

JOURNAL OF THE HOUSE

Fifty-fourth Legislative Assembly

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Bismarck, February 28, 1995

The House convened at 1:00 p.m., with Speaker Martin presiding.

The prayer was offered by the Rev. Dale McClafin, Church of the Nazarene, Bismarck.

The roll was called and all members were present except Representatives Gorder, Huether, Rydell, Sabby, and Tollefson.

A quorum was declared by the Speaker.

MOTION

REP. DORSO MOVED that Engrossed SB 2149, which is on the Sixth order, be rereferred to the Political Subdivisions Committee, which motion prevailed. Pursuant to Rep. Dorso's motion, Engrossed SB 2149 was rereferred.

SIXTH ORDER OF BUSINESS

The amendments on the Sixth order of business to SB 2070, SB 2109, Engrossed SB 2127, Engrossed SB 2142, Engrossed SB 2146, SB 2207, SB 2220, SB 2521, HCR 3038, and HCR 3039 were adopted.

HCR 3038 and HCR 3039, as amended, were placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SB 2070, SB 2109, Engrossed SB 2127, Engrossed SB 2142, Engrossed SB 2146, SB 2207, SB 2220, and SB 2521, as amended, were placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MOTION

REP. DORSO MOVED that HCR 3044, which is on the Eleventh order, be laid over one legislative day, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2073: A BILL for an Act to amend and reenact subsection 4 of section 20.1-03-11 of the North Dakota Century Code, relating to nonresident deer hunting licenses.

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 8 YEAS, 89 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Boucher; DeKrey; Gulleeson; Hagle; Hanson; Kroeber; Mutzenberger; Oban

NAYS: Aarsvold; Austin; Bateman; Belter; Berg; Bernstein; Boehm; Brown; Byerly; Carlisle; Carlson; Christenson; Christopherson; Clark; Clayburgh; Coats; Dalrymple; Delmore; Delzer; DeWitz; Dobrinski; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Gorman; Grosz; Grumbo; Gunter; Hausauer; Henegar, D.; Henegar, K.; Holm; Howard; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Klein; Kliniske; Koppelman; Kretschmar; 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

ABSENT AND NOT VOTING: Huether

Engrossed SB 2073, as amended, was declared lost.

SECOND READING OF SENATE BILL

SB 2089: A BILL for an Act to amend and reenact sections 44-04-18.3 and 44-04-18.7 of the North Dakota Century Code, relating to confidentiality of records of law enforcement and correctional employees and certain criminal intelligence information and criminal investigative information; to repeal section 54-23.3-07 of the North Dakota Century Code, relating to confidentiality of information pertaining to department of corrections and rehabilitation employees; 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 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; Gulleon; Gunter; Hagle; Hanson; Hausauer; Henegar, D.; Henegar, K.; Holm; Howard; 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: Huether

Engrossed SB 2089, as amended, passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF SENATE BILL

SB 2118: A BILL for an Act to amend and reenact section 27-08.1-02 of the North Dakota Century Code, relating to commencement of small claims actions.

ROLL CALL

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

YEAS: Aarsvold; Austin; Bateman; Belter; Berg; Bernstein; Boehm; Boucher; Brown; Byerly; Carlisle; Carlson; Christenson; Christopherson; Clark; Clayburgh; Coats; Dalrymple; DeKrey; Delmore; Delzer; DeWitz; Dobrinski; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gordner; Grosz; Grumbo; Gulleon; Gunter; Hagle; Hanson; Hausauer; Henegar, D.; Henegar, K.; Holm; Howard; 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: Gorman; Huether

SB 2118, as amended, passed and the title was agreed to.

POINT OF PERSONAL PRIVILEGE

REP. BELTER: Mr. Speaker: I rise on a point of personal privilege.

REMARKS OF REPRESENTATIVE BELTER

The nation cannot continue to proceed with spending beyond revenue that is generated by a tax system that already takes too much from the citizens who work hard to meet their family and local obligations.

Senator Dorgan and Senator Conrad, I ask that you do what the people have rightfully required the Legislators of the State of North Dakota to do--and that is to balance the budget.

Last night KXMB TV, Bismarck, released a poll indicating that 76% of North Dakotans polled wanted a balanced budget amendment. Today the United States Senate and Senators Kent Conrad and Byron Dorgan will vote on a balanced budget amendment, an amendment that says we will address the five trillion dollars national debt which darkens the future for us and our children.

This is not the time to place politics before statesmanship. This is not the time to use scare tactics to divert the attention of the American people from the reality that we must get our financial house in order.

We are on the threshold of a new direction to reduce governmental mandates on the affairs of state and local government and the lives of private citizens.

Senator Conrad and Senator Dorgan, I request you to give the people of North Dakota an opportunity to vote for ratification of this constitutional amendment.

This issue is clearly in your hands, and you must take the lead to balance the budget, by voting "yes" today on the balanced budget amendment!

MOTION

REP. DORSO MOVED that the remarks of Representative Belter be printed in the Journal, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2130: A BILL for an Act to amend and reenact section 12.1-17-07 of the North Dakota Century Code, relating to annoying or harassing emergency telephone calls; 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 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; Gorder; Gorman; Grosz; Grumbo; Gulleeson; Gunter; Hagle; Hanson; Hausauer; Henegar, D.; Henegar, K.; Holm; Howard; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Klein; Kliniske; Koppelman; Kretschmar; Kroeber; Kunkel; Laughlin; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Mutzenberger; Nicholas; Nichols; Nottestad; Oban; Olson; Payne; Poolman; Price; Rennerfeldt; Retzer; Rydell; Sabby; Sandvig; Schmidt; Shide; Sitz; Skarphol; Soukup;

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

NAYS: Schimke

ABSENT AND NOT VOTING: Huether

Engrossed SB 2130, as amended, passed and the title was agreed to.

MOTION

REP. FREIER MOVED that the House waive the reading of the titles to SB 2159 and Engrossed SB 2285, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2159: A BILL for an Act to amend and reenact sections 15-21-13.1, 15-40.1-01, 15-40.2-01, 15-40.2-05, 15-40.2-08, 15-47-01, 15-47-33, and 57-15-14.5 of the North Dakota Century Code, relating to uniform accounting and reporting, definition of a high school student, tuition agreements in districts that do not provide grade levels of service, meetings of county committees regarding tuition hearings, students placed for reasons other than education, school age, length of school term, and long-distance learning levies.

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 70 YEAS, 27 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Austin; Berg; Bernstein; Boucher; Carlson; Christenson; Christopherson; Clark; Clayburgh; Coats; Delmore; Dorso; Freier; Froseth; Gerntholz; Glassheim; Gorder; Gorman; Grumbo; Gulletson; Gunter; Hagle; Hanson; Hausauer; Henegar, D.; Henegar, K.; Holm; Howard; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kerzman; Klein; Kliniske; Koppelman; Kretschmar; Kroeber; Kunkel; Laughlin; Maragos; Martinson; Mickelson; Monson; Mutzenberger; Nicholas; Nottestad; Oban; Poolman; Price; Retzer; Rydell; Sabby; Sandvig; Schmidt; Sitz; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Torgerson; Wald; Wardner; Wentz; Wilkie; Speaker Martin

NAYS: Bateman; Belter; Boehm; Brown; Byerly; Carlisle; Dalrymple; DeKrey; Delzer; DeWitz; Dobrinski; Drovdal; Galvin; Grosz; Kempenich; Lloyd; Mahoney; Nichols; Olson; Payne; Rennerfeldt; Schimke; Shide; Skarphol; Timm; Tollefson; Walker

ABSENT AND NOT VOTING: Huether

SB 2159, as amended, passed and the title was agreed to.

SECOND READING OF SENATE BILL

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

ROLL CALL

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

YEAS: Aarsvold; Austin; Bateman; Belter; Berg; Bernstein; Boehm; Boucher; Brown; Byerly; Carlisle; Carlson; Christenson; Christopherson; Clark;

Clayburgh; Coats; Dalrymple; DeKrey; Delmore; Delzer; DeWitz; Dobrinski; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Gorman; Grosz; Grumbo; Gulleson; Gunter; Hagle; Hanson; Hausauer; Henegar, D.; Henegar, K.; Holm; Howard; 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: Huether

SB 2223, as amended, passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2418: A BILL for an Act to provide for the transporting of nonresident chemically dependent patients; 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 97 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

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

Engrossed SB 2418, as amended, passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4005: A concurrent resolution directing the Legislative Council to study the financing of elementary and secondary education.

REQUEST

REP. CLAYBURGH REQUESTED a verification vote on the adoption of Engrossed SCR 4005, which request was granted.

The question being on the adoption of the amended resolution, which has been read, and has committee recommendation of DO PASS.

Engrossed SCR 4005, as amended, was declared lost on a verification vote.

MOTION

REP. DORSO MOVED that SB 2210, which is on the Fourteenth order, be laid over one legislative day, which motion prevailed.

SECOND READING OF SENATE BILL

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

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; Drovda; Freier; Froseth; Galvin; Gerntholz; Glasheim; Gorder; Gorman; Grosz; Grumbo; Gulleson; Gunter; Hagle; Hanson; Hausauer; Henegar, D.; Henegar, K.; Holm; Howard; 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: Huether

SB 2214 passed and the title was agreed to.

SECOND READING OF SENATE BILL

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

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 75 YEAS, 22 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Austin; Berg; Boucher; Byerly; Carlisle; Christenson; Christopherson; Clayburgh; Coats; Dalrymple; DeKrey; Delmore; DeWitz; Dobrinski; Dorso; Drovda; Freier; Froseth; Galvin; Gerntholz; Glasheim; Grumbo; Gulleson; Gunter; Hanson; Hausauer; Henegar, D.; Henegar, K.; Holm; Howard; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Klein; Kliniske; Koppelman; Kretschmar; Kroeber; Kunkel; Laughlin; Mahoney; Maragos; Martinson; Mickelson; Monson; Mutzenberger; Nicholas; Nichols; Nottestad; Oban; Poolman; Price; Retzer; Rydell; Sabby; Sandvig; Schmidt; Shide; Sitz; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Timm; Torgerson; Wald; Wardner; Wentz; Wilkie; Speaker Martin

NAYS: Bateman; Belter; Bernstein; Boehm; Brown; Carlson; Clark; Delzer; Gorder; Gorman; Grosz; Hagle; Jacobs; Lloyd; Olson; Payne; Rennerfeldt; Schimke; Skarphol; Soukup; Tollefson; Walker

ABSENT AND NOT VOTING: Huether

SB 2217 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2253: A BILL for an Act to amend and reenact sections 11-04-04 and 11-04-11 of the North Dakota Century Code, relating to petitions and elections for the removal of a county seat; and to repeal section 11-04-12 of the North Dakota Century Code, relating to removal of county seats not located on a railroad or interstate river.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 96 YEAS, 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; Gorder; Gorman; Grosz; Grumbo; Gulleston; Gunter; Hagle; Hanson; Hausauer; Henegar, D.; Henegar, K.; Holm; Howard; Jacobs; Johnson; Kaldor; Keiser; Kelsch; 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: Kempenich

ABSENT AND NOT VOTING: Huether

Engrossed SB 2253 passed and the title was agreed to.

SECOND READING OF SENATE BILL

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.

ROLL CALL

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

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

Engrossed SB 2257 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2260: A BILL for an Act to create and enact a new section to chapter 54-35 of the North Dakota Century Code, relating to the establishment of a legislative ethics committee.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 80 YEAS, 16 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Austin; Belter; Berg; Boehm; Boucher; Byerly; Carlisle; Carlson; Christenson; Christopherson; Clark; Clayburgh; Coats; Dalrymple; Delmore; Delzer; Dobrinski; Dorso; Freier; Froseth; Galvin; Gerntholz; Gorman; Grosz; Grumbo; Gulleeson; Gunter; Hagle; Hanson; Hausauer; Henegar, D.; Henegar, K.; Holm; Howard; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Klein; Kliniske; Koppelman; Kretschmar; Kroeber; Kunkel; Laughlin; Mahoney; Maragos; Martinson; Mickelson; Mutzenberger; Nicholas; Nichols; Nottestad; Oban; Poolman; Price; Rennerfeldt; Retzer; Rydell; Sabby; Sandvig; Schimke; Schmidt; Shide; Sitz; Skarphol; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Torgerson; Wardner; Wentz; Wilkie; Speaker Martin

NAYS: Bateman; Bernstein; Brown; DeKrey; DeWitz; Drovdal; Gorder; Lloyd; Monson; Olson; Payne; Soukup; Timm; Tollefson; Wald; Walker

ABSENT AND NOT VOTING: Glassheim; Huether

Engrossed SB 2260 passed and the title was agreed to.

THE HOUSE RECOGNIZED THE PRESENCE OF:

Former Representative Arlo Beggs.

SECOND READING OF SENATE BILL

SB 2293: A BILL for an Act to create and enact a new section to chapter 1-03 of the North Dakota Century Code, relating to the designation of Gold Star Mothers' Day.

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; Gerntholz; Glassheim; Gorder; Gorman; Grosz; Grumbo; Gulleeson; Gunter; Hagle; Hanson; Hausauer; Henegar, D.; Henegar, K.; Holm; Howard; 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: Huether

SB 2293 passed and the title was agreed to.

POINT OF PERSONAL PRIVILEGE

REP. OBAN: Mr. Speaker: I rise on a point of personal privilege and request that my remarks be printed in the Journal.

REMARKS OF REPRESENTATIVE OBAN

Mr. Speaker and members of the Assembly: All of us are interested in efforts to balance the federal budget - as was said, this is not a partisan issue. I commend all the Senators and Representatives in Congress from both parties for their past and continued efforts toward deficit reduction.

In addition, I applaud all United States Senators who will vote today on the balanced budget amendment including Senators Dorgan and Conrad for their diligence in carefully drafting a constitutional amendment that will serve the long-term best interest of our country. Thank you.

MOTION

REP. RYDELL MOVED that the House reconsider its action whereby the committee report was accepted and HCR 3044 was placed on the Eleventh order of business on the calendar, which motion prevailed.

MOTION

REP. RYDELL MOVED that HCR 3044 be rereferred to the Education Committee, which motion prevailed. Pursuant to Rep. Rydell's motion, HCR 3044 was rereferred.

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, Thirteenth, and Sixteenth orders of business and at the conclusion of those orders, the House stand adjourned until 1:00 p.m., Wednesday, March 1, 1995, which motion prevailed.

REPORT OF STANDING COMMITTEE

SB 2132: Finance and Taxation Committee (Rep. Timm, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2132 was placed on the Sixth order on the calendar.

Page 2, line 2, after the period insert "The question of the adoption of the excise tax may be submitted to electors at a general, primary, or special election or at a school district election if the boundaries of the school district are coterminous with the boundaries of the governing body adopting the resolution proposing the adoption of the excise tax."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2163, as engrossed: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends DO PASS (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2163 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2240, as engrossed: Judiciary Committee (Rep. Kretschmar, Chairman) recommends DO PASS (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2240 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2261: Finance and Taxation Committee (Rep. Timm, Chairman) recommends DO

PASS (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2261 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2322: Finance and Taxation Committee (Rep. Timm, Chairman) recommends DO PASS (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2322 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2489, as engrossed: 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). Engrossed SB 2489 was placed on the Sixth order on the calendar.

Page 1, line 8, remove the comma and after "chapter" insert a comma

Renumber accordingly

REPORT OF STANDING COMMITTEE

SCR 4016: Finance and Taxation Committee (Rep. Timm, Chairman) recommends DO PASS and BE PLACED ON THE CONSENT CALENDAR (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4016 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4020: Finance and Taxation Committee (Rep. Timm, Chairman) recommends DO PASS and BE PLACED ON THE CONSENT CALENDAR (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4020 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4022: Finance and Taxation Committee (Rep. Timm, Chairman) recommends DO PASS and BE PLACED ON THE CONSENT CALENDAR (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4022 was placed on the Tenth order on the calendar.

HOUSE ENROSSING AND ENROLLING REPORT

The following resolutions were engrossed: HCR 3038 and HCR 3039.

HOUSE ENROSSING AND ENROLLING REPORT

The following bills were enrolled: HB 1056, HB 1085, HB 1095, HB 1101, HB 1107, HB 1113, HB 1114, and HB 1118.

SIGNING OF BILLS AND RESOLUTIONS

The Speaker signed the following enrolled bills: HB 1056, HB 1085, HB 1095, HB 1101, HB 1107, HB 1113, HB 1114, HB 1118.

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

MADAM PRESIDENT: The Speaker has signed and your signature is respectfully requested on: HB 1056, HB 1085, HB 1095, HB 1101, HB 1107, HB 1113, HB 1114, HB 1118.

SIGNING OF BILLS AND RESOLUTIONS

The Speaker signed the following enrolled bills and resolution: SB 2032, SB 2048, SB 2077, SB 2119, SB 2125, SB 2126, SB 2153, SB 2165, SB 2168, SB 2169, SB 2184, SB 2185, SB 2337, SB 2346, SCR 4004.

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

MADAM PRESIDENT: The Speaker has signed: SB 2032, SB 2048, SB 2077, SB 2119, SB 2125, SB 2126, SB 2153, SB 2165, SB 2168, SB 2169, SB 2184, SB 2185, SB 2337, SB 2346, SCR 4004.

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

MADAM PRESIDENT: The House has passed unchanged: SB 2078, SB 2092, SB 2129,

SB 2144, SB 2162, SB 2197, SB 2201, SB 2222, SB 2266, SB 2287, SB 2299, SB 2364, SB 2431, SB 2479, SB 2493, SB 2523.

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

MADAM PRESIDENT: The House has amended, subsequently passed, and the emergency clause carried: SB 2150.

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

MR. SPEAKER: The Senate has passed unchanged: HB 1040, HB 1042, HB 1137, HB 1142, HB 1144, HB 1242, HB 1319, HB 1357, HB 1364, HB 1410, HB 1483.

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

MR. SPEAKER: The Senate has failed to pass: HB 1081.

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

MR. SPEAKER: The Senate has passed and your favorable consideration is requested on: SCR 4032.

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

MR. SPEAKER: The President has signed and your signature is respectfully requested on: SB 2124, SB 2189, SB 2191, SB 2199, SB 2333, SCR 4015.

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

MR. SPEAKER: The President has signed: HB 1056, HB 1085, HB 1095, HB 1101, HB 1107, HB 1113, HB 1114, HB 1118.

HOUSE ENROSSING AND ENROLLING REPORT

The following bills were enrolled: HB 1079, HB 1096, HB 1143, HB 1158, HB 1197, HB 1438, and HB 1480.

SIGNING OF BILLS AND RESOLUTIONS

The Speaker signed the following enrolled bills: HB 1079, HB 1096, HB 1143, HB 1158, HB 1197, HB 1438, HB 1480.

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

MADAM PRESIDENT: The Speaker has signed and your signature is respectfully requested on: HB 1079, HB 1096, HB 1143, HB 1158, HB 1197, HB 1438, HB 1480.

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

MR. SPEAKER: The President has signed: HB 1079, HB 1096, HB 1143, HB 1158, HB 1197, HB 1438, HB 1480.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following bills were delivered to the Governor for his approval at the hour of 2:45 p.m., February 28, 1995: HB 1056, HB 1085, HB 1095, HB 1101, HB 1107, HB 1113, HB 1114, HB 1118.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following bills were delivered to the Governor for his approval at the hour of 4:10 p.m., February 28, 1995: HB 1079, HB 1096, HB 1143, HB 1158, HB 1197, HB 1438, HB 1480.

FIRST READING OF SENATE CONCURRENT RESOLUTION

SCR 4032: A concurrent resolution directing the Legislative Council to study the library system in North Dakota, including the role and mission of the state library, cooperative library ventures, and research and information systems to determine if the citizens of this state have access to essential library services that are delivered efficiently. Was read the first time and referred to the Education Committee.

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

ROY GILBREATH, Chief Clerk