

## JOURNAL OF THE HOUSE

## Fifty-fourth Legislative Assembly

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Bismarck, February 3, 1995

The House convened at 8:00 a.m., with Speaker Martin presiding.

The prayer was offered by the Rev. Dale Nabben, Heartriver Lutheran Church, Mandan.

The roll was called and all members were present except Representatives Berg, Clayburgh, Coats, Gunter, Hausauer, D. Henegar, Lloyd, Oban, and Wald.

A quorum was declared by the Speaker.

## HOUSE ENGROSSING REPORT

The following bills were engrossed: HB 1041, HB 1275, HB 1281, HB 1306, HB 1353, HB 1389, HB 1398, HB 1476, HB 1499.

## SIXTH ORDER OF BUSINESS

REP. DORSO MOVED that the amendments on the Sixth order of business to HB 1009, HB 1088, HB 1111, HB 1216, HB 1286, HB 1370, HB 1380, HB 1388, and HB 1417 be adopted, which motion prevailed.

HB 1009, HB 1088, HB 1111, HB 1216, HB 1286, HB 1370, HB 1380, HB 1388, and HB 1417, as amended, were placed on the Eleventh order of business on the calendar for the succeeding legislative day.

## MOTION

REP. DORSO MOVED that, with reference to HB 1392, House Rule 329, paragraph 4, be suspended, which motion prevailed.

## MOTION

REP. DORSO MOVED that HB 1409, HB 1329, HB 1190, HB 1228, HB 1225, HB 1219, HB 1224, HB 1252, HB 1466, HB 1445, HB 1498, HB 1028, HB 1420, HB 1206, HB 1227, HB 1444, HB 1414, HB 1497, HB 1221, HB 1195, HB 1226, HB 1251, and HB 1366 be moved to the top of the calendar, which motion prevailed.

## MOTION

REP. FREIER MOVED that the House waive the reading of the titles to HB 1409, HB 1329, HB 1311, HB 1259, HB 1110, HB 1313, and HB 1041, which motion prevailed.

## SECOND READING OF HOUSE BILL

HB 1409: A BILL for an Act to provide an appropriation to the department of public instruction to increase funding for elementary and secondary education and to provide property tax relief; to provide for allocation of property tax relief; to create and enact a new section to chapter 15-40.1 of the North Dakota Century Code, relating to guaranteed tax base equalization of per student payments; to amend and reenact subdivision a of subsection 2 of section 15-40.1-06, sections 15-47-33, 57-38-29, subsection 2 of section 57-38-30.3, sections 57-39.2-02.1, 57-39.2-03.2, 57-39.2-03.6, 57-39.2-04.2, 57-39.2-08.2, 57-40.2-02.1, 57-40.2-03.2, 57-40.2-04.2, 57-40.3-02, and 57-40.5-02 of the North Dakota Century Code, relating to school district per student payments, inservice training for teachers, and income, sales, use, motor vehicle excise, and aircraft excise tax rates; and to provide an effective date.

## ROLL CALL

The question being on the final passage of the bill, which has been read, and

has committee recommendation of DO NOT PASS, the roll was called and there were 37 YEAS, 60 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Christenson; Clayburgh; Coats; Delmore; Gerntholz; Glassheim; Gorder; Grumbo; Gulleeson; Hagle; Hanson; Huether; Johnson; Kaldor; Kelsch; Kretschmar; Kroeber; Kunkel; Laughlin; Maragos; Martinson; Monson; Mutzenberger; Nicholas; Nichols; Nottestad; Olson; Retzer; Sabby; Schmidt; Sitz; Stenehjem; Sveen; Thompson; Wardner; Wentz

**NAYS:** Austin; Bateman; Belter; Berg; Bernstein; Boehm; Boucher; Brown; Byerly; Carlisle; Carlson; Christopherson; Clark; Dalrymple; DeKrey; Delzer; DeWitz; Dobrinski; Dorso; Drovda; Freier; Froseth; Galvin; Gorman; Grosz; Gunter; Hausauer; Henegar, K.; Holm; Howard; Jacobs; Keiser; Kempenich; Kerzman; Klein; Kliniske; Koppelman; Lloyd; Mahoney; Mickelson; Oban; Payne; Poolman; Price; Rennerfeldt; Rydell; Sandvig; Schimke; Shide; Skarphol; Soukup; Svedjan; Thoreson; Timm; Tollefson; Torgerson; Wald; Walker; Wilkie; Speaker Martin

**ABSENT AND NOT VOTING:** Henegar, D.

HB 1409 was declared lost.

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#### MOTION

**REP. DORSO MOVED** that HB 1466 be moved to the head of the calendar, which motion prevailed.

#### SECOND READING OF HOUSE BILL

**HB 1466:** A BILL for an Act to amend and reenact sections 65-01-01 and 65-04-29 of the North Dakota Century Code, relating to the purposes of the workers' compensation law and coverage for employers carrying on nonhazardous employment; and to repeal sections 65-01-08, 65-04-28, 65-05-06, and 65-07.1-03 of the North Dakota Century Code, relating to liability of employers.

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

**YEAS:** Boucher; Christenson; Coats; Delmore; Glassheim; Grumbo; Gulleeson; Mahoney; Mutzenberger; Oban; Sandvig; Schmidt

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

**ABSENT AND NOT VOTING:** Gorder; Henegar, D.

HB 1466 was declared lost.

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**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 2024, SB 2088, SB 2146, SB 2170, SB 2171, SB 2172, SB 2173, SB 2174, SB 2177, SB 2197, SB 2198, SB 2257.

THE HOUSE RECOGNIZED THE PRESENCE OF:

Former Representative Orlin Hanson.

SECOND READING OF HOUSE BILL

HB 1329: A BILL for an Act to amend and reenact sections 65-04-12, 65-04-13, 65-04-14, 65-04-19, 65-04-23, 65-04-24, 65-04-26.1, 65-04-27, 65-04-27.1, 65-09-01, 65-09-02, 65-09-03, and 65-09-04 of the North Dakota Century Code, relating to penalties for failure to obtain workers' compensation coverage and submit payroll reports, penalties for refusal to permit inspection of books, penalties for filing false payroll reports, calculation of premium due, penalties for default in payments to the workers compensation bureau, actions for collection of delinquent premium, corporate officer liability, payment of claims for employees of employers who are in default, and injunctions against employers; and to provide a penalty.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO 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; Gertholz; Glassheim; Gorder; Gorman; Grosz; Grumbo; Gulleston; Gunter; Hagle; Hanson; Hausauer; 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: Henegar, D.

HB 1329 passed and the title was agreed to.

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SECOND READING OF HOUSE BILL

HB 1190: A BILL for an Act to create and enact four new sections to chapter 65-02 of the North Dakota Century Code, relating to a workers' compensation fraud unit, immunity from civil liability, nondisclosure of investigative information, and immunity from criminal prosecution; and to amend and reenact sections 65-04-14 and 65-05-33 of the North Dakota Century Code, relating to penalties for misrepresenting payroll or for filing false claims or false statements.

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, 1 NAY, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Austin; Bateman; Belter; Berg; Bernstein; Boehm; Boucher; Brown; Byerly; Carlisle; Carlson; Christenson; Christopherson; Clark; Clayburgh; Coats; Dalrymple; DeKrey; Delmore; Delzer; DeWitz; Dobrinski; Drovdal; Freier; Froseth; Galvin; Gertholz; Glassheim; Gorder; Gorman; Grosz; Grumbo; Gulleston; Gunter; Hagle; Hanson; Hausauer; 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; 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:** Lloyd

**ABSENT AND NOT VOTING:** Dorso; Henegar, D.

Engrossed HB 1190 passed and the title was agreed to.

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#### SECOND READING OF HOUSE BILL

**HB 1228:** A BILL for an Act to amend and reenact section 65-05-09.3 of the North Dakota Century Code, relating to termination of workers' compensation benefits upon retirement.

#### MOTION

**REP. HOWARD MOVED** the previous question, which motion prevailed.

#### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 76 YEAS, 21 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

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

**NAYS:** Aarsvold; Boucher; Christenson; Coats; Delmore; Glassheim; Gulleason; Hanson; Huether; Kaldor; Kerzman; Kroeber; Laughlin; Mahoney; Maragos; Mutzenberger; Oban; Retzer; Schmidt; Sitz; Wilkie

**ABSENT AND NOT VOTING:** Henegar, D.

HB 1228 passed and the title was agreed to.

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#### THE HOUSE RECOGNIZED THE PRESENCE OF:

Former Representative Richard Backes.

#### SECOND READING OF HOUSE BILL

**HB 1225:** A BILL for an Act to amend and reenact subsection 9 of section 65-01-02 of the North Dakota Century Code, relating to the definition of compensable injury for workers' compensation 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 81 YEAS, 14 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Austin; Bateman; Berg; Bernstein; Boehm; Brown; Byerly; Carlisle; Carlson; Christopherson; Clark; Clayburgh; Dalrymple; DeKrey; Delzer; DeWitz; Dobrinski; Dorso; Drovdal; Freier; Froseth; Gerntholz; Gorder; Gorman; Grosz; Gulleson; Gunter; Hagle; Hanson; Hausauer; Henegar, K.; Holm; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Klein; Kliniske; Koppelman; Kretschmar; Kunkel; Lloyd; Maragos; Martinson; Mickelson; Monson; Nicholas; Nichols; Nottestad; Olson; Payne; Poolman; Price; Rennerfeldt; Retzer; Rydell; Sabby; Schimke; Shide; Sitz; Skarphol; Soukup; Stenehjøm; Svedjan; Sveen; Thompson; Thoreson; Timm; Tollefson; Torgerson; Wald; Walker; Wardner; Wentz; Wilkie; Speaker Martin

**NAYS:** Boucher; Christenson; Delmore; Galvin; Glasheim; Grumbo; Kerzman; Kroeber; Laughlin; Mahoney; Mutzenberger; Oban; Sandvig; Schmidt

**ABSENT AND NOT VOTING:** Belter; Coats; Henegar, D.

Engrossed HB 1225 passed and the title was agreed to.

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#### SECOND READING OF HOUSE BILL

**HB 1219:** A BILL for an Act to 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 amend and reenact section 65-05-07.2 of the North Dakota Century Code, relating to requiring a third party to pay the workers compensation bureau for certain claims; 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 94 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Bateman; Berg; Bernstein; Boehm; Boucher; Brown; Byerly; Carlisle; Carlson; Christenson; Christopherson; Clark; Clayburgh; Dalrymple; DeKrey; Delmore; Delzer; DeWitz; Dobrinski; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Glasheim; Gorder; Gorman; Grosz; Grumbo; Gulleson; Gunter; Hagle; Hanson; Hausauer; 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:** Austin; Belter; Coats; Henegar, D.

Engrossed HB 1219 passed and the title was agreed to.

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#### SECOND READING OF HOUSE BILL

**HB 1224:** A BILL for an Act to amend and reenact section 65-01-11 of the North Dakota Century Code, relating to the denial of workers' compensation benefits due to use of alcohol or controlled substances.

#### 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, 6 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

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

**NAYS:** Christenson; Coats; Glassheim; Grumbo; Mutzenberger; Oban

**ABSENT AND NOT VOTING:** Henegar, D.

Engrossed HB 1224 passed and the title was agreed to.

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#### SECOND READING OF HOUSE BILL

**HB 1252:** A BILL for an Act to amend and reenact subsection 9 of section 65-01-02 of the North Dakota Century Code, relating to the definition of compensable injury for workers' compensation 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 80 YEAS, 17 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** 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; Hagle; Hanson; Hausauer; Henegar, K.; Holm; Howard; Huether; Jacobs; Johnson; Keiser; Kelsch; Kempenich; Klein; Kliniske; Koppelman; Kretschmar; Kunkel; Lloyd; Maragos; Martinson; Mickelson; Monson; Nicholas; Nichols; Nottestad; Olson; Payne; Poolman; Price; Rennerfeldt; Retzer; Rydell; Sabby; Schimke; Schmidt; Shide; Sitz; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Timm; Tollefson; Torgerson; Wald; Walker; Wardner; Wentz; Wilkie; Speaker Martin

**NAYS:** Aarsvold; Boucher; Christenson; Coats; Delmore; Dobrinski; Glassheim; Grumbo; Gulleon; Kaldor; Kerzman; Kroeber; Laughlin; Mahoney; Mutzenberger; Oban; Sandvig

**ABSENT AND NOT VOTING:** Henegar, D.

Engrossed HB 1252 passed and the title was agreed to.

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#### SECOND READING OF HOUSE BILL

**HB 1445:** A BILL for an Act to amend and reenact section 65-02-08.1 of the North Dakota Century Code, relating to composition of the workers' compensation advisory council.

#### 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 25 YEAS, 72 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Boucher; Christenson; Coats; Delmore; Dobrinski; Glassheim; Grumbo; Gulleon; Hanson; Kaldor; Kerzman; Kroeber; Laughlin; Mahoney;

Maragos; Mutzenberger; Nichols; Oban; Sandvig; Schmidt; Sitz; Stenehjem; Wentz; 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; Hagle; Hausauer; Henegar, K.; Holm; Howard; Huether; Jacobs; Johnson; Keiser; Kelsch; Kempenich; Klein; Kliniske; Koppelman; Kretschmar; Kunkel; Lloyd; Martinson; Mickelson; Monson; Nicholas; Nottestad; Olson; Payne; Poolman; Price; Rennerfeldt; Retzer; Rydell; Sabby; Schimke; Shide; Skarphol; Soukup; Svedjan; Sveen; Thompson; Thoreson; Timm; Tollefson; Torgerson; Wald; Walker; Wardner; Speaker Martin

**ABSENT AND NOT VOTING:** Henegar, D.

HB 1445 was declared lost.

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#### SECOND READING OF HOUSE BILL

**HB 1498:** A BILL for an Act to repeal section 65-05-09.2 of the North Dakota Century Code, relating to use of social security retirement benefits to offset workers' compensation benefits.

#### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 7 YEAS, 90 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Coats; Delmore; Kaldor; Mutzenberger; Oban; Retzer; Sandvig

**NAYS:** Aarsvold; Austin; Bateman; Belter; Berg; Bernstein; Boehm; Boucher; Brown; Byerly; Carlisle; Carlson; Christenson; Christopherson; Clark; Clayburgh; Dalrymple; DeKrey; Delzer; DeWitz; Dobrinski; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Gorman; Grosz; Grumbo; Gullerson; Gunter; Hagle; Hanson; Hausauer; Henegar, K.; Holm; Howard; Huether; Jacobs; Johnson; Keiser; Kelsch; Kempenich; Kerzman; Klein; Kliniske; Koppelman; Kretschmar; Kroeber; Kunkel; Laughlin; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Nicholas; Nichols; Nottestad; Olson; Payne; Poolman; Price; Rennerfeldt; Rydell; Sabby; 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:** Henegar, D.

HB 1498 was declared lost.

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#### SECOND READING OF HOUSE BILL

**HB 1028:** A BILL for an Act to create and enact a new section to chapter 65-06.2 of the North Dakota Century Code, relating to reimbursement for payment of liabilities that exceed the premium paid for inmates; to amend and reenact sections 65-06.2-01 and 65-06.2-03 of the North Dakota Century Code, relating to workers' compensation coverage of penitentiary inmates employed in the private sector prison industry enhancement certification program; and to provide an expiration date.

#### ROLL CALL

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

**YEAS:** Aarsvold; Boucher; Brown; Carlisle; Christenson; Coats; Drovdal; Galvin; Glassheim; Gorman; Grumbo; Gunter; Hagle; Hausauer; Holm; Howard; Huether; Jacobs; Kaldor; Kerzman; Kroeber; Kunkel; Laughlin; Maragos; Mutzenberger; Nichols; Nottestad; Retzer; Sandvig; Schmidt; Thompson; Wentz; Wilkie

**NAYS:** Austin; Bateman; Berg; Bernstein; Boehm; Byerly; Carlson; Christopherson; Clark; Clayburgh; Dalrymple; DeKrey; Delmore; Delzer; DeWitz; Dobrinski; Dorso; Freier; Froseth; Gerntholz; Gorder; Grosz; Gulleson; Hanson; Henegar, K.; Johnson; Keiser; Kelsch; Kempenich; Klein; Kliniske; Koppelman; Kretschmar; Lloyd; Mahoney; Martinson; Mickelson; Monson; Nicholas; Oban; Olson; Payne; Poolman; Price; Rennerfeldt; Rydell; Sabby; Schimke; Shide; Sitz; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thoreson; Timm; Tollefson; Torgerson; Wald; Walker; Wardner; Speaker Martin

**ABSENT AND NOT VOTING:** Belter; Henegar, D.

HB 1028 was declared lost.

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#### SECOND READING OF HOUSE BILL

**HB 1420:** A BILL for an Act to amend and reenact section 65-05-21 of the North Dakota Century Code, relating to workers' compensation benefits upon marriage of a surviving spouse.

#### 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 3 YEAS, 92 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Delzer; Grosz; Retzer

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

**ABSENT AND NOT VOTING:** Belter; Henegar, D.; Timm

HB 1420 was declared lost.

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#### SECOND READING OF HOUSE BILL

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

#### 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 91 YEAS, 5 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

**NAYS:** Drovdal; Kerzman; Mutzenberger; Oban; Schmidt

**ABSENT AND NOT VOTING:** Belter; Henegar, D.

HB 1206 passed and the title was agreed to.

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#### SECOND READING OF HOUSE BILL

**HB 1227:** A BILL for an Act to amend and reenact section 65-05-35 of the North Dakota Century Code, relating to the presumption that a workers' compensation claim is closed.

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

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

**NAYS:** Aarsvold; Boucher; Christenson; Coats; Delmore; Glassheim; Grumbo; Gulleston; Huether; Kaldor; Kerzman; Kretschmar; Kroeber; Laughlin; Mahoney; Mutzenberger; Oban; Schmidt; Sitz

**ABSENT AND NOT VOTING:** Belter; Grosz; Henegar, D.

Engrossed HB 1227 passed and the title was agreed to.

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#### SECOND READING OF HOUSE BILL

**HB 1444:** A BILL for an Act to amend and reenact section 65-05-09 of the North Dakota Century Code, relating to temporary total or permanent total disability compensation.

#### 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; Dobrinski; Glasheim; Grumbo; Gulleeson; Kaldor; Kerzman; Klein; Laughlin; Mahoney; Mutzenberger; Oban; Price; Sandvig; Schmidt

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

**ABSENT AND NOT VOTING:** Belter; Dorso; Henegar, D.

HB 1444 was declared lost.

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#### SECOND READING OF HOUSE BILL

**HB 1414:** A BILL for an Act to amend and reenact subsection 3 of section 65-05-28 of the North Dakota Century Code, relating to examinations of injured employees.

#### 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 24 YEAS, 72 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Boucher; Christenson; Coats; Delmore; Dobrinski; Glasheim; Grumbo; Gulleeson; Hanson; Huether; Kaldor; Kerzman; Koppelman; Kroeber; Laughlin; Mahoney; Maragos; Mutzenberger; Nichols; Oban; Sandvig; Sitz; Wilkie

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

**ABSENT AND NOT VOTING:** Henegar, D.; Nicholas

HB 1414 was declared lost.

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#### SECOND READING OF HOUSE BILL

**HB 1497:** A BILL for an Act to amend and reenact subdivision h of subsection 2 of section 65-05.1-06.1 of the North Dakota Century Code, relating to workers' compensation rehabilitation awards.

#### 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 10 YEAS, 87 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Christenson; Coats; Glasheim; Kerzman; Laughlin; Mutzenberger; Oban; Sandvig; Schmidt; Sitz

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

**ABSENT AND NOT VOTING:** Henegar, D.

HB 1497 was declared lost.

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#### HOUSE ENROSSING REPORT

The following bills were engrossed: HB 1009, HB 1088, HB 1111, HB 1216, HB 1286, HB 1370, HB 1380, HB 1388, HB 1417.

#### MOTION

REP. FREIER MOVED that the absent members 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., Monday, February 6, 1995, which motion prevailed.

#### REPORT OF STANDING COMMITTEE

HB 1031: 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 1031 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 create and enact a new section to chapter 14-08.1 of the North Dakota Century Code, relating to suspension or revocation of motor vehicle operator's license for nonpayment of child support; and to amend and reenact section 39-06-19 of the North Dakota Century Code, relating to suspension or revocation of a motor vehicle operator's license for nonpayment of child support.

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

**SECTION 1.** A new section to chapter 14-08.1 of the North Dakota Century Code is created and enacted as follows:

Suspension or revocation of motor vehicle operator's license for nonpayment of child support. When considering a contempt citation against a child support obligor for failure to pay child support and the obligor is one thousand dollars or more in arrears, the court shall determine whether the obligor has a motor vehicle operator's license issued under chapter 39-06. The court may suspend or revoke a motor vehicle operator's license issued by the state which is held by the obligor. The court shall notify the department of transportation of the court's decision to suspend or revoke an obligor's motor vehicle operator's license. An appeal by an obligor who has had a motor vehicle operator's license suspended or revoked under this section is an appeal from the court's order and may not be appealed to the department of transportation.

**SECTION 2. AMENDMENT.** Section 39-06-19 of the North Dakota Century Code is amended and reenacted as follows:

**39-06-19. Expiration of license - Renewal.** Every operator's license issued under this chapter ~~shall expire~~ expires and ~~be is~~ renewed according to this section. The expiration date of operator's license for every person whose birth occurred in a year ending in an odd numeral is twelve midnight on the anniversary of the birthday in the second subsequent year ending in an odd numeral. The expiration date of operator's license for every person whose birth occurred in a year ending in an even numeral is twelve midnight on the anniversary of the birthday in the second subsequent year ending in an even numeral. If the licensee has reached the age of twenty-one and desires reissuance of a license without the distinctive color background required by section 39-06-14, the applicant may apply at any time for a replacement license. In all other cases, application with fee for renewal of license must be presented to the ~~commissioner~~ director not prior to ten months before the expiration date of the operator's license. The ~~commissioner~~ director may require an examination of an applicant as upon an original application. The director may not renew an operator's license if the license has been suspended or revoked under section 1 of this Act. Upon the recommendation of the court, the director may issue a temporary permit to the licensee under section 39-06-06 if the temporary permit is necessary for the licensee to work and the court has determined the licensee is making a good-faith effort to comply with the child support order. Every application for renewal of a license by an applicant must be accompanied by a certificate of examination from either the driver licensing or examining authorities or a physician or an optometrist, licensed in this or another state, containing a statement as to the corrected and uncorrected vision of the applicant. The ~~commissioner~~ director shall provide visual examination equipment at each location where a license may be renewed. The initial application for a motor vehicle operator's license may be accompanied by a statement of examination from a licensed physician or an optometrist, stating the corrected and uncorrected vision of the applicant, in lieu of the department examination. Such examination must be within six months of the driver license application. Every person submitting an application and fee for renewal of license one year or more after the expiration of a license, except an applicant whose military service has terminated less than thirty days prior to such application, must be treated as a new driver. The fee for renewal or replacement of an operator's license is ten dollars."

ReNUMBER accordingly

#### REPORT OF STANDING COMMITTEE

HB 1055, as engrossed: 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). Engrossed HB 1055 was placed on the Sixth order on the calendar.

Page 1, line 19, replace "The" with "To accommodate peak processing periods, the"

Page 1, line 20, remove "not"

Page 2, line 1, replace "unless" with "if the excess in"

Page 2, line 2, after "deposit" insert "; however" and replace "and any" with "the balance may exceed the maximum amount of federal insurance coverage available only for the time it takes to clear the checks. Any"

ReNUMBER accordingly

## REPORT OF STANDING COMMITTEE

HB 1059: Natural Resources Committee (Rep. Olson, Chairman) recommends DO NOT PASS (10 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING). HB 1059 was placed on the Eleventh order on the calendar.

## REPORT OF STANDING COMMITTEE

HB 1061: Natural Resources Committee (Rep. Olson, Chairman) recommends DO NOT PASS (14 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). HB 1061 was placed on the Eleventh order on the calendar.

## REPORT OF STANDING COMMITTEE

HB 1083: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO NOT PASS (10 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). HB 1083 was placed on the Sixth order on the calendar.

Page 1, line 6, overstrike "Semimonthly or" and insert immediately thereafter "Monthly on"

Page 1, line 7, remove "the employer's" and overstrike "at least"

Page 1, line 8, overstrike "twice each calendar month" and overstrike "or"

Page 1, line 13, after the period insert "An employer may not require an employee to directly deposit the employee's wages into a financial institution."

Renumber accordingly

## REPORT OF STANDING COMMITTEE

HB 1132: Judiciary Committee (Rep. Kretschmar, Chairman) recommends DO NOT PASS (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1132 was placed on the Eleventh order on the calendar.

## REPORT OF STANDING COMMITTEE

HB 1192: Agriculture Committee (Rep. Nicholas, Chairman) recommends DO NOT PASS (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1192 was placed on the Eleventh order on the calendar.

## REPORT OF STANDING COMMITTEE

HB 1207: 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 1207 was placed on the Sixth order on the calendar.

Page 2, line 3, remove "prime lending rate" and overstrike "as of March thirty-first of each year"

Page 2, line 4, remove "plus three and one-half percent" and overstrike "and effective July first of each"

Page 2, line 5, overstrike "year and the" and insert immediately thereafter "prevailing base rate posted by the Bank of North Dakota plus three and one-half percent. The"

Renumber accordingly

## REPORT OF STANDING COMMITTEE

HB 1208: 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 1208 was placed on the Sixth order on the calendar.

Page 3, line 8, after "officer" insert "or arbitrator"

Page 3, line 23, after the underscored period insert "If the amount in dispute is greater than three thousand dollars, the dispute may not be resolved through arbitration."

Page 4, line 4, remove "initial"

Page 4, line 5, after "compensability" insert "of medical conditions"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1212: Judiciary Committee (Rep. Kretschmar, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (11 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1212 was placed on the Sixth order on the calendar.

Page 1, line 14, replace "five" with "two" and replace "and" with an underscored comma

Page 1, line 15, replace "twenty and" with an underscored comma

Page 1, line 16, after the underscored comma insert "and the sports pool is conducted in a licensed liquor establishment or a place of employment."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1215: Political Subdivisions Committee (Rep. Soukup, Chairman) recommends DO PASS (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1215 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1250: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (11 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). HB 1250 was placed on the Sixth order on the calendar.

Page 1, line 5, remove the second "to"

Page 1, line 6, remove "provide for employee transfers;"

Page 2, line 5, after the period insert "Subsequent to implementation of this system by the original approval committee, any needed changes or amendments must be approved by the workers' compensation advisory council."

Page 2, remove lines 8 through 14

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1253: 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 1253 was placed on the Sixth order on the calendar.

Page 1, line 1, after "sections" insert "54-03-25,"

Page 1, line 3, after "to" insert "actuarial impact statements for workers' compensation measures,"

Page 1, after line 7, insert:

"SECTION 1. AMENDMENT. Section 54-03-25 of the 1993 Supplement to the North Dakota Century Code is amended and reenacted as follows:

~~54-03-25. Introduction of bills Bills and amendments affecting workers' compensation fund - Actuarial impact statement. Beginning December 1, 1992, a The workers compensation bureau shall review any legislative measure affecting workers' compensation benefits or premium rates may not be prefiled for introduction or introduced in either house of the legislative assembly unless job service North Dakota has reviewed the measure and has determined to determine whether the measure will have an actuarial impact on the workers' compensation fund. If the job service North Dakota bureau determines that the measure will have an actuarial impact on the fund, the measure may not be prefiled or introduced unless accompanied by the bureau shall submit, before the measure is acted upon, an actuarial impact statement prepared, at the expense of the job service North Dakota bureau, by the actuary employed by the job service North Dakota bureau. No The bureau shall review any amendment affecting workers compensation benefits or premium rates may be attached to any legislative measure unless the amendment is accompanied by and shall submit, before the amendment is acted upon, either a statement prepared by the job service North Dakota bureau, stating that the amendment is not expected to have any actuarial impact on the workers' compensation fund, or an actuarial impact statement prepared, at the expense of the job service North Dakota bureau, by the actuary employed by the job service North Dakota bureau."~~

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1258: Government and Veterans Affairs Committee (Rep. Wardner, Chairman)** recommends **DO NOT PASS** (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1258 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1268: Education Committee (Rep. Rydell, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (10 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). HB 1268 was placed on the Sixth order on the calendar.

Page 3, line 24, remove "resident's" and after "property" insert "on which the resident resides"

Page 3, line 25, after the underscored period insert "The property on which the resident resides must be contiguous to the adjacent school district."

Page 4, line 22, remove the overstrike over "~~any of~~"

Page 5, line 17, after "students" insert "residing"

Page 5, line 18, overstrike "subject" and replace "to" with "identified in"

Page 6, line 7, remove the overstrike over "~~any of~~"

Page 6, line 22, overstrike "The" and insert immediately thereafter "Any"

Page 6, line 23, remove ", if"

Page 7, line 1, after "attached" insert "annexed", remove the overstrike over "~~to~~", and remove "annexed by"

Page 7, line 5, after "balance" insert "to be credited"

Page 9, line 10, remove the overstrike over "~~Prior to the~~", after "completion" insert "effective date", and remove the overstrike over "~~of the~~"

Page 9, line 11, remove the overstrike over "annexation" and replace ". The" with "the"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1278: Education Committee (Rep. Rydell, Chairman) recommends DO NOT PASS (10 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). HB 1278 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1309: Human Services Committee (Rep. Svedjan, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (10 YEAS, 1 NAY, 3 ABSENT AND NOT VOTING). HB 1309 was placed on the Sixth order on the calendar.

Page 1, line 3, after "neglect" insert "and"

Page 2, line 5, after "department" insert "or to proper law enforcement authorities"

Page 2, line 27, replace "a person" with "an immediate, adult family member"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1314: Political Subdivisions Committee (Rep. Soukup, Chairman) recommends DO PASS (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1314 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1319: 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 1319 was placed on the Sixth order on the calendar.

Page 1, line 17, after the underscored period insert "A later effective date may not be later than ninety days after the date on which the certificate of incorporation is issued."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1323: Political Subdivisions Committee (Rep. Soukup, Chairman) recommends DO PASS (9 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). HB 1323 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1332: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1332 was placed on the Sixth order on the calendar.

Page 8, line 2, replace "1996" with "1997"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1336: Judiciary Committee (Rep. Kretschmar, Chairman) recommends DO PASS (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1336 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1349: Agriculture Committee (Rep. Nicholas, Chairman) recommends DO PASS

(13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1349 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1372: 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 1372 was placed on the Sixth order on the calendar.

Page 1, line 11, after "relief" insert "due to domestic violence" and replace "14-07.1" with "12.1-31.2"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1386: Finance and Taxation Committee (Rep. Timm, Chairman)** recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (9 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). HB 1386 was placed on the Sixth order on the calendar.

Page 1, line 2, remove ", sections 50-22-02, 50-22-02.1, 50-22-04, and 50-22-05"

Page 1, remove line 4

Page 1, line 5, remove "solicitors, annual information reports, and penalties"

Page 2, remove lines 20 through 29

Page 3, remove lines 1 through 29

Page 4, remove lines 1 through 29

Page 5, remove lines 1 through 29

Page 6, remove lines 1 through 28

Page 7, remove lines 1 through 16

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1394: Agriculture Committee (Rep. Nicholas, Chairman)** recommends DO PASS (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1394 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1427: Industry, Business and Labor Committee (Rep. Berg, Chairman)** recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (10 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). HB 1427 was placed on the Sixth order on the calendar.

Page 1, line 7, after "Discrimination" insert "between agents" and remove "- Limitation on maximum production"

Page 1, line 8, remove "requirements"

Page 2, line 2, remove "On"

Page 2, remove lines 3 through 7

Renumber accordingly

## REPORT OF STANDING COMMITTEE

HB 1431: Judiciary Committee (Rep. Kretschmar, Chairman) recommends DO NOT PASS (12 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1431 was placed on the Eleventh order on the calendar.

## REPORT OF STANDING COMMITTEE

HB 1432: Judiciary Committee (Rep. Kretschmar, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS and BE REREFERRED to the Appropriations Committee (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1432 was placed on the Sixth order on the calendar.

Page 2, line 8, replace "must" with "may"

Page 2, line 9, after "16.1-11.1" insert ". The cost of the election must be paid in the same manner as provided for a statewide special election under section 16.1-01-02.3"

Renumber accordingly

## REPORT OF STANDING COMMITTEE

HB 1448: Natural Resources Committee (Rep. Olson, Chairman) recommends DO NOT PASS (12 YEAS, 1 NAY, 3 ABSENT AND NOT VOTING). HB 1448 was placed on the Eleventh order on the calendar.

## REPORT OF STANDING COMMITTEE

HB 1490: Human Services Committee (Rep. Svedjan, Chairman) recommends DO NOT PASS (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1490 was placed on the Eleventh order on the calendar.

## FIRST READING OF SENATE BILLS

SB 2024: A BILL for an Act to provide an appropriation for defraying the expenses of the tourism department.

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

SB 2088: A BILL for an Act to amend and reenact subsection 14 of section 62.1-01-01 of the North Dakota Century Code, relating to the definition of a shotgun.

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

SB 2146: A BILL for an Act to amend and reenact section 61-24.3-10 of the North Dakota Century Code, relating to the authority of the state water commission to sell property not needed for the southwest pipeline project.

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

SB 2170: A BILL for an Act to amend and reenact subsections 9 and 11 of section 15-39.1-04, sections 15-39.1-06, 15-39.1-10, 15-39.1-18, 15-39.1-20, and 15-39.1-24 of the North Dakota Century Code, relating to definitions, organization of the board, distribution of benefits, disability retirement, withdrawal from the fund, and the purchase of additional credit under the teachers' fund for retirement.

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

SB 2171: A BILL for an Act to create and enact a new section to chapter 54-52 and a new subdivision to subsection 4 of section 54-52-17 of the North Dakota Century Code, relating to purchase of service credit and conversion of unused sick leave under the public employees retirement system; and to amend and reenact subsection 6 of Section 54-52-17 of the North Dakota Century Code, relating to calculation of benefits for surviving spouses under the public employees retirement system.

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

**SB 2172:** A BILL for an Act to create and enact a new section to chapter 54-52 and three new subsections to section 54-52-04 of the North Dakota Century Code, relating to interest and earnings credited to funds administered by the retirement board and authority of the retirement board; and to amend and reenact section 54-52-01, subsection 1 of section 54-52-05, section 54-52-06, subsections 6 and 8 of section 54-52-17, and section 54-52-17.4 of the North Dakota Century Code, relating to definitions, enrollment of members, employer contributions, beneficiaries, and purchase of additional credit under the public employees retirement system.

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

**SB 2173:** A BILL for an Act to create and enact a new section to chapter 39-03.1 of the North Dakota Century Code, relating to conversion of unused sick leave under the highway patrolmen's retirement system; and to amend and reenact subsection 2 of section 39-03.1-10.1, subdivision a of subsection 4 of section 39-03.1-11, subsection 6 of section 39-03.1-11, and subsection 8 of section 39-03.1-11 of the North Dakota Century Code, relating to purchase of service, retirement benefits, surviving spouse benefits, and surviving spouses of members under the highway patrolmen's retirement system.

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

**SB 2174:** A BILL for an Act to amend and reenact subsection 7 of section 54-52-01, sections 54-52-02.1, 54-52-02.2, subsection 1 of section 54-52-05, sections 54-52-07, and 54-52.1-03.1 of the North Dakota Century Code, relating to the definition of governmental unit for purposes of the public employees retirement system, participation in the public employees retirement system, and participation in the uniform group insurance program.

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

**SB 2177:** A BILL for an Act to amend and reenact section 54-16-04.2 of the North Dakota Century Code, relating to budget section authorization for acceptance and expenditures of money.

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

**SB 2197:** A BILL for an Act to amend and reenact sections 5-01-04 and 5-01-08 of the North Dakota Century Code, relating to the manufacture of alcoholic beverages.

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

**SB 2198:** A BILL for an Act to amend and reenact subsection 7 of section 5-01-01, sections 5-01-11, 5-01-14, 5-03-03, and subsection 2 of section 5-03-04 of the North Dakota Century Code, relating to microbrew pubs.

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

**SB 2257:** A BILL for an Act to create and enact a new section to chapter 54-44.3 of the North Dakota Century Code, relating to establishment of a college student cooperative education or intern program for executive and legislative branch agencies.

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

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

**ROY GILBREATH, Chief Clerk**