

JOURNAL OF THE HOUSE

Fifty-fourth Legislative Assembly

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Bismarck, January 25, 1995

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

The prayer was offered by the Rev. Lisa Ahlness, Lord of Life Lutheran Church, Bismarck.

The roll was called and all members were present.

A quorum was declared by the Speaker.

MOTION

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

HOUSE ENGROSSING REPORT

The following bills were engrossed: HB 1052, HB 1053, HB 1105, HB 1114, HB 1118, HB 1123, HB 1124, HB 1148, HB 1181, HB 1223, HB 1240, HB 1244, HB 1262, HB 1304.

SIXTH ORDER OF BUSINESS

The amendments on the Sixth order of business to HB 1054, HB 1103, HB 1163, HB 1295, and HB 1310 were adopted.

HB 1054, HB 1103, HB 1163, HB 1295, and HB 1310, as amended, were placed on the Eleventh order of business on the calendar for the succeeding legislative day.

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 2027, SB 2096, SB 2101, SB 2176, SB 2203, SB 2244.

CORRECTION AND REVISION OF THE JOURNAL

MR. SPEAKER: Your Committee on Correction and Revision of the Journal (Rep. Drovdal, Chairman) has carefully examined the Journal of the Fifteenth Day and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 233, line 50, remove "CONCURRENT"

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

MOTION

REP. DORSO MOVED that the House stand in recess until 8:50 a.m., which motion prevailed.

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

MOTION

REP. DORSO MOVED that HB 1051 and HB 1123, which are on the Eleventh order, be placed at the bottom of the calendar, which motion prevailed.

MOTION

REP. FREIER MOVED that the House waive the reading of the title to HB 1039, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1039: A BILL for an Act to amend and reenact sections 15-27.1-01,

15-27.1-03, 15-27.1-04, 15-27.1-05, 15-27.1-06, 15-27.1-08, 15-27.1-10, 15-27.1-11, 15-27.2-01, 15-27.2-02, 15-27.2-04, 15-27.2-05, 15-27.3-02, 15-27.3-04, 15-27.3-05, 15-27.3-06, 15-27.3-07, 15-27.3-11, 15-27.3-12, 15-27.3-15, 15-27.3-16, 15-27.3-19, 15-27.4-01, 15-27.4-02, 15-27.6-07, 15-27.6-08, 15-27.6-09, and 15-47-21 of the North Dakota Century Code, relating to regional committees for the reorganization of school districts; and to provide a transition.

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 5 YEAS, 93 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Dalrymple; Kaldor; Kunkel; Nicholas; Oban

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

Engrossed HB 1039 was declared lost.

SECOND READING OF HOUSE BILL

HB 1256: A BILL for an Act to amend and reenact sections 43-20-03, 43-20-07, 43-20-12, 43-20-12.1, subsection 6 of section 43-28-01, subsections 1 and 3 of section 43-28-04, section 43-28-05, subsection 5 of section 43-28-06, sections 43-28-11, 43-28-12.2, subsections 1 and 2 of section 43-28-15, sections 43-28-19, and 43-28-23 of the North Dakota Century Code, relating to dental hygienists and the practice of dentistry.

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; 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

Engrossed HB 1256 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1263: A BILL for an Act to amend and reenact section 6-03-05 of the North Dakota Century Code, relating to real estate mortgages.

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; 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

Engrossed HB 1263 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1315: A BILL for an Act to amend and reenact section 51-12-09 of the North Dakota Century Code, relating to representation as to worth or value as false advertising.

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; 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

Engrossed HB 1315 passed and the title was agreed to.

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 1185, HB 1189, HB 1205, HB 1236, HB 1254.

SECOND READING OF HOUSE BILL

HB 1052: A BILL for an Act to amend and reenact section 53-06.1-11 of the North Dakota Century Code, relating to the expense limitation for games of chance; 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, 3 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; 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; Mahoney; Maragos; Martinson; Mickelson; Monson; Mutzenberger; Nicholas; Nichols; Nottestad; Oban; Olson; Payne; Poolman; Price; Rennerfeldt; 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: Gorder; Lloyd; Retzer

Engrossed HB 1052 passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF HOUSE BILL

HB 1053: A BILL for an Act to amend and reenact section 53-06.1-10 of the North Dakota Century Code, relating to the maximum wager limit for the game of twenty-one.

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 30 YEAS, 67 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Brown; Christopherson; Coats; Delmore; Drovdal; Gorman; Gunter; Hanson; Hausauer; Henegar, K.; Huether; Johnson; Klein; Kliniske; Kretschmar; Kroeber; Kunkel; Maragos; Martinson; Mickelson; Nicholas; Payne; Poolman; Schmidt; Stenehjem; Thoreson; Timm; Torgerson; Wald; Walker

NAYS: Aarsvold; Austin; Bateman; Belter; Berg; Bernstein; Boehm; Boucher; Byerly; Carlisle; Carlson; Christenson; Clark; Clayburgh; Dalrymple; DeKrey; Delzer; DeWitz; Dobrinski; Dorso; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Grosz; Grumbo; Gulleston; Hagle; Henegar, D.; Holm; Howard; Jacobs; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Koppelman; Laughlin; Lloyd; Mahoney; Monson; Mutzenberger; Nichols; Nottestad; Oban; Olson; Price; Rennerfeldt; Retzer; Rydell; Sabby; Sandvig; Schimke; Shide; Sitz; Skarphol; Svedjan; Sveen; Thompson; Tollefson; Wardner; Wentz; Wilkie; Speaker Martin

ABSENT AND NOT VOTING: Soukup

Engrossed HB 1053 was declared lost.

SECOND READING OF HOUSE BILL

HB 1105: A BILL for an Act to create and enact sections 20.1-03-32, 20.1-03-33, and 20.1-03-34 of the North Dakota Century Code, relating to establishing a computer hunting and fishing license system.

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, 3 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; 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; Monson; Mutzenberger; Nicholas; Nichols; Nottestad; Oban; Olson; Payne; 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: Mickelson; Poolman; Schimke

HB 1105 passed and the title was agreed to.

THE HOUSE RECOGNIZED THE PRESENCE OF:

Former Representative Moine Gates.

SECOND READING OF HOUSE BILL

HB 1114: A BILL for an Act to amend and reenact section 12 of chapter 594 of the 1993 Session Laws, relating to the effective date of the assumption of the section 404 program of the Clean Water Act by the state.

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; 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; 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 1114 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1118: A BILL for an Act to amend and reenact subsection 3 of section 38-19-02 and section 38-19-04 of the North Dakota Century Code, relating to reporting requirements for installers of residential geothermal systems.

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; 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: Gulleason

Engrossed HB 1118 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1124: A BILL for an Act to amend and reenact section 4-24-10 of the North Dakota Century Code, relating to agricultural commodity group reports.

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; Delzer; DeWitz; Dobrinski; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; 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; 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: Delmore; Gulleason

Engrossed HB 1124 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1148: A BILL for an Act to amend and reenact sections 19-20.1-02, 19-20.1-03, 19-20.1-03.4, 19-20.1-06, and 19-20.1-13 of the North Dakota Century Code, relating to definitions applicable to the registration and licensing of fertilizers, fertilizer registration schedules, guaranteed analysis of fertilizer, fertilizer inspection fees and tonnage reports, and phosphates; 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 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; Gordner; 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; 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: Gulleeson

Engrossed HB 1148 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1181: A BILL for an Act to amend and reenact section 20.1-01-31 of the North Dakota Century Code, relating to interference with rights of trappers.

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, 1 NAY, 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; Gordner; 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; Price; Rennerfeldt; Retzer; Rydell; Sabby; Sandvig; Schimke; Schmidt; Shide; Sitz; Skarphol; Soukup; Stenehjelm; Svedjan; Sveen; Thompson; Thoreson; Timm; Tollefson; Torgerson; Wald; Walker; Wardner; Wentz; Speaker Martin

NAYS: Wilkie

ABSENT AND NOT VOTING: Gulleeson

Engrossed HB 1181 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1223: A BILL for an Act to amend and reenact section 12.1-32-06.1 of the North Dakota Century Code, relating to an additional period of probation that may be imposed for certain types of offenses.

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; Gordier; 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; 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: Gulleeson

Engrossed HB 1223 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1240: A BILL for an Act to amend and reenact section 53-06.1-07.2 of the North Dakota Century Code, relating to draw poker and stud poker.

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 46 YEAS, 52 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Austin; Bateman; Berg; Boehm; Christopherson; Clayburgh; Coats; DeKrey; Delmore; DeWitz; Dobrinski; Gerntholz; Gorman; Gunter; Hanson; Henegar, D.; Henegar, K.; Holm; Howard; Huether; Johnson; Klein; Kliniske; Koppelman; Kretschmar; Kroeber; Kunkel; Mahoney; Maragos; Martinson; Mickelson; Monson; Nicholas; Nichols; Nottestad; Payne; Price; Sabby; Schmidt; Sitz; Stenehjem; Thoreson; Timm; Torgerson; Wald; Walker

NAYS: Aarsvold; Belter; Bernstein; Boucher; Brown; Byerly; Carlisle; Carlson; Christenson; Clark; Dalrymple; Delzer; Dorso; Drovdal; Freier; Froseth; Galvin; Glassheim; Gordier; Grosz; Grumbo; Gulleeson; Hagle; Hausauer; Jacobs; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Laughlin; Lloyd; Mutzenberger; Oban; Olson; Poolman; Rennerfeldt; Retzer; Rydell; Sandvig; Schimke; Shide; Skarphol; Soukup; Svedjan; Sveen; Thompson; Tollefson; Wardner; Wentz; Wilkie; Speaker Martin

Engrossed HB 1240 was declared lost.

SECOND READING OF HOUSE BILL

HB 1244: A BILL for an Act to create and enact a new section to chapter 29-05 and a new section to chapter 29-29 of the North Dakota Century Code, relating to the release of information contained in arrest and search warrants.

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; Gordier; 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; Walker; Wardner; Wentz; Wilkie; Speaker Martin

Engrossed HB 1244 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1262: A BILL for an Act to create and enact a new section to chapter 11-15 and a new section to chapter 12-60 of the North Dakota Century Code, relating to duties of sheriffs and the bureau of criminal investigation with respect to protection and restraining orders.

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; 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

Engrossed HB 1262 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1304: A BILL for an Act to create and enact a new section to chapter 47-05 of the North Dakota Century Code, relating to easements for forest 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 97 YEAS, 1 NAY, 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; 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

NAYS: Glassheim

Engrossed HB 1304 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1042: A BILL for an Act to amend and reenact subsection 2 of section 15-27.2-01 and subsection 3 of section 15-27.4-02 of the North Dakota Century Code, relating to residency requirements in school district annexations and dissolutions.

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 90 YEAS, 8 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Austin; Bateman; Belter; Berg; Bernstein; Boehm; Brown; Byerly; Carlisle; Carlson; Christenson; Christopherson; Clark; Clayburgh; Coats; Dalrymple; Delmore; Delzer; Dobrinski; Dorso; Drovdal; Freier; Froseth; Gertholz; Glassheim; Gorder; Gorman; 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; Schmidt; Sitz; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Timm; Tollefson; Torgerson; Wald; Walker; Wardner; Wentz; Speaker Martin

NAYS: Boucher; DeKrey; DeWitz; Galvin; Grosz; Schimke; Shide; Wilkie

HB 1042 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1066: A BILL for an Act to amend and reenact section 53-06.1-12.2 of the North Dakota Century Code, relating to pull tab excise taxes.

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 30 YEAS, 68 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Bateman; Boehm; Boucher; Christopherson; Coats; Delzer; Dobrinski; Gulleston; Hanson; Johnson; Kaldor; Kerzman; Kretschmar; Kroeber; Martinson; Monson; Mutzenberger; Nicholas; Nichols; Oban; Olson; Payne; Poolman; Schimke; Schmidt; Sitz; Sveen; Thoreson; Wilkie

NAYS: Austin; Belter; Berg; Bernstein; Brown; Byerly; Carlisle; Carlson; Christenson; Clark; Clayburgh; Dalrymple; DeKrey; Delmore; DeWitz; Dorso; Drovdal; Freier; Froseth; Galvin; Gertholz; Glassheim; Gorder; Gorman; Grosz; Grumbo; Gunter; Hagle; Hausauer; Henegar, D.; Henegar, K.; Holm; Howard; Huether; Jacobs; Keiser; Kelsch; Kempenich; Klein; Kliniske; Koppelman; Kunkel; Laughlin; Lloyd; Mahoney; Maragos; Mickelson; Nottestad; Price; Rennerfeldt; Retzer; Rydell; Sabby; Sandvig; Shide; Skarphol; Soukup; Stenehjem; Svedjan; Thompson; Timm; Tollefson; Torgerson; Wald; Walker; Wardner; Wentz; Speaker Martin

HB 1066 was declared lost.

SECOND READING OF HOUSE BILL

HB 1070: 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 the fee for a nonresident reciprocal trapping license; and to amend and reenact subsection 2 of section 20.1-03-07 and section 20.1-03-10 of the North Dakota Century Code, relating to nonresident reciprocal trapping licenses.

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

ABSENT AND NOT VOTING: Brown

HB 1070 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1078: A BILL for an Act to create and enact a new subsection to section 54-17-07.2 and a new section to chapter 54-17 of the North Dakota Century Code, relating to housing finance program definitions and pledges; to amend and reenact subsection 1 of section 54-17-07.3 and section 54-17-07.4, relating to home mortgage finance programs and housing revenue bonds; and to provide for retroactive application.

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

HB 1078 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1081: A BILL for an Act to amend and reenact section 43-29-07 of the North Dakota Century Code, relating to veterinary license examination fees.

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 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; 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; 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

HB 1081 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1086: A BILL for an Act to amend and reenact sections 64-02-09, 64-02-10, 64-02-13, and 64-02-14 of the North Dakota Century Code, relating to standards of weights and measures and fees for testing weighing and measuring devices.

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 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; 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; 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

HB 1086 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1180: A BILL for an Act to amend and reenact subdivision c of subsection 1 of section 53-06.1-03 of the North Dakota Century Code, relating to the issuance of local permits by a governing body to conduct raffles, sports pools, or bingo.

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 89 YEAS, 9 NAYS, 0 EXCUSSED, 0 ABSENT AND NOT VOTING.

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

NAYS: Bernstein; Christenson; Froseth; Gorder; Kerzman; Oban; Shide; Wardner; Wilkie

HB 1180 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1183: A BILL for an Act to amend and reenact sections 43-42-01, 43-42-02, 43-42-03, and subsection 2 of section 43-42-05 of the North Dakota Century Code, relating to respiratory care practitioners and licensure requirements of temporary respiratory care practitioners.

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 98 YEAS, 0 NAYS, 0 EXCUSSED, 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; Glasheim; 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; Stenehjøm; Svedjan; Sveen; Thompson; Thoreson; Timm; Tollefson; Torgerson; Wald; Walker; Wardner; Wentz; Wilkie; Speaker Martin

HB 1183 passed and the title was agreed to.

HOUSE ENGROSSING REPORT

The following bills were engrossed: HB 1054, HB 1103, HB 1163, HB 1295, and HB 1310.

SECOND READING OF HOUSE BILL

HB 1186: A BILL for an Act to amend and reenact section 39-21-44.1 of the North Dakota Century Code, relating to covering vehicles to prevent spillage onto the roadway.

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 36 YEAS, 62 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Austin; Boucher; Christenson; Coats; Dalrymple; Delmore; Dobrinski; Drovdal; Galvin; Glassheim; Gunter; Hanson; Henegar, K.; Huether; Johnson; Kaldor; Kelsch; Kerzman; Klein; Kretschmar; Kroeber; Kunkel; Maragos; Nicholas; Nichols; Nottestad; Oban; Olson; Sandvig; Schmidt; Tollefson; Torgerson; Walker; Wentz; Wilkie

NAYS: Bateman; Belter; Berg; Bernstein; Boehm; Brown; Byerly; Carlisle; Carlson; Christopherson; Clark; Clayburgh; DeKrey; Delzer; DeWitz; Dorso; Freier; Froseth; Gerntholz; Gordor; Gorman; Grosz; Grumbo; Gulleson; Hagle; Hausauer; Henegar, D.; Holm; Howard; Jacobs; Keiser; Kempenich; Kliniske; Koppelman; Laughlin; Lloyd; Mahoney; Martinson; Mickelson; Monson; Mutzenberger; Payne; Poolman; Price; Rennerfeldt; Retzer; Rydell; Sabby; Schimke; Shide; Sitz; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Timm; Wald; Wardner; Speaker Martin

HB 1186 was declared lost.

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS ON CONSENT CALENDAR

HCR 3001: A concurrent resolution urging the Federal Grain Inspection Service to disseminate useful information about technological and regulatory changes affecting the grading of wheat and to encourage the use of first official grades at destination ports.

HCR 3006: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of utilizing institutions of higher education to provide educational options and opportunities for North Dakota high school students.

ROLL CALL

The question being on the final adoption of the resolutions, which have 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; Dobrinski; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gordor; 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; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Timm; Tollefson; Torgerson; Wald; Walker; Wardner; Wentz; Wilkie; Speaker Martin

ABSENT AND NOT VOTING: Soukup

HCR 3001 and HCR 3006 were declared adopted on a recorded roll call vote.

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 26, 1995, which motion prevailed.

REPORT OF STANDING COMMITTEE

HB 1035: Education Committee (Rep. Rydell, Chairman) recommends **DO NOT PASS** (10 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). HB 1035 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1048: Education Committee (Rep. Rydell, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (8 YEAS, 6 NAYS, 1 ABSENT AND NOT VOTING). HB 1048 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "two" with "a" and replace "sections" with "section"

Page 1, line 2, replace "school district" with "the"

Page 1, line 3, replace "long-range" with "five-year" and remove "and development"

Page 1, line 7, replace "Long-range professional" with "Professional" and remove "and development"

Page 1, line 8, after "superintendent" insert ", in cooperation with the school board and teachers of the district," and replace "long-range" with "five-year plan for meeting the"

Page 1, replace lines 9 through 21 with "needs of district teachers with respect to technology usage, academic training, and special needs education."

Page 2, remove lines 1 through 3

Page 2, line 4, remove "and development plans."

Page 2, line 5, replace "an initial long-range professional growth and development" with "the five-year"

Page 2, line 6, after "instruction" insert "on or before September 1, 1996,"

Page 2, line 7, remove "Beginning with the 1996-97 school year, the"

Page 2, remove lines 8 through 11

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1195: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1195 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1219: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1219 was placed on the Sixth order on the calendar.

Page 1, line 1, after "to" insert "create and enact a new section to chapter 65-04 of the North Dakota Century Code, relating to employer relief for third-party lawsuit recovery; to"

Page 1, line 3, after "claims" insert "; and to provide an effective date"

Page 1, after line 4, insert:

SECTION 1. A new section to chapter 65-04 of the North Dakota Century Code is created and enacted as follows:

Employer relief for third-party recovery. The bureau, upon recovery of its subrogation interest after a third-party lawsuit under section 65-01-09, shall give relief to the employer from the date of injury for the amount of the recovery up to the actual amount expended on a claim charged against the employer's account. For purposes of this section, "relief" means the amount of money recovered by the bureau in a third-party action will be deducted from the amount charged against the employer's experience rating."

Page 1, line 8, remove the overstrike over "The" and remove "Unless the employee's compensable injury is sustained through"

Page 1, line 9, remove "the fault or negligence of a third person, the"

Page 1, line 14, after "is" insert "determined through a civil action to have been"

Page 1, line 15, after the comma insert "or if a settlement has been entered between the employee and a third person through which the third person agrees to compensate the employee for the injury,", replace "third person" with "bureau, upon receipt of its subrogation interest,", and replace "reimburse the bureau for all medical" with "credit the account of the employer to the extent of the payment made by the employer to the bureau under this section"

Page 1, remove lines 16 through 18

Page 1, line 19, remove "more than two hundred fifty dollars"

Page 1, line 21, remove "or third person"

Page 1, line 22, remove "or third person"

Page 2, line 1, remove "or third person"

Page 2, line 2, remove "or third"

Page 2, line 3, remove "person"

Page 2, line 4, remove "or third person"

Page 2, line 5, remove "or third person"

Page 2, after line 11, insert:

"SECTION 3. EFFECTIVE DATE. Section 1 of this Act is effective for all accounts affected by a third-party recovery received by the bureau after July 31, 1995."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1221: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1221 was placed on the Sixth order on the calendar.

Page 1, line 4, replace "An" with "Notwithstanding section 65-05-28, an"

Page 1, line 16, after the second "provider" insert ", unless a referral was made by the preferred provider"

Page 2, line 8, replace "ten" with "thirty"

Page 2, line 10, after the period insert:

"4."

Page 2, line 11, after "employee" insert "under subsection 2 or 3"

Page 2, line 26, replace "4" with "5"

Re-number accordingly

REPORT OF STANDING COMMITTEE

HB 1222: Education Committee (Rep. Rydell, Chairman) recommends **DO NOT PASS** (8 YEAS, 7 NAYS, 0 ABSENT AND NOT VOTING). HB 1222 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1224: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1224 was placed on the Sixth order on the calendar.

Page 1, line 16, overstrike "383.52" and insert immediately thereafter "383.51"

Re-number accordingly

REPORT OF STANDING COMMITTEE

HB 1225: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1225 was placed on the Sixth order on the calendar.

Page 2, line 9, after "attack" insert "or other heart-related disease"

Re-number accordingly

REPORT OF STANDING COMMITTEE

HB 1227: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1227 was placed on the Sixth order on the calendar.

Page 1, line 19, replace "primary" with "sole"

Re-number accordingly

REPORT OF STANDING COMMITTEE

HB 1249: Education Committee (Rep. Rydell, Chairman) recommends **DO PASS** and **BE REREFERRED** to the Appropriations Committee (11 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING). HB 1249 was rereferred to the Appropriations Committee.

REPORT OF STANDING COMMITTEE

HB 1252: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1252 was placed on the Sixth order on the calendar.

Page 2, line 11, after "stress" insert "objectively viewed"

Re-number accordingly

REPORT OF STANDING COMMITTEE

HB 1266: Education Committee (Rep. Rydell, Chairman) recommends DO NOT PASS (9 YEAS, 4 NAYS, 2 ABSENT AND NOT VOTING). HB 1266 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1270: Education Committee (Rep. Rydell, Chairman) recommends DO PASS (12 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1270 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1277: Education Committee (Rep. Rydell, Chairman) recommends DO PASS (12 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING). HB 1277 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1288: Education Committee (Rep. Rydell, Chairman) recommends DO NOT PASS (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1288 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1326: Human Services Committee (Rep. Svedjan, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (11 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1326 was placed on the Sixth order on the calendar.

Page 1, line 9, after "clinics" insert "and public health settings"

Page 1, line 10, remove "widow or"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1335: Human Services Committee (Rep. Svedjan, Chairman) recommends DO NOT PASS (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1335 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1341: Appropriations Committee (Rep. Dalrymple, Chairman) recommends DO NOT PASS (18 YEAS, 2 NAYS, 3 ABSENT AND NOT VOTING). HB 1341 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1350: Education Committee (Rep. Rydell, Chairman) recommends DO NOT PASS (12 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING). HB 1350 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1351: Education Committee (Rep. Rydell, Chairman) recommends DO PASS (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1351 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1357: Finance and Taxation Committee (Rep. Timm, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1357 was placed on the Sixth order on the calendar.

Page 1, line 8, replace the word "may" with "must"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1377: Finance and Taxation Committee (Rep. Timm, Chairman) recommends DO

PASS (11 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). HB 1377 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1384: Human Services Committee (Rep. Svedjan, Chairman) recommends DO PASS (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1384 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1403: Human Services Committee (Rep. Svedjan, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1403 was placed on the Sixth order on the calendar.

Page 2, line 5, after the colon insert "board of medical examiners."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1410: Finance and Taxation Committee (Rep. Timm, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1410 was placed on the Sixth order on the calendar.

Page 1, line 9, remove "compensation and"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1429: Finance and Taxation Committee (Rep. Timm, Chairman) recommends DO NOT PASS (10 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). HB 1429 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1440: Finance and Taxation Committee (Rep. Timm, Chairman) recommends DO PASS (11 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1440 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1450: Finance and Taxation Committee (Rep. Timm, Chairman) recommends DO PASS (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1450 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1463: Human Services Committee (Rep. Svedjan, Chairman) recommends DO PASS (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1463 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1474: Human Services Committee (Rep. Svedjan, Chairman) recommends DO PASS (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1474 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1480: Finance and Taxation Committee (Rep. Timm, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1480 was placed on the Sixth order on the calendar.

Page 1, line 15, replace "forty" with "thirty"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1484: Human Services Committee (Rep. Svedjan, Chairman) recommends DO

PASS (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1484 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1485: Finance and Taxation Committee (Rep. Timm, Chairman) recommends DO NOT PASS (11 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1485 was placed on the Eleventh order on the calendar.

FIRST READING OF HOUSE CONCURRENT RESOLUTION

Reps. Byerly, Johnson, Sitz and Sens. Nalewaja, Solberg, Yockim introduced:
HCR 3027: A concurrent resolution urging the President and the Congress of the United States to continue daily Amtrak service to North Dakota, to improve Amtrak's ability to compete with other carriers, and to provide for a strong Amtrak system as part of any national transportation system.

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

FIRST READING OF SENATE BILLS

SB 2027: A BILL for an Act to provide an appropriation for defraying the expenses of the workers compensation bureau and its divisions; and to provide authorization to expend funds from the workers' compensation contingency line item.

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

SB 2035: A BILL for an Act to require the department of human services to seek authorization for a demonstration project to combine benefits under the aid to families with dependent children, fuel assistance, and food stamp programs; to require the department of human services to report to the legislative council regarding the implementation status of the demonstration project; and to declare an emergency.

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

SB 2096: A BILL for an Act to provide for a block house program.
Was read the first time and referred to the Human Services Committee.

SB 2101: A BILL for an Act to adopt the Uniform Correction or Clarification of Defamation Act; and to repeal section 14-02-08 of the North Dakota Century Code, relating to libel suits against newspapers.

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

SB 2176: A BILL for an Act to amend and reenact section 18-04-05 and subsection 1 of section 26.1-03-17 of the North Dakota Century Code, relating to payments from the insurance tax distribution fund and allocation of the insurance premium tax.

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

SB 2203: A BILL for an Act to create and enact four new sections to chapter 61-24.5 of the North Dakota Century Code, relating to the operation and maintenance fund and the replacement fund of the southwest water authority; to amend and reenact sections 61-24.3-14, 61-24.3-15, 61-24.3-16, and 61-24.3-17 of the North Dakota Century Code, relating to the operation and maintenance fund and reserve fund for replacement for the southwest pipeline project; to provide for the transfer of equipment; to provide an appropriation; and to provide an effective date.

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

SB 2244: A BILL for an Act to amend and reenact subsection 1 of section 39-10-22 of the North Dakota Century Code, relating to intersection right-of-way rules.

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

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