

JOURNAL OF THE HOUSE

Fifty-fourth Legislative Assembly

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Bismarck, March 1, 1995

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

The prayer was offered by Father Marvin Klemmer, Church of the Ascension, Bismarck.

The roll was called and all members were present except Representatives D. Henegar and Oban.

A quorum was declared by the Speaker.

COMMUNICATION FROM GOVERNOR EDWARD T. SCHAFER

The following communication was received from the Governor at 11:30 a.m., March 1, 1995.

This is to inform you that on March 1, 1995, I signed the following: HB 1056, HB 1085, HB 1095, HB 1101, HB 1107, HB 1113, HB 1114, and HB 1118.

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

MADAM PRESIDENT: The House has passed and your favorable consideration is requested on: HCR 3040, HCR 3041, HCR 3043.

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

MADAM PRESIDENT: The House has passed unchanged: SB 2107, SB 2108, SB 2117, SB 2138, SB 2139, SB 2145, SB 2148, SB 2156, SB 2157, SB 2167, SB 2175, SB 2178, SB 2196, SB 2205, SB 2208, SCR 4008.

HOUSE ENGROSSING AND ENROLLING REPORT

The following bills were enrolled: HB 1040, HB 1042, HB 1137, HB 1142, HB 1144, HB 1242, HB 1319, HB 1357, HB 1364, HB 1410, and HB 1483.

REPORT OF STANDING COMMITTEE

HCR 3044: Education Committee (Rep. Rydell, Chairman) recommends **DO NOT PASS** (9 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). HCR 3044 was placed on the Eleventh order on the calendar.

MOTION

REP. DORSO MOVED that the rules be suspended and HCR 3044 be placed on the Eleventh order for second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3038: A concurrent resolution directing the Legislative Council to study the extent of elementary and high school student participation in school-sanctioned extracurricular activities, the effect of extracurricular activities on the education of individual students and on teachers and administrators, and the financial impact of extracurricular activities on school district budgets.

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

Engrossed HCR 3038 was declared adopted on a voice vote.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3039: A concurrent resolution directing the Legislative Council to study

the feasibility and desirability of establishing four major regional air transportation terminals in the state and of developing a system of intrastate commuter air and ground transportation to serve those regional facilities.

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

Engrossed HCR 3039 was declared adopted on a voice vote.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3044: A concurrent resolution directing the Legislative Council to study the differences between the medical licensing standards applied to foreign medical school graduates and graduates of medical schools located in the United States.

The question being on the adoption of the resolution, which has been read, and has committee recommendation of DO NOT PASS.

HCR 3044 was declared lost on a voice vote.

SECOND READING OF HOUSE CONCURRENT RESOLUTION AND SENATE CONCURRENT RESOLUTIONS ON CONSENT CALENDAR

HCR 3045: A concurrent resolution directing the Legislative Council to study the responsibilities of county social service agencies as they are distinguished from the responsibilities of regional human service centers and the Department of Human Services.

SCR 4003: A concurrent resolution directing the Legislative Council to study the feasibility and adaptability of a long-term funding initiative to make available housing for families who are low income, homeless, or disabled, or who require transitional housing to assist them toward independent living.

SCR 4016: A concurrent resolution directing the Legislative Council to study tax preferences, with emphasis on property tax preferences that may be granted at the discretion of political subdivisions or that were created as economic development incentives.

SCR 4020: A concurrent resolution directing the Legislative Council to study zoning and real estate tax laws to assess the desirability of enacting legislation relating to the housing needs and preferences of senior citizens.

SCR 4022: A concurrent resolution urging Congress to enact legislation allowing an income tax deduction or credit for health insurance premiums.

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; Drowdal; Freier; Froseth; Galvin; Gerntholz; Glasheim; Gorder; Gorman; Grosz; Grumbo; Guileson; 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.

HCR 3045, SCR 4003, SCR 4016, SCR 4020, and SCR 4022 were declared adopted on a recorded roll call vote.

MOTION

REP. DORSO MOVED that the rules be suspended and Engrossed HCR 3038, Engrossed HCR 3039 and HCR 3045 be messaged to the Senate immediately, which motion prevailed.

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

MADAM PRESIDENT: The House has passed and your favorable consideration is requested on: HCR 3038, HCR 3039, HCR 3045.

SIGNING OF BILLS AND RESOLUTIONS

The Speaker signed the following enrolled bills: 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 SENATE FROM THE HOUSE (ROY GILBREATH, CHIEF CLERK)

MADAM PRESIDENT: The Speaker has signed and your signature is respectfully requested on: HB 1040, HB 1042, HB 1137, HB 1142, HB 1144, HB 1242, HB 1319, HB 1357, HB 1364, HB 1410, HB 1483.

SIGNING OF BILLS AND RESOLUTIONS

The Speaker signed the following enrolled bills and resolution: SB 2124, SB 2189, SB 2191, SB 2199, SB 2333, SCR 4015.

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

MADAM PRESIDENT: The Speaker has signed: SB 2124, SB 2189, SB 2191, SB 2199, SB 2333, SCR 4015.

MOTION

REP. DORSO MOVED that 500 copies of Reengrossed HB 1461 be reprinted, which motion prevailed.

MOTION

REP. DORSO MOVED that SB 2075 be returned to the House floor from the Agriculture Committee and be rereferred to the Appropriations Committee, which motion prevailed. Pursuant to Rep. Dorso's motion, SB 2075 was rereferred.

SIXTH ORDER OF BUSINESS

The amendments on the Sixth order of business to SB 2132 and Engrossed SB 2489 were adopted.

SB 2132 and Engrossed SB 2489, as amended, were placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MOTION

REP. FREIER MOVED that the House waive the reading of the title to SB 2070, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2070: A BILL for an Act to create and enact section 54-34.4-04 of the North Dakota Century Code, relating to correction of the statutory placement of the motion picture development office; to amend and reenact subsection 17 of section 10-19.1-26, subsection 2 of section

10-19.1-50, section 10-19.1-105, subsection 3 of section 10-19.1-116, sections 11-04-07, 15-05-16, 15-38.1-05, subsection 1 of section 15-62.2-01, subsection 6 of section 15-62.3-01, paragraph 3 of subdivision e of subsection 1 of section 19-03.1-36, subsection 4 of section 19-14-03, sections 20.1-02-16.3, 20.1-03-12.1, 21-03-38, subsection 6 of section 23-02.1-20, subsection 13 of section 23-17.2-02, subsection 2 of section 26.1-03-17, subsection 6 of section 26.1-06.1-11, subsection 5 of section 26.1-19-03, sections 26.1-34.1-05, 31-01-16, subdivision d of subsection 3 of section 32-07.1-01, sections 32-19-41, 32-19.1-01, subsection 3 of section 37-15-14.1, sections 37-18.1-01, 39-06-43, subsection 3 of section 41-01-11, subsection 1 of section 41-02.1-76, subsection 1 of section 41-02.1-77, subsection 3 of section 41-03-60, subsection 1 of section 41-09-16, subsection 1 of section 41-09-19, subdivision f of subsection 1 of section 41-09-23, sections 44-11-04, 44-11-07, 48-05-06, 53-09-10, 54-03-25, 54-16-04, subdivision a of subsection 1 of section 54-52-17.4, and section 64-02-20 of the North Dakota Century Code, relating to improper, inaccurate, redundant, missing, or obsolete references; and to repeal chapter 11-02 and sections 4-05.1-14, 27-01-06, and 55-08-01.7 of the North Dakota Century Code, relating to elimination of obsolete provisions for formation of counties from unorganized territory, elimination of an obsolete reference to the Mandan experiment station, elimination of an obsolete provision for trial expense payments by counties, and elimination of an incorrect statutory placement of the motion picture development office.

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; 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; 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.

SB 2070, as amended, passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2109: A BILL for an Act to amend and reenact sections 49-22-04 and 49-22-05.1 of the North Dakota Century Code, relating to energy conversion and transmission facility inventories of exclusion and avoidance areas.

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

ABSENT AND NOT VOTING: Dorso; Henegar, D.

Engrossed SB 2109, as amended, passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2127: A BILL for an Act to amend and reenact sections 15-01-02.1, 15-04-04, 15-04-10, 15-04-11, 15-04-13, 15-08-25, and subsections 2 and 4 of section 53-08-01 of the North Dakota Century Code, relating to surface leasing of state school lands and the definition of land for recreational use purposes; to repeal sections 15-04-03, 15-04-16, 15-04-17, and 15-06-20 of the North Dakota Century Code, relating to surface leasing of state school lands and the sale of coal lands; 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; 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; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Timm; Tollefson; Torgerson; Wald; Walker; Wardner; Wentz; Wilkie; Speaker Martin

ABSENT AND NOT VOTING: Henegar, D.

Engrossed SB 2127, as amended, passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF SENATE BILL

SB 2142: A BILL for an Act to amend and reenact section 20.1-03-01.2 of the North Dakota Century Code, relating to hunter safety education course completion requirements; 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; 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: Henegar, D.

Engrossed SB 2142, as amended, passed and the title was agreed to.

SECOND READING OF SENATE BILL

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.

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, 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: Henegar, D.

Engrossed SB 2146, as amended, passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2207: A BILL for an Act to amend and reenact subsection 7 of section 55-02-01.2 of the North Dakota Century Code, relating to admission fees charged by the superintendent of the state historical society for certain exhibits.

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, 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.

SB 2207, as amended, passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2220: A BILL for an Act to amend and reenact subsection 7 of section 55-08-05, sections 55-08-06, and 55-08-06.2 of the North Dakota Century Code, relating to motor vehicle and senior citizen passport park entrance fees.

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 51 YEAS, 45 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Austin; Belter; Berg; Brown; Byerly; Carlisle; Christenson; Christopherson; Dalrymple; Delmore; Delzer; Dorso; Froseth; Gerntholz; Glassheim; Gorman; Gunter; Hausauer; Holm; Howard; Johnson; Kaldor; Keiser; Kelsch; Klein; Kliniske; Kretschmar; Kunkel; Mickelson; Monson; Nicholas; Nottestad; Olson; Payne; Poolman; Price; Rydell; Sabby; Schimke; Shide; Sitz; Skarphol; Stenehjem; Svedjan; Sveen; Tollefson; Wald; Walker; Wardner; Wentz

NAYS: Bateman; Bernstein; Boehm; Boucher; Carlson; Clark; Clayburgh; Coats; DeKrey; DeWitz; Dobrinski; Drovdal; Freier; Galvin; Gorder; Grosz; Grumbo; Gulleon; Hagle; Hanson; Henegar, K.; Huether; Jacobs; Kempenich; Kerzman; Koppelman; Kroeber; Laughlin; Lloyd; Mahoney; Maragos; Mutzenberger; Nichols; Oban; Rennerfeldt; Retzer; Sandvig; Schmidt; Soukup; Thompson; Thoreson; Timm; Torgerson; Wilkie; Speaker Martin

ABSENT AND NOT VOTING: Henegar, D.; Martinson

SB 2220, as amended, passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2521: A BILL for an Act to provide for landowner immunity from liability for injuries incurred while using a road located on the landowner's property; 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 94 YEAS, 1 NAY, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Austin; Bateman; Belter; Berg; Bernstein; Boehm; 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; Gulleon; Gunter; Hagle; Hanson; Hausauer; Henegar, K.; Holm; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Klein; Kliniske; Koppelman;

Kroeber; Kunkel; Laughlin; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Mutzenberger; Nicholas; Nichols; Nottestad; Oban; Olson; 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

NAYS: Kretschmar

ABSENT AND NOT VOTING: Boucher; Henegar, D.; Payne

SB 2521, as amended, passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF SENATE BILL

SB 2040: A BILL for an Act to amend and reenact subsection 1 of section 12.1-32-02 and section 12.1-32-06.1 of the North Dakota Century Code, relating to sentencing alternatives and to an additional period of probation that may be imposed for a person found guilty of a sexual offense against a minor.

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 95 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Austin; Bateman; Belter; Berg; Bernstein; Boehm; 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, 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; 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: Boucher; Henegar, D.; Payne

Engrossed SB 2040 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2086: A BILL for an Act to amend and reenact section 24-17-03 of the North Dakota Century Code, relating to outdoor advertising signs; and to declare an emergency.

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; 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, 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: Boucher; Henegar, D.

Engrossed SB 2086 passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF SENATE BILL

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

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 93 YEAS, 1 NAY, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Austin; Bateman; Belter; Berg; Bernstein; Boehm; 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, K.; Holm; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Klein; Kliniske; Koppelman; Kretschmar; Kroeber; Kunkel; Laughlin; Lloyd; Mahoney; Martinson; Mickelson; Monson; Mutzenberger; Nicholas; Nichols; Nottestad; Oban; Olson; Payne; Poolman; Price; Rennerfeldt; Retzer; Rydell; Sabby; Sandvig; Schimke; Schmidt; Shide; Sitz; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Timm; Tollefson; Torgerson; Walker; Wardner; Wentz; Wilkie; Speaker Martin

NAYS: Maragos

ABSENT AND NOT VOTING: Boucher; Gulleson; Henegar, D.; Wald

Engrossed SB 2116 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2128: A BILL for an Act to create and enact a new section to chapter 39-04 of the North Dakota Century Code, relating to a staggered registration system for certain vehicles; and to amend and reenact section 39-04-06 of the North Dakota Century Code, relating to checks for registration fees returned to the department of transportation.

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 95 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Austin; Bateman; Belter; Berg; Bernstein; Boehm; 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, 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

ABSENT AND NOT VOTING: Boucher; Henegar, D.; Lloyd

SB 2128 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2151: A BILL for an Act to create and enact a new subsection to section 4-34-05 of the North Dakota Century Code, relating to beef promotion; and to amend and reenact subsection 2 of section 4-34-01, sections 4-34-02, 4-34-03, 4-34-04, and 4-34-11 of the North Dakota Century Code, relating to the North Dakota beef commission.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 94 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Austin; Bateman; Belter; Berg; Bernstein; Boehm; 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; Guleson; 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; Speaker Martin

ABSENT AND NOT VOTING: Boucher; Henegar, D.; Lloyd; Wilkie

Engrossed SB 2151 passed and the title was agreed to.

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., Thursday, March 2, 1995, which motion prevailed.

REPORT OF STANDING COMMITTEE

SB 2069: Judiciary Committee (Rep. Kretschmar, Chairman) recommends DO PASS (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2069 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2122, as engrossed: Judiciary Committee (Rep. Kretschmar, Chairman) recommends DO PASS (12 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). Engrossed SB 2122 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2194, as engrossed: Judiciary Committee (Rep. Kretschmar, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2194 was placed on the Sixth order on the calendar.

Page 1, line 4, after "revocation" insert "; and to declare an emergency"

Page 4, after line 2, insert:

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

Re-number accordingly

REPORT OF STANDING COMMITTEE

SB 2224, as engrossed: Judiciary Committee (Rep. Kretschmar, Chairman) recommends DO PASS (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2224 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2252: Judiciary Committee (Rep. Kretschmar, Chairman) recommends DO PASS (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2252 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2263: Judiciary Committee (Rep. Kretschmar, Chairman) recommends DO PASS (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2263 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2267: Judiciary Committee (Rep. Kretschmar, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2267 was placed on the Sixth order on the calendar.

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

Page 2, after line 4, insert:

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

Re-number accordingly

REPORT OF STANDING COMMITTEE

SB 2291: Human Services Committee (Rep. Svedjan, Chairman) recommends DO PASS (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2291 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2292, as engrossed: Human Services Committee (Rep. Svedjan, Chairman) recommends DO PASS (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2292 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2315, as engrossed: 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). Engrossed SB 2315 was placed on the Sixth order on the calendar.

Page 1, line 7, remove "brutal"

Page 1, line 10, replace "includes" with "may include"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2330: Finance and Taxation Committee (Rep. Timm, Chairman) recommends DO PASS and BE REREFERRED to the Appropriations Committee (11 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). SB 2330 was rereferred to the Appropriations Committee.

REPORT OF STANDING COMMITTEE

SB 2334, as engrossed: 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). Engrossed SB 2334 was placed on the Sixth order on the calendar.

Page 1, line 19, after "satisfies" insert "or makes arrangements to pay"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2347: Judiciary Committee (Rep. Kretschmar, Chairman) recommends DO PASS (11 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). SB 2347 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2381, as engrossed: Judiciary Committee (Rep. Kretschmar, Chairman) recommends DO PASS (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2381 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2411, as engrossed: Finance and Taxation Committee (Rep. Timm, Chairman) recommends DO PASS (13 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). Engrossed SB 2411 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2430, as engrossed: Human Services Committee (Rep. Svedjan, Chairman) recommends DO NOT PASS (11 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING). Engrossed SB 2430 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2461, as engrossed: Human Services Committee (Rep. Svedjan, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (10 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING). Engrossed SB 2461 was placed on the Sixth order on the calendar.

Page 2, line 11, replace "shall" with "is encouraged to"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2462, as reengrossed: Human Services Committee (Rep. Svedjan, Chairman) recommends DO PASS (11 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). Reengrossed SB 2462 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2490, as engrossed: Judiciary Committee (Rep. Kretschmar, Chairman) recommends DO PASS (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2490 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4001: Human Services Committee (Rep. Svedjan, Chairman) recommends DO PASS (10 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING). SCR 4001 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4017: Judiciary Committee (Rep. Kretschmar, Chairman) recommends DO PASS

and BE PLACED ON THE CONSENT CALENDAR (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4017 was placed on the Tenth order on the calendar.

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 4050, SCR 4053.

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 2078, SB 2092, SB 2120, 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 HOUSE FROM THE SENATE (WILLIAM C. PARKER, SECRETARY)

MR. SPEAKER: The President has signed: 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 passed unchanged: HB 1024, HB 1078, HB 1087, HB 1098, HB 1122, HB 1130, HB 1140, HB 1280, HB 1304, HB 1403.

FIRST READING OF SENATE CONCURRENT RESOLUTIONS

SCR 4050: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of implementing measures to facilitate and encourage the Tourism Department, the Council on the Arts, and the State Historical Society of North Dakota to work together and to develop jointly new and innovative products.

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

SCR 4053: A concurrent resolution directing the Legislative Council to study the state's water laws concerning their effect on the efficient use of water and their effect on the holders of senior water rights.

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

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

ROY GILBREATH, Chief Clerk