after the period insert "The law enforcement agency shall enter the order into any information system available in the state that is used to list outstanding warrants for a period of one year or until the date of expiration or termination as specified in the order. The order is enforceable in any jurisdiction in this state."

Page 1, line 19, after "Act" insert "and under section 14-07.1-03"

Re-number accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1304: Political Subdivisions Committee (Rep. Soukup, Chairman)** recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (12 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). HB 1304 was placed on the Sixth order on the calendar.

Page 1, line 9, replace "twenty-five" with "thirty-three", replace "7.62" with "10.06", and remove "of the centerline of any"

Page 1, line 10, remove "quarter section line or within fifty feet [15.24 meters]"

Re-number accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1359: Finance and Taxation Committee (Rep. Timm, Chairman)** recommends DO PASS (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1359 was placed on the Eleventh order on the calendar.

#### FIRST READING OF HOUSE CONCURRENT RESOLUTION

Reps. Martin, Dorso, Wald, Wardner and Sens. Goetz, Urlacher introduced:

**HCR 3024:** A concurrent resolution directing the Legislative Council to study the financing and funding needs for development and completion of the state's water resources infrastructure and methods for development of a program to provide financing and funding of water supply facilities in this state.

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

#### FIRST READING OF SENATE BILLS

**SB 2095:** A BILL for an Act to amend and reenact subsections 1, 3, and 4 of section 54-06-14.1 and subsections 1 and 3 of section 54-06-14.2 of the

North Dakota Century Code, relating to the state annual leave and sick leave sharing programs.

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

**SB 2129:** A BILL for an Act to amend and reenact subdivision a of subsection 4 of section 26.1-31.2-01 of the North Dakota Century Code, relating to credit allowed a domestic ceding insurer; and to declare an emergency.

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

**SB 2136:** A BILL for an Act to repeal section 57-39.2-03.4 of the North Dakota Century Code, relating to sales taxes on carpet and drapes.

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

**SB 2157:** A BILL for an Act to amend and reenact section 55-01-01 of the North Dakota Century Code, relating to the composition of the state historical board.

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

**SB 2184:** A BILL for an Act to create and enact a new section to chapter 57-38 of the North Dakota Century Code, relating to composite tax returns; and to provide an effective date.

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

**SB 2185:** A BILL for an Act to create and enact a new subsection to section 57-38-14 of the North Dakota Century Code, relating to the filing of combined reports and consolidated income tax returns by domestic corporations; and to provide an effective date.

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

**SB 2201:** A BILL for an Act to create and enact a new subdivision to subsection 1 of section 6-09-15 of the North Dakota Century Code, relating to purchase of loans by the Bank of North Dakota; and to amend and reenact subsection 3 of section 6-09-15 of the North Dakota Century Code, relating to participation in loans by the Bank of North Dakota.

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

**SB 2204:** A BILL for an Act to create and enact a new subsection to section 61-02-02 and a new section to chapter 61-02 of the North Dakota Century Code, relating to definitions and revenues and funds available to pay water development revenue bonds; to amend and reenact sections 61-02-46, 61-02-47, 61-02-48, 61-02-51, 61-02-52, 61-02-53, 61-02-54, 61-02-55, 61-02-56, 61-02-57, 61-02-58, 61-02-59, 61-02-61, 61-02-62, 61-02-63, 61-02-64, and 61-02-64.1 of the North Dakota Century Code, relating to water development revenue bonds; and to repeal sections 61-02-66, 61-02-67, and 61-02-68 of the North Dakota Century Code, relating to bond funds and payments.

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

**SB 2222:** A BILL for an Act to amend and reenact subsection 1 of section 10-15-20 and section 10-15-21 of the North Dakota Century Code, relating to the rate of dividends upon stock issued by a cooperative association and the issuance of stock certificates by a cooperative association; and to declare an emergency.

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

**SB 2223:** A BILL for an Act to amend and reenact subsection 2 of section 39-21-44 of the North Dakota Century Code, relating to the transportation of hazardous materials by fertilizer or agricultural chemical retailers.

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

**SB 2268:** A BILL for an Act to amend and reenact subsection 7 of section 57-39.2-01 and subsection 8 of section 57-40.2-01 of the North Dakota Century Code, relating to application of sales and use taxes to tire retreading services.

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

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

**ROY GILBREATH, Chief Clerk**