

JOURNAL OF THE HOUSE

Fifty-fourth Legislative Assembly

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Bismarck, March 2, 1995

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

The prayer was offered by Representative Mahoney.

The roll was called and all members were present except Representative Gunter.

A quorum was declared by the Speaker.

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

MR. SPEAKER: The Senate has amended and subsequently passed: HB 1084, HB 1336.

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1084

Page 1, line 7, remove ", in the judgment of the"

Page 1, line 8, remove "commission,"

Renumber accordingly

SENATE AMENDMENTS TO HOUSE BILL NO. 1336

Page 1, line 16, replace "individuals" with "volunteers"

Renumber accordingly

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

MR. SPEAKER: The Senate has amended and subsequently passed: HB 1298.

SENATE AMENDMENTS TO HOUSE BILL NO. 1298

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to repeal section 15 of chapter 374 of the 1987 Session Laws, section 1 of chapter 379 of the 1989 Session Laws, and section 6 of chapter 24 of the 1993 Session Laws, relating to the expiration date for legislation that established the court of appeals.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. REPEAL. Section 15 of chapter 374 of the 1987 Session Laws, section 1 of chapter 379 of the 1989 Session Laws, and section 6 of chapter 24 of the 1993 Session Laws are repealed."

Renumber accordingly

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

MR. SPEAKER: The Senate has amended and subsequently passed: HB 1046, HB 1103, HB 1124.

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1046

Page 1, line 17, replace "elementary, middle" with "kindergarten through grade twelve"

Page 1, line 18, remove "school, and high school"

Renumber accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1103

Page 2, line 19, after "dollars" insert "plus any additional applicable state or local taxes"

Page 3, line 21, remove the underscored comma

Page 3, line 25, remove the underscored comma

Re-number accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1124

Page 1, line 1, replace "section" with "sections 4-10.4-08, 4-10.4-09," and after "4-24-10" insert ", 4-28-07, and 4-28-08"

Page 1, line 2, after "reports" insert ", commodity taxes, and refunds; and to declare an emergency"

Page 1, after line 3, insert:

"SECTION 1. AMENDMENT. Section 4-10.4-08 of the 1993 Supplement to the North Dakota Century Code is amended and reenacted as follows:

4-10.4-08. Tax levied.

1. A tax at the rate of five mills per bushel [35.24 liters] must be levied and imposed upon all barley grown in the state, delivered into the state, or sold to a first purchaser in the state. This tax is due upon any identifiable lot or quantity of barley.
2. Every first purchaser of barley shall collect the tax imposed by this section by charging and collecting from the seller the tax at the rate of five mills per bushel [35.24 liters] by deducting the tax from the purchase price of all barley subject to the tax and purchased by the first purchaser.
3. Every first purchaser shall keep as a part of its permanent records a record of all purchases, sales, and shipments of barley, which may be examined by the council at all reasonable times. Every first purchaser shall report to the council by the twentieth day of each calendar quarter stating the quantity of barley received, sold, or shipped by it, except that if less than twenty-five thousand bushels [880.98 cubic meters] have been purchased, in any calendar quarter, the tax may be reported and remitted with the following quarter's return, provided that all taxes collected must be remitted at least annually. Each first purchaser shall include with each report to the council a separate accounting of the taxes levied on all barley produced outside the United States. The remittance of the tax as provided in this section must accompany the report. All moneys levied and collected under this chapter must be paid to the council for deposit in the state treasury to the credit of an account or accounts designated "barley fund" to be used exclusively to carry out the intent and purposes of this chapter. Regular audits of the council's accounts must be conducted in accordance with chapter 54-10 and submitted to the commissioner.
4. The tax provided for by this section must be deducted as provided by this chapter whether the barley is stored or sold in this or any other state, but if agreements have not been made with dealers and first purchasers outside of the state for collecting the tax, the grower shall remit the tax to the council on all barley sold by him outside the state.

SECTION 2. AMENDMENT. Section 4-10.4-09 of the North Dakota Century Code is amended and reenacted as follows:

4-10.4-09. Nonparticipating growers - Refunds.

1. Any ~~person~~ grower in the United States subject to the tax provided in this chapter who objects to the collection of the tax, may within sixty days following the collection, make application by personal letter to the council for a refund application blank. Upon return of this blank, properly executed by the applicant and accompanied by a true copy of the invoice or invoices delivered by the purchaser to the grower, the council shall, ~~within sixty days after receiving the application,~~ refund to the grower the net amount of the tax collected. If no request for refund is made within sixty days after the collection of the tax, the grower is conclusively presumed to have agreed to the deduction. However, a grower, for any reason, having paid the tax more than once on the same barley, upon furnishing proof of this to the council, is entitled to a refund of the overpayment.
2. The council shall develop and disseminate information and instructions relating to the purpose of the barley tax and the manner in which refunds may be claimed, and shall cooperate with state and federal governmental agencies and private businesses engaged in the purchase of barley."

Page 1, line 15, after the first "a" insert "uniform"

Page 1, line 20, overstrike "preceding" and insert immediately thereafter "current" and remove "an audit report"

Page 1, remove line 21

Page 2, line 1, remove "year," remove "single page uniform", overstrike "financial" and insert immediately thereafter "single page uniform", and remove "prepared by the state auditor"

Page 2, line 2, overstrike "summarizing the", replace "audit report, the" with "of", and overstrike "of" and insert immediately thereafter "for"

Page 2, line 3, overstrike "commodity group for the current" and insert immediately thereafter "next", after "biennium" insert ". Each report, except the reports of North Dakota beekeepers association," and overstrike "anticipated" and insert immediately thereafter "North Dakota turkey federation, must also include a state auditor's report on the commodity group's single page uniform statement of"

Page 2, line 4, overstrike "next biennium" and insert immediately thereafter "previous two fiscal years"

Page 2, after line 4, insert:

"SECTION 4. AMENDMENT. Section 4-28-07 of the 1993 Supplement to the North Dakota Century Code is amended and reenacted as follows:

4-28-07. Wheat tax levy. A tax of five mills per bushel [35.24 liters] by weight must be levied and imposed upon all wheat grown in this state or sold through commercial channels ~~by a producer~~ to a first purchaser ~~in this state~~. The tax must be levied and assessed at the time of sale and deducted by the purchaser from the price paid, or in the case of a lien, pledge, or mortgage, deducted from the proceeds of the loan or claim secured, subject to adjustment at the time of settlement in the event the number of bushels [liters] are not

accurately determined at the time of the lien, pledge, or mortgage. At the time of sale, the first purchaser in this state shall issue and deliver to the producer or seller a record of the transaction in such manner as the commission may prescribe.

Any producer in the United States subject to the deduction provided in this chapter may, within sixty days following such deduction or final settlement, make application by personal letter to the wheat commission for a refund application blank. Upon the return of the blank, properly executed by the producer, accompanied by a record of the deduction by the purchaser, the producer must be refunded the net amount of the deduction collected. If no request for refund has been made within the period prescribed above, then the producer is presumed to have agreed to such deduction. However, a producer in the United States, for any reason, having paid the tax more than once on the same wheat, upon furnishing proof of this to the commission, is entitled to a refund of the overpayment.

The commission, to inform the producer, shall develop and disseminate information and instructions relating to the purpose of the wheat tax and manner in which refunds may be claimed, and to this extent shall cooperate with governmental agencies, state and federal, and private businesses engaged in the purchase of wheat.

SECTION 5. AMENDMENT. Section 4-28-08 of the 1993 Supplement to the North Dakota Century Code is amended and reenacted as follows:

4-28-08. State wheat commission fund - Continuing appropriation. Each first purchaser shall make quarterly reports and returns to the commission, ~~on such forms as must be prescribed by the commission, on or before the twentieth day of the month next succeeding each calendar quarterly period, commencing with the calendar quarter ending September 30, 1959, and with 1995. The commission shall prescribe the forms to be used. The forms must provide for a separate accounting of the taxes levied on all wheat produced outside the United States. With each such report and return, the first purchaser shall remit to the commission, in the form of a remittance payable to the state treasurer, the tax due. The commission shall transmit all such payments to the state treasurer to be deposited in the state treasury to the credit of a special revolving fund to be known as the "state wheat commission fund". All money in the state wheat commission fund is appropriated on a continuing basis to the commission for carrying out the purposes of this chapter. Expenditures from such fund may be made upon vouchers duly approved by the commission to carry out the provisions of this chapter. Regular audits of the commission's accounts must be conducted in accordance with chapter 54-10.~~

SECTION 6. EMERGENCY. This Act is declared to be an emergency measure."

Renumber accordingly

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 4036, SCR 4045, SCR 4052, SCR 4054, SCR 4057, SCR 4059, SCR 4062.

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

MR. SPEAKER: The Senate has passed unchanged: HB 1070, HB 1102, HB 1105, HB 1106, HB 1126, HB 1127, HB 1128, HB 1188, HB 1219, HB 1285.

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

MADAM PRESIDENT: The House has amended and subsequently failed to pass: SB 2073, SCR 4005.

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

MADAM PRESIDENT: The House has amended and subsequently passed: SB 2118, SB 2130, SB 2159, SB 2223.

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 2089, SB 2418.

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

MADAM PRESIDENT: The House has passed unchanged: SB 2214, SB 2217, SB 2253, SB 2257, SB 2260, SB 2293.

HOUSE ENGROSSING AND ENROLLING REPORT

The following bills were enrolled: HB 1024, HB 1078, HB 1087, HB 1098, HB 1122, HB 1130, HB 1140, HB 1280, HB 1304, HB 1403.

SIGNING OF BILLS AND RESOLUTIONS

The Speaker signed the following enrolled bills: HB 1024, HB 1078, HB 1087, HB 1098, HB 1122, HB 1130, HB 1140, HB 1280, HB 1304, HB 1403.

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 1024, HB 1078, HB 1087, HB 1098, HB 1122, HB 1130, HB 1140, HB 1280, HB 1304, HB 1403.

SIGNING OF BILLS AND RESOLUTIONS

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

MADAM PRESIDENT: The Speaker has signed: 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 and your signature is respectfully requested on: 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.

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

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

SIXTH ORDER OF BUSINESS

The amendments on the Sixth order of business to Engrossed SB 2194, SB 2267, Engrossed SB 2315, Engrossed SB 2334, and Engrossed SB 2461 were adopted.

Engrossed SB 2194, SB 2267, Engrossed SB 2315, Engrossed SB 2334, and Engrossed SB 2461, as amended, were placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

SECOND READING OF SENATE BILL

SB 2132: A BILL for an Act to amend and reenact section 57-40.6-02 of the North Dakota Century Code, relating to imposition of a telephone access line excise tax by counties and cities.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 98 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

Clayburgh; Coats; Dalrymple; DeKrey; Delmore; Delzer; DeWitz; Dobrinski; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Gorman; Grosz; Grumbo; Gulleson; Gunter; Hagle; Hanson; Hausauer; Henegar, D.; Henegar, K.; Holm; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Klein; Kliniske; Koppelman; Kretschmar; Kroeber; Kunkel; Laughlin; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Mutzenberger; Nicholas; Nichols; Nottestad; Oban; Olson; Payne; Poolman; Price; Rennerfeldt; Retzer; Rydell; Sabby; Sandvig; Schimke; Schmidt; Shide; Sitz; Skarphol; Soukup; Stenehjøm; Svedjan; Sveen; Thompson; Thoreson; Timm; Tollefson; Torgerson; Wald; Walker; Wardner; Wentz; Wilkie; Speaker Martin

SB 2132, as amended, passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2489: A BILL for an Act to create and enact a new section to chapter 25-16 of the North Dakota Century Code, relating to depreciation recapture from treatment or care centers for the developmentally disabled.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 98 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

Engrossed SB 2489, as amended, passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2158: A BILL for an Act to amend and reenact section 47-04-01 of the North Dakota Century Code, relating to jurisdiction over property in the state; and to repeal sections 47-01-14 and 54-01-17 of the North Dakota Century Code, relating to ownership of land below ordinary high watermark and granting of easements to the federal government on state-owned lands.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 98 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

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

Engrossed SB 2158 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2163: A BILL for an Act to create and enact a new subsection to section 43-15-01 and a new subsection to section 43-15-10 of the North Dakota Century Code, relating to definitions applicable to pharmacists and the powers of the board of pharmacy; and to amend and reenact section 43-15-14 of the North Dakota Century Code, relating to the unlawful practice of pharmacy.

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, 4 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

NAYS: Brown; Dorso; Klein; Olson

Engrossed SB 2163 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2210: A BILL for an Act to create and enact a new section to chapter 15-21 of the North Dakota Century Code, relating to leasing of real property by the superintendent of public instruction; 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 98 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

Kliniske; Koppelman; Kretschmar; Kroeber; Kunkel; Laughlin; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Mutzenberger; Nicholas; Nichols; Nottestad; Oban; Olson; Payne; Poolman; Price; Rennerfeldt; Retzer; Rydell; Sabby; Sandvig; Schimke; Schmidt; Shide; Sitz; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Timm; Tollefson; Torgerson; Wald; Walker; Wardner; Wentz; Wilkie; Speaker Martin

SB 2210 passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF SENATE BILL

SB 2240: A BILL for an Act to create and enact a new section to chapter 30.1-30 of the North Dakota Century Code, relating to the making of gifts under a power of attorney.

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

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

NAYS: Tollefson

Engrossed SB 2240 passed and the title was agreed to.

SECOND READING OF SENATE BILL

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

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 98 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

Tollefson; Torgerson; Wald; Walker; Wardner; Wentz; Wilkie;
Speaker Martin

Engrossed SB 2244 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2250: A BILL for an Act to amend and reenact section 36-09-10 of the North Dakota Century Code, relating to recording of canceled brands.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 98 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

SB 2250 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2258: A BILL for an Act to repeal section 39-04-20 and chapter 49-18 of the North Dakota Century Code, relating to motor carriers.

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, 2 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

NAYS: Aarsvold; Kaldor

SB 2258 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2261: A BILL for an Act to amend and reenact subsection 2 of section 11-33.2-12, and sections 57-27-02, 57-28-05, 57-28-06, and 57-28-18 of the North Dakota Century Code, relating to the notice requirements for subdivision approval and expiration of the period of redemption for a tax certificate.

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, 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; DeWitz; Dobrinski; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Glasheim; Gorder; Gorman; Grumbo; Gulleson; Gunter; Hagle; Hanson; Hausauer; Henegar, D.; Henegar, K.; Holm; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Klein; Kliniske; Koppelman; Kretschmar; Kroeber; Kunkel; Laughlin; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Mutzenberger; Nicholas; Nichols; Nottestad; Oban; Olson; Payne; Poolman; Price; Rennerfeldt; Retzer; Rydell; Sabby; Sandvig; Schimke; Schmidt; Shide; Sitz; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Timm; Tollefson; Torgerson; Walker; Wardner; Wentz; Wilkie; Speaker Martin

NAYS: Delzer

ABSENT AND NOT VOTING: Grosz; Wald

SB 2261 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2262: A BILL for an Act to amend and reenact subsection 2 of section 39-06.1-06 and section 39-10-46.1 of the North Dakota Century Code, relating to the statutory fees for overtaking and passing a schoolbus; 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 76 YEAS, 22 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Bateman; Belter; Berg; Bernstein; Boehm; Boucher; Brown; Carlisle; Carlson; Christenson; Christopherson; Clark; Clayburgh; Coats; Dalrymple; DeKrey; Delmore; Delzer; DeWitz; Dobrinski; Dorso; Drovdal; Freier; Galvin; Gerntholz; Glasheim; Gorder; Gorman; Grosz; Grumbo; Gulleson; Gunter; Hagle; Hanson; Hausauer; Henegar, D.; Henegar, K.; Holm; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kerzman; Kliniske; Koppelman; Kretschmar; Kroeber; Kunkel; Laughlin; Lloyd; Maragos; Martinson; Nicholas; Nichols; Nottestad; Oban; Price; Rennerfeldt; Rydell; Sabby; Sandvig; Schmidt; Shide; Sitz; Skarphol; Soukup; Svedjan; Thompson; Thoreson; Wald; Wardner; Wentz; Wilkie; Speaker Martin

NAYS: Austin; Byerly; Froseth; Howard; Huether; Kempenich; Klein; Mahoney; Mickelson; Monson; Mutzenberger; Olson; Payne; Poolman; Retzer; Schimke; Stenehjem; Sveen; Timm; Tollefson; Torgerson; Walker

SB 2262 passed and the title was agreed to.

MOTION

REP. DORSO MOVED that the House reconsider its action whereby SB 2261 passed, which motion lost on a verification vote.

SECOND READING OF SENATE BILL

SB 2265: A BILL for an Act to amend and reenact sections 39-18-07 and 39-18-08 of the North Dakota Century Code, relating to the sale by real estate brokers or salespeople of used mobile homes and to penalties; 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 88 YEAS, 9 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Austin; Belter; Berg; Bernstein; Boehm; Boucher; Byerly; Carlisle; Carlson; Christenson; Christopherson; Clark; Clayburgh; Coats; Dalrymple; DeKrey; Delmore; DeWitz; Dobrinski; Dorso; Drovdal; Froseth; Galvin; Glassheim; Gorder; Gorman; Grosz; Grumbo; Gulleon; Gunter; Hagle; Hanson; Hausauer; Henegar, D.; Henegar, K.; Holm; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Klein; Kliniske; Koppelman; Kretschmar; Kunkel; Laughlin; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Mutzenberger; Nicholas; Nottestad; Oban; 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

NAYS: Bateman; Brown; Delzer; Freier; Gerntholz; Kroeber; Nichols; Payne; Speaker Martin

ABSENT AND NOT VOTING: Olson

Engrossed SB 2265 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2284: A BILL for an Act to amend and reenact section 39-12-04 of the North Dakota Century Code, relating to exceptions to vehicle length and width limitations for safety appurtenances.

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; Gulleon; Gunter; Hagle; Hanson; Hausauer; Henegar, D.; Henegar, K.; Holm; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Klein; Kliniske; Koppelman; Kretschmar; Kroeber; Kunkel; Laughlin; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Mutzenberger; Nicholas; Nichols; Nottestad; Oban; 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: Olson

SB 2284 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2285: A BILL for an Act to amend and reenact sections 14-02.4-02, 14-02.4-03, 14-02.4-04, 14-02.4-05, 14-02.4-06, 14-02.4-08, 14-02.4-09, 14-02.4-12, 14-02.4-13, 14-02.4-14, 14-02.4-15, 14-02.4-16, 14-02.4-17, and 14-02.4-18 of the North Dakota Century Code, relating to definitions for purposes of discrimination and reasonable accommodation of individuals with disabilities.

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; Gulleon; Gunter; Hagle; Hanson; Hausauer; Henegar, D.; Henegar, K.; Holm; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Klein; Kliniske; Koppelman; Kretschmar; Kroeber; Kunkel; Laughlin; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Mutzenberger; Nicholas; Nichols; Nottestad; Oban; 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: Olson

Engrossed SB 2285 passed and the title was agreed to.

MOTION

REP. DORSO MOVED that SB 2035, SB 2068, and SB 2096 be returned to the House floor from the Human Services Committee, which motion prevailed.

MOTION

REP. DORSO MOVED that SB 2035 be rereferred to the Appropriations Committee, which motion prevailed. Pursuant to Rep. Dorso's motion, SB 2035 was rereferred.

MOTION

REP. DORSO MOVED that SB 2068 and SB 2096 be rereferred to the Judiciary Committee, which motion prevailed. Pursuant to Rep. Dorso's motion, SB 2068 and SB 2096 were rereferred.

MOTION

REP. FREIER MOVED that the absent member 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., Friday, March 3, 1995, which motion prevailed.

REPORT OF STANDING COMMITTEE

SB 2034, as engrossed: Human Services Committee (Rep. Svedjan, Chairman) recommends DO PASS (11 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). Engrossed SB 2034 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2079, as engrossed: Industry, Business and Labor Committee (Rep. Berg,

Chairman) recommends DO PASS (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2079 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2087, as engrossed: Human Services Committee (Rep. Svedjan, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (11 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). Engrossed SB 2087 was placed on the Sixth order on the calendar.

Page 1, line 12, remove "The term does"

Page 1, remove lines 13 and 14

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2093, 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 2093 was placed on the Sixth order on the calendar.

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

Page 2, line 7, remove the underscored comma

Page 2, line 8, remove the underscored comma

Page 3, after line 2, insert:

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

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2133, 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 SB 2133 was placed on the Sixth order on the calendar.

Page 1, line 8, remove the overstrike over "~~no person~~"

Page 1, line 10, overstrike the comma, remove "a journeyman, class B, or", and overstrike "master electrician"

Page 1, line 15, replace "may" with "partnership, company, corporation, limited liability company, or association may advertise to contract for electrical services without being licensed as or being associated with a class B or master electrician"

Page 1, remove line 16

Page 1, line 17, remove "licensed to perform"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2160: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends DO PASS and BE REREFERRED to the Appropriations Committee (12 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). SB 2160 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2232: Natural Resources Committee (Rep. Olson, Chairman) recommends DO

NOT PASS (11 YEAS, 3 NAYS, 2 ABSENT AND NOT VOTING). SB 2232 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2248, as engrossed: Education Committee (Rep. Rydell, Chairman) recommends DO PASS (12 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). Engrossed SB 2248 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2278, 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 2278 was placed on the Sixth order on the calendar.

Page 2, line 11, remove "to chemically dependent persons"

Page 2, line 16, after the period insert "A person to whom controlled substances are prescribed or administered for intractable pain is not exempt from section 39-08-01 or 39-20-04.1."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2321: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends DO NOT PASS (14 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2321 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2338: 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 2338 was placed on the Sixth order on the calendar.

Page 1, line 10, remove "before", overstrike "January 1,", and replace "1990" with "at least five years before the validity or legality of the instrument is formally challenged"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2354: 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 2354 was placed on the Sixth order on the calendar.

Page 2, line 7, after "contributed" insert "more than" and remove "or more"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2379, as engrossed: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends DO PASS (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2379 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2404: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends DO NOT PASS (10 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). SB 2404 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2444, as engrossed: Education Committee (Rep. Rydell, Chairman) recommends DO PASS (12 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). Engrossed SB 2444 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2480: 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). SB 2480 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 subdivision to subsection 2 of section 26.1-36-08 and a new paragraph to subdivision e of subsection 2 of section 26.1-36-09 of the North Dakota Century Code, relating to copayments for treatment of substance abuse outside a preferred provider network.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new subdivision to subsection 2 of section 26.1-36-08 of the North Dakota Century Code is created and enacted as follows:

If the services are provided by a provider outside a preferred provider network without a referral from within the network, the insurance company, nonprofit health service corporation, or health maintenance organization may establish a copayment greater than twenty percent for only those visits after the first five visits in any calendar year.

SECTION 2. A new paragraph to subdivision e of subsection 2 of section 26.1-36-09 of the 1993 Supplement to the North Dakota Century Code is created and enacted as follows:

If the services are provided by a provider outside a preferred provider network without a referral from within the network, the insurance company, nonprofit health service corporation, or health maintenance organization may establish a copayment greater than twenty percent for only those hours after the first five hours in any calendar year."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2495, as engrossed: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends DO NOT PASS (13 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). Engrossed SB 2495 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2532: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends DO PASS (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2532 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2533, as engrossed: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends DO PASS (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2533 was placed on the Fourteenth order on the calendar.

HOUSE ENGROSSING AND ENROLLING REPORT

The following bills were enrolled: HB 1070, HB 1102, HB 1105, HB 1106, HB 1126, HB 1127, HB 1128, HB 1188, HB 1219, HB 1285.

FIRST READING OF SENATE CONCURRENT RESOLUTIONS

SCR 4036: A concurrent resolution urging Congress to provide funds to the appropriate agency for construction of a scenic road connecting the

three units of the Theodore Roosevelt National Park in the North Dakota badlands.

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

SCR 4045: A concurrent resolution directing the Legislative Council to study the effects of blackbirds on agricultural crop production, the level of depredation in the state, and the short-term and long-term effects of continued depredation on the species, the environment, and rural North Dakota in general.

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

SCR 4052: A concurrent resolution directing the Legislative Council to study the capital repair, maintenance, and construction requirements of institutions under the State Board of Higher Education.

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

SCR 4054: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of establishing a state Human Rights Commission with the power and duty to investigate and provide remedies in cases of discrimination against residents of North Dakota because of race, color, religion, sex, national origin, age, the presence of any mental or physical disability, and status with regard to marriage or public assistance resulting in a loss of civil rights.

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

SCR 4057: A concurrent resolution urging the United States Secretary of Agriculture to consider North Dakota's cooperative grazing associations as models for successful federal land use and to create a separate entity for the management of grasslands.

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

SCR 4059: A concurrent resolution directing the Legislative Council to study the impact of nonpublic schools on the state and the feasibility and desirability of offering assistance to the parents of nonpublic schoolchildren.

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

SCR 4062: A concurrent resolution directing the Legislative Council to study the effectiveness of economic development programs in creating quality jobs, the relationship between economic development efforts and welfare reform efforts, and ways in which economic development programs can be structured to help recipients of aid to families with dependent children achieve self-sufficiency.

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

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

ROY GILBREATH, Chief Clerk