

JOURNAL OF THE HOUSE

Fifty-fourth Legislative Assembly

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Bismarck, March 16, 1995

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

The prayer was offered by the Rev. David Swanger, Peace Lutheran Church, Lincoln.

The roll was called and all members were present except Representatives Carlson, DeKrey, Freier, Hagle, and Oban.

A quorum was declared by the Speaker.

CORRECTION AND REVISION OF THE JOURNAL

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

Page 999, line 30, replace "1333" with "1233"

Page 1035, line 28, remove ", HCR 3018"

Page 1035, after line 28 insert:

SENATE AMENDMENTS TO HOUSE BILL NO. 1082

Page 1, line 1, after "Act" insert "to create and enact a new subsection to section 12-59-15 of the North Dakota Century Code, relating to the breach of parole; and"

Page 2, after line 22, insert:

"SECTION 3. A new subsection to section 12-59-15 of the 1993 Supplement to the North Dakota Century Code is created and enacted as follows:

When the board determines the parolee has violated subsection 2, the board may order the parolee to pay the costs of being returned to the board. Moneys recovered under this subsection must be remitted to the department of corrections and rehabilitation."

Renumber accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1185

Page 1, line 7, after "data" insert "in any manner", replace "without" with "with", after "patient's" insert "verbal or written", and replace "on" with "limited to"

Renumber accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1221

Page 1, line 2, after "providers" insert "; and to create and enact a new section to chapter 51-08.1 of the North Dakota Century Code, relating to prohibiting discrimination against health care providers"

Page 1, after line 3, insert:

"SECTION 1. A new section to chapter 51-08.1 of the North Dakota Century Code is created and enacted as follows:

Discrimination against health care providers prohibited. Notwithstanding any conflicting statutory provision, a person that controls, administers, or manages health care services may not coerce, intimidate, boycott, or discriminate against any health care provider on the basis of type, class, or category of health care provider. This section does not require or mandate any specific type of health care treatment or limit the application of any managed care program. A person violating this section is subject to the cumulative remedies provided in this chapter."

Page 1, line 9, after "services" insert "experienced in occupational health"

Page 3, after line 5, insert:

"6. An employer who has selected a preferred provider shall give, on an annual basis, personal notice that explains the requirements of the provider to each employee. Failure to give the personal notice or to understandably explain the requirements of the preferred provider invalidates the selection, allowing the employee to make the initial selection of a health care provider."

Renumber accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1223

Page 2, remove lines 3 through 9

Page 2, line 10, replace "4" with "3"

Page 2, line 14, replace "5" with "4"

Page 2, line 20, replace "6" with "5"

Page 2, line 23, replace "7" with "6"

Renumber accordingly

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

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

MR. SPEAKER: The Senate has passed unchanged: HB 1412.

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

MR. SPEAKER: The Senate has amended and subsequently passed: HB 1190, HB 1205, HB 1208, HB 1388, HB 1474, HCR 3002.

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1190

Page 1, line 16, after the first "of" insert "willful"

Page 1, line 19, after the second "of" insert "willful" and after "filing" insert "of"

Page 2, line 16, after "has" insert "willfully"

Renumber accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1205

Page 2, line 9, overstrike "- Waiver for"

Page 2, line 10, overstrike "nonresident insurance broker"

Renumber accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1208

Page 2, line 1, after "~~to~~" insert "The bureau shall" and remove the overstrike over "~~issue an administrative order within~~"

Page 2, remove the overstrike over lines 2 through 4

Page 2, line 5, remove the overstrike over "~~elements of filing must be defined by administrative rule.~~"

Page 2, line 7, replace "An" with "Except for an initial determination of compensability, an"

Page 2, line 8, after "awarded" insert ", subject to a maximum fee set by administrative rule"

Renumber accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1388

Page 1, line 1, replace the first comma with "and" and remove ", and"

Page 1, line 2, remove "34-07-16"

Page 2, remove lines 27 and 28

Page 3, remove lines 1 through 29

Page 4, remove lines 1 through 29

Page 5, remove lines 1 and 2

Renumber accordingly

SENATE AMENDMENTS TO HOUSE BILL NO. 1474

Page 1, line 7, overstrike "his" and insert immediately thereafter "the person's"

Page 1, line 9, overstrike "himself" and insert immediately thereafter "that person"

Renumber accordingly

SENATE AMENDMENTS TO HOUSE CONCURRENT RESOLUTION NO. 3002

Page 1, line 3, replace ", including" with "and the"

Page 1, line 4, replace "to review the effectiveness of" with "including psychosocial clubs and"

Page 1, line 5, replace "in Minot and Grand Forks, and to determine the feasibility and" with a period

Page 1, remove line 6

Page 1, remove lines 16 through 21

Page 2, line 6, after "Council" insert ", with the cooperation and participation of executive branch agencies,"

Page 2, line 7, replace the comma with "and the"

Page 2, line 8, remove "including"

Page 2, line 9, replace "review the effectiveness of" with "including psychosocial clubs and" and remove "in Minot and"

Page 2, remove line 10

Page 2, line 11, remove "clubhouse model to other regions of the state"

Renumber accordingly

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

MR. SPEAKER: The President has signed and your signature is respectfully requested on: SCR 4041, SCR 4044.

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

MADAM PRESIDENT: The House has passed unchanged: SB 2460.

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

MADAM PRESIDENT: The House has amended and subsequently passed: SB 2020, SB 2028, SB 2035, SB 2044, SB 2066, SB 2306, SB 2336, SB 2383, SB 2399, SB 2416, SB 2508.

HOUSE ENROSSING AND ENROLLING REPORT

The following bills and resolutions were enrolled: HB 1058, HB 1077, HB 1136, HB 1183, HB 1195, HB 1206, HB 1238, HB 1239, HB 1251, HB 1277, HB 1299, HB 1302, HB 1321, HB 1324, HB 1327, HB 1338, HB 1340, HB 1361, HB 1365, HB 1370, HB 1377, HB 1384, HB 1393, HB 1397, HB 1417, HB 1425, HB 1440, HB 1450, HB 1451, HB 1458, HB 1484, HCR 3008, HCR 3020, HCR 3022, and HCR 3045.

SIGNING OF BILLS AND RESOLUTIONS

The Speaker signed the following enrolled bills: SB 2111, SB 2154, SB 2180, SB 2251, SB 2268, SB 2330, SB 2410, SB 2429, SB 2447, SB 2448, SB 2451, SB 2454, SB 2456, SB 2457, SB 2458, SB 2462, SB 2472, SB 2481, SB 2484, SB 2490.

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

MADAM PRESIDENT: The Speaker has signed: SB 2111, SB 2154, SB 2180, SB 2251, SB 2268, SB 2330, SB 2410, SB 2429, SB 2447, SB 2448, SB 2451, SB 2454, SB 2456, SB 2457, SB 2458, SB 2462, SB 2472, SB 2481, SB 2484, SB 2490.

SIGNING OF BILLS AND RESOLUTIONS

The Speaker signed the following enrolled resolutions: SCR 4041, SCR 4044.

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

MADAM PRESIDENT: The Speaker has signed: SCR 4041, SCR 4044.

SIGNING OF BILLS AND RESOLUTIONS

The Speaker signed the following enrolled bills: SB 2070, SB 2089, SB 2093, SB 2109, SB 2118, SB 2127, SB 2130, SB 2132, SB 2146.

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

MADAM PRESIDENT: The Speaker has signed: SB 2070, SB 2089, SB 2093, SB 2109, SB 2118, SB 2127, SB 2130, SB 2132, SB 2146.

SIXTH ORDER OF BUSINESS

The amendments on the Sixth order of business to SB 2021, Reengrossed SB 2075, Engrossed SB 2090, Engrossed SB 2101, Engrossed SB 2181, SB 2204, SB 2237, SB 2343, Reengrossed SB 2388, Engrossed SB 2425, and Engrossed SCR 4049 were adopted.

SB 2021, Reengrossed SB 2075, Engrossed SB 2090, Engrossed SB 2101, Engrossed SB 2181, SB 2204, SB 2237, SB 2343, Reengrossed SB 2388, Engrossed SB 2425, and Engrossed SCR 4049, as amended, were placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MOTION

REP. DORSO MOVED that SB 2021, Reengrossed SB 2075, Engrossed SB 2090, Engrossed SB 2101, Engrossed SB 2181, SB 2204, SB 2343, Reengrossed SB 2388, Engrossed SB 2425, and Engrossed SCR 4049, as amended, be moved to the top of the Fourteenth order on today's calendar, which motion prevailed.

SIXTH ORDER OF BUSINESS

SB 2115: REP. DALRYMPLE (Appropriations Committee) MOVED that the amendments on HJ page 1053 be adopted and then be placed on the Fourteenth order with DO PASS, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2115: A BILL for an Act to amend and reenact section 40-18-15.1 of the North Dakota Century Code, relating to transfer of municipal court cases to district court when a jury trial is not waived.

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 79 YEAS, 14 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Austin; Bateman; Belter; Berg; Bernstein; Boehm; Brown; Byerly; Carlisle; Christopherson; Clark; Clayburgh; Coats; Dalrymple; Delzer; DeWitz; Dobrinski; Dorso; Drovdal; Froseth; Galvin; Gerntholz; Glassheim; Gordner; Gorman; Grosz; Grumbo; Gunter; Hausauer; Henegar, D.; Henegar, K.; Holm; Howard; Huether; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Klein; Kliniske; Koppelman; Kretschmar; Kunkel; Laughlin; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Nicholas; Nichols; Nottestad; Olson; Payne; Poolman; Price; Rennerfeldt; Retzer; Rydell; Sabby; Shide; Sitz; Skarphol; Soukup; Stenehjelm; Svedjan; Sveen; Thompson; Thoreson; Timm; Tollefson; Torgerson; Wald; Walker; Wardner; Wentz; Speaker Martin

NAYS: Aarsvold; Boucher; Christenson; Delmore; Gulleson; Hanson; Jacobs; Kerzman; Kroeber; Mutzenberger; Sandvig; Schimke; Schmidt; Wilkie

ABSENT AND NOT VOTING: Carlson; DeKrey; Freier; Hagle; Oban

SB 2115, as amended, passed and the title was agreed to.

THE HOUSE RECOGNIZED THE PRESENCE OF:

Former Representative Roger Hill.

SECOND READING OF SENATE BILL

SB 2021: A BILL for an Act making an appropriation for defraying the expenses of the state game and fish department.

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

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

SB 2021, as amended, passed and the title was agreed to.

MOTION

REP. DORSO MOVED that the House waive the reading of the title to Reengrossed SB 2075, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2075: A BILL for an Act to create and enact a new section to chapter 23-01 of the North Dakota Century Code, relating to the consolidated laboratories function of the state department of health and consolidated laboratories; to amend and reenact section 19-13.1-01, subsections 2 and 12 of section 19-13.1-02, sections 19-13.1-03, 19-13.1-06, subsections 5 and 6 of section 19-13.1-07, subsection 4 of section 19-13.1-08, sections 19-13.1-09, 19-13.1-10, 19-13.1-11, 19-13.1-12, 19-13.1-13, 19-13.1-14, 19-18-02, 19-18-02.2, subsections 1 and 3 of section 19-18-03, sections 19-18-04, 19-18-04.1, subsections 2 and 3 of section 19-18-04.2, sections 19-18-05, 19-18-06, 19-18-06.1, subsections 1 and 3 of section 19-18-07, sections 19-18-08, 19-18-10, 19-18-11, 19-20.1-01, subsections 6, 13, and 17 of section 19-20.1-02, sections 19-20.1-03, 19-20.1-03.1, 19-20.1-03.2, 19-20.1-03.3, 19-20.1-03.4, subsections 1 and 4 of section 19-20.1-04, sections 19-20.1-06, 19-20.1-07, 19-20.1-08, 19-20.1-10, 19-20.1-11, 19-20.1-12, subsections 3 and 4 of section 19-20.1-13, sections 19-20.1-14, 19-20.1-15, 19-20.1-16, and 19-20.1-17 of the North Dakota Century Code, relating to transferring administration of commercial feed, insecticide, fungicide, rodenticide, fertilizer, and soil conditioner laws from the state department of health and consolidated laboratories to the commissioner of agriculture; to repeal section 19-18-01 of the North Dakota Century Code, relating to the short title of the Insecticide, Fungicide, and Rodenticide Act of 1947; and to provide an appropriation.

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

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

Reengrossed SB 2075, as amended, passed and the title was agreed to.

MOTION

REP. DORSO MOVED that the House waive the reading of the titles to Engrossed SB 2090, Engrossed SB 2181, Engrossed SB 2204, SB 2343, and Engrossed SB 2425, which motion prevailed.

MOTION

REP. DORSO MOVED that SB 2350 be rereferred to the Political Subdivisions Committee, which motion prevailed. Pursuant to Rep. Dorso's motion, SB 2350 was rereferred.

SECOND READING OF SENATE BILL

SB 2090: A BILL for an Act to create and enact a new subdivision to subsection 1 of section 27-20-51 of the North Dakota Century Code, relating to persons who may inspect juvenile court records; to amend and reenact section 50-11-02 of the North Dakota Century Code, relating to background checks of persons present in licensed foster care facilities while services are being provided; 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 93 YEAS, 0 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

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

Engrossed SB 2090, as amended, passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF SENATE BILL

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

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

YEAS: Aarsvold; Austin; Bateman; Belter; Berg; Bernstein; Boehm; Boucher; Brown; Byerly; Carlisle; Christenson; Christopherson; Clark; Clayburgh; Coats; Dalrymple; Delmore; Delzer; DeWitz; Dobrinski; Dorso; Drovdal; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Gorman; Grosz; Grumbo; Gulleon; Gunter; 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; Olson; Payne; Poolman; Price; Rennerfeldt; Retzer; Rydell; Sabby; Sandvig; Schimke; Schmidt;

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

ABSENT AND NOT VOTING: Carlson; DeKrey; Freier; Hagle; Oban

Engrossed SB 2101, as amended, passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2181: A BILL for an Act to create and enact section 50-06-05.6, a new section to chapter 50-06.1, and a new section to chapter 54-34.3 of the North Dakota Century Code, relating to the commission on aging, the committee on employment of people with disabilities, and the commission on the status of women; to amend and reenact sections 50-06-01.4, 50-27-01, and 50-27-03, and subsection 1 of section 54-07-01.2 of the North Dakota Century Code, relating to the children's trust fund administration; and to repeal chapter 50-26 of the North Dakota Century Code, relating to the governor's council on human resources.

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 92 YEAS, 1 NAY, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Austin; Bateman; Belter; Berg; Bernstein; Boehm; Boucher; Brown; Byerly; Carlisle; Christenson; Christopherson; Clark; Clayburgh; Coats; Dalrymple; Delmore; Delzer; DeWitz; Dobrinski; Dorso; Drovda; Froseth; Galvin; Gerntholz; Glassheim; Gordier; Gorman; Grosz; Grumbo; Gulleason; Gunter; 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; Nicholas; Nichols; Nottestad; 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

NAYS: Mutzenberger

ABSENT AND NOT VOTING: Carlson; DeKrey; Freier; Hagle; Oban

Engrossed SB 2181, as amended, passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2204: A BILL for an Act to create and enact a new section to chapter 61-02 of the North Dakota Century Code, relating to definitions and revenues and funds available to pay water development revenue bonds; to amend and reenact sections 61-02-46, 61-02-48, 61-02-51, 61-02-52, 61-02-53, 61-02-54, 61-02-55, 61-02-56, 61-02-57, 61-02-58, 61-02-61, 61-02-62, 61-02-63, 61-02-64, 61-02-64.1, and 61-24.6-01 of the North Dakota Century Code, relating to water development revenue bonds; and to repeal sections 61-02-66, 61-02-67, and 61-02-68 of the North Dakota Century Code, relating to bond funds and payments.

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

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

SB 2204, as amended, passed and the title was agreed to.

MOTION

REP. DORSO MOVED that SB 2237, as amended, Reengrossed SB 2388, as amended, Engrossed SB 2507, and Engrossed SB 2533 be placed at the bottom of the calendar, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2343: A BILL for an Act to create and enact three new subsections to section 10-1-49 of the North Dakota Century Code, relating to the definition of individual, organization, and person; to amend and reenact sections 5-01-01, 5-02-02, 10-19.1-01, subsections 4 and 5 of section 10-19.1-10, subdivision b of subsection 1 of section 10-19.1-13, subsection 3 of section 10-19.1-16, sections 10-19.1-18, 10-19.1-19, subsection 6 of section 10-19.1-20, subsection 12 of section 10-19.1-26, subsection 2 of section 10-19.1-30, subsection 3 of section 10-19.1-43, sections 10-19.1-44, 10-19.1-46, subsection 2 of section 10-19.1-51, section 10-19.1-53, subsection 3 of section 10-19.1-61, sections 10-19.1-61.1, 10-19.1-62, subsections 4 and 9 of section 10-19.1-65, subsection 2 of section 10-19.1-68, section 10-19.1-73, subsection 3 of section 10-19.1-73.1, subsection 2 of section 10-19.1-74, subsections 2 and 3 of section 10-19.1-79, subsection 1 of section 10-19.1-80, subsection 4 of section 10-19.1-84, section 10-19.1-85, subsections 1 and 3 of section 10-19.1-87, subsections 5 and 10 of section 10-19.1-88, subsection 1 of section 10-19.1-89, subsections 1 and 7 of section 10-19.1-91, subsections 1 and 4 of section 10-19.1-92, subsection 1 of section 10-19.1-93, subsection 1 of section 10-19.1-95, subsections 3 and 4 of section 10-19.1-98, subsection 6 of section 10-19.1-100, subsection 1 of section 10-19.1-104, sections 10-19.1-106, 10-19.1-109, subsection 1 of section 10-19.1-110, sections 10-19.1-115, 10-19.1-129, 10-23-01, 10-32-02, subsections 1 and 2 of section 10-32-07, subdivision b of subsection 1 of section 10-32-10, subsections 5, 7, 12, 14, and 21 of section 10-32-23, sections 10-32-28, 10-32-30, 10-32-31, 10-32-32, 10-32-33, subsection 2 of section 10-32-35, subdivision d of subsection 1 of section 10-32-50, subdivision b of subsection 1 of section 10-32-51, subsection 4 of section 10-32-64, sections 10-32-88 and 10-32-89, subsection 1 of section 10-32-97, section 10-32-98, subsection 1 of section 10-32-99, subsections 1 and 3 of section 10-32-108, section 10-32-109, subsection 1 of section 10-32-112, subsection 1 of section 10-32-114, sections 10-32-131, 10-32-136, subsection 1 of section 10-32-138, sections 10-32-140, 10-32-143, subsection 2 of section 10-32-144, subsections 1, 2, and 3 of section 10-32-149, subsection 3 of section 40-57.1-04.4, sections 57-38-60.2, 57-39.2-18.1, 57-43.1-17.3, and 57-43.2-16.2 of the North Dakota Century Code, relating to retail licensing qualifications for corporations, limited liability companies, limited partnerships, and

general partnerships, the Business Corporation Act, limited liability companies, and the responsibility of a limited liability company or its officers, governors, or managers to file required tax returns or pay the tax due; to repeal section 1-01-28 of the North Dakota Century Code, relating to the definition of person; 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 93 YEAS, 0 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

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

SB 2343, as amended, passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF SENATE BILL

SB 2425: A BILL for an Act to amend and reenact sections 40-21-02 and 40-21-07 of the North Dakota Century Code, relating to biennial city elections; and to repeal section 40-21-03 of the North Dakota Century Code, relating to biennial municipal elections in council 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 93 YEAS, 0 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

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

Engrossed SB 2425, as amended, passed and the title was agreed to.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4049: A concurrent resolution directing the Legislative Council to study issues relating to child support.

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

Engrossed SCR 4049, as amended, was declared adopted on a voice vote.

SECOND READING OF SENATE BILL

SB 2140: A BILL for an Act to create and enact section 39-06.2-10.10 of the North Dakota Century Code, relating to penalties for violating out-of-service orders; 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 NOT PASS, the roll was called and there were 0 YEAS, 92 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

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

SB 2140 was declared lost.

SECOND READING OF SENATE BILL

SB 2193: A BILL for an Act to repeal chapter 15-64 of the North Dakota Century Code, relating to the compact for education.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 0 YEAS, 92 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

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

Engrossed SB 2193 was declared lost.

SECOND READING OF SENATE BILL

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

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

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

Engrossed SB 2203 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2213: A BILL for an Act to repeal section 43-15-13 of the North Dakota Century Code, relating to the teaching of pharmacy by members of the state board 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 92 YEAS, 0 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Carlson; DeKrey; Freier; Hagle; Oban; Wald

SB 2213 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2215: A BILL for an Act to amend and reenact sections 44-06-02, 44-06-04, 44-06-11, and 44-06-13.1 of the North Dakota Century Code, relating to a notary public's change of address, bond, notarial seal, revocation of commission, and notarizing of a spouse's or notary's signature.

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 92 YEAS, 0 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Austin; Bateman; Belter; Berg; Bernstein; Boehm; Boucher; Brown; Byerly; Carlisle; Christenson; Christopherson; Clark; Clayburgh; Coats; Dalrymple; Delmore; Delzer; DeWitz; Dobrinski; Dorso; Drovdal; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Gorman; Grosz; Grumbo; Gulleston; Gunter; 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; Olson; Payne; Poolman; Price; Rennerfeldt; Retzer; Rydell; Sabby; Sandvig; Schimke; Schmidt; Shide; Sitz; Skarphol; Soukup; Stenehjem; Sveen; Thompson; Thoreson; Timm; Tollefson; Torgerson; Walker; Wardner; Wentz; Wilkie; Speaker Martin

ABSENT AND NOT VOTING: Carlson; DeKrey; Freier; Hagle; Oban; Wald

Engrossed SB 2215 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2216: A BILL for an Act to amend and reenact subsection 19 of section 50-06-05.1 of the North Dakota Century Code, relating to administration of the energy assistance program.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 91 YEAS, 0 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Austin; Bateman; Belter; Berg; Bernstein; Boehm; Boucher; Brown; Byerly; Carlisle; Christenson; Christopherson; Clark; Clayburgh; Coats; Dalrymple; Delmore; Delzer; DeWitz; Dobrinski; Dorso; Drovdal; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Gorman; Grosz; Grumbo; Gulleston; Gunter; 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; Olson; Payne; Poolman; Price; Rennerfeldt; Retzer; Rydell; Sabby; Sandvig; Schimke; Schmidt; Shide; Sitz; Skarphol; Soukup; Stenehjem; Sveen; Thompson; Thoreson; Timm; Tollefson; Torgerson; Walker; Wardner; Wentz; Wilkie; Speaker Martin

ABSENT AND NOT VOTING: Carlson; DeKrey; Freier; Hagle; Henegar, D.; Oban; Wald

SB 2216 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. BELTER MOVED that the House do not concur in the Senate amendments to Engrossed HB 1064 as printed on HJ pages 999-1000 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1064: Reps. Belter, Keiser, Mahoney.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. BERG MOVED that the House do not concur in the Senate amendments to Engrossed HB 1207 as printed on HJ page 1018 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1207: Reps. Soukup, Carlson, Grumbo.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. SOUKUP MOVED that the House do not concur in the Senate amendments to Engrossed HB 1300 as printed on HJ page 969 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1300: Reps. Poolman, Jacobs, Delmore.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. TIMM MOVED that the House do not concur in the Senate amendments to Engrossed HB 1386 as printed on HJ pages 1000-1003 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1386: Reps. Grosz, Austin, Sitz.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. BERG MOVED that the House do not concur in the Senate amendments to Engrossed HB 1221 as printed on HJ pages 1063-1064 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1221: Reps. Keiser, Poolman, Schmidt.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. WARDNER MOVED that the House do concur in the Senate amendments to Engrossed HB 1054 as printed on HJ page 968, which motion prevailed.

Engrossed HB 1054, as amended, was placed on the Eleventh order of business on today's calendar.

SECOND READING OF HOUSE BILL

HB 1054: A BILL for an Act to require every state agency and institution to prepare a written analysis documenting the decision to acquire the use of any asset as the result of a lease; and to create and enact a new subsection to section 54-44.1-06 of the North Dakota Century Code,

relating to the contents of budget data prepared by the director of the budget.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 90 YEAS, 0 NAYS, 0 EXCUSED, 8 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Carlson; DeKrey; Freier; Hagle; Laughlin; Oban; Stenehjem; Timm

Engrossed HB 1054, as amended, passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. WARDNER MOVED that the House do concur in the Senate amendments to HB 1141 as printed on HJ pages 967-968, which motion prevailed.

HB 1141, as amended, was placed on the Eleventh order of business on today's calendar.

SECOND READING OF HOUSE BILL

HB 1141: A BILL for an Act to amend and reenact section 54-14-04.3 of the North Dakota Century Code, relating to state employee severance pay; and to declare an emergency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 92 YEAS, 0 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

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

HB 1141, as amended, passed, the title was agreed to, and the emergency clause was declared carried.

THE HOUSE RECOGNIZED THE PRESENCE OF:

Former Representative Richard Kloubec.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. BERG MOVED that the House do concur in the Senate amendments to Engrossed HB 1184 as printed on HJ page 1000, which motion prevailed.

Engrossed HB 1184, as amended, was placed on the Eleventh order of business on today's calendar.

SECOND READING OF HOUSE BILL

HB 1184: A BILL for an Act to amend and reenact sections 26.1-22.1-07 and 26.1-22.1-10 of the North Dakota Century Code, relating to inspection of boilers and certificates of inspection.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 92 YEAS, 0 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

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

Engrossed HB 1184, as amended, passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. RYDELL MOVED that the House do concur in the Senate amendments to Engrossed HB 1189 as printed on HJ page 937, which motion prevailed.

Engrossed HB 1189, as amended, was placed on the Eleventh order of business on today's calendar day.

SECOND READING OF HOUSE BILL

HB 1189: A BILL for an Act to amend and reenact subsection 5 of section 21-04-01 of the North Dakota Century Code, relating to excluding funds deposited in a student financial institution from the definition of public funds.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 90 YEAS, 0 NAYS, 0 EXCUSED, 8 ABSENT AND NOT VOTING.

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

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

ABSENT AND NOT VOTING: Carlson; DeKrey; Freier; Hagle; Laughlin; Oban; Price; Svedjan

Engrossed HB 1189, as amended, passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. RYDELL MOVED that the House do concur in the Senate amendments to Engrossed HB 1216 as printed on HJ page 938, which motion prevailed.

Engrossed HB 1216, as amended, was placed on the Eleventh order of business on today's calendar.

SECOND READING OF HOUSE BILL

HB 1216: A BILL for an Act to amend and reenact section 15-60-10 of the North Dakota Century Code, relating to school construction loans; and to declare an emergency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 89 YEAS, 1 NAY, 0 EXCUSED, 8 ABSENT AND NOT VOTING.

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

NAYS: Schimke

ABSENT AND NOT VOTING: Carlson; DeKrey; Freier; Hagle; Laughlin; Oban; Price; Svedjan

Engrossed HB 1216, as amended, passed, the title was agreed to, and the emergency clause was declared carried.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. TIMM MOVED that the House do concur in the Senate amendments to Engrossed HB 1353 as printed on HJ page 1018, which motion prevailed.

Engrossed HB 1353, as amended, was placed on the Eleventh order of business on today's calendar.

SECOND READING OF HOUSE BILL

HB 1353: A BILL for an Act to create and enact a new section to chapter

40-57.1 of the North Dakota Century Code, relating to reimbursement of income tax exemptions granted for new industries.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 89 YEAS, 2 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

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

NAYS: Aarsvold; Lloyd

ABSENT AND NOT VOTING: Carlson; DeKrey; Freier; Hagle; Laughlin; Maragos; Oban

Engrossed HB 1353, as amended, passed and the title was agreed to.

SCR 4025: A concurrent resolution directing the Legislative Council to study access to computer data bases or electronically filed or stored information by state agencies.

SCR 4058: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of providing out-of-home mental health services to severely emotionally disabled children without requiring the relinquishment of custody by parents.

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.

ROLL CALL

The question being on the final adoption of the resolutions, which have been read, the roll was called and there were 90 YEAS, 0 NAYS, 0 EXCUSED, 8 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Carlson; DeKrey; Freier; Hagle; Laughlin; Maragos; Oban; Tollefson

SCR 4025, Engrossed SCR 4058, and SCR 4062 were declared adopted on a recorded roll call vote.

MOTION

REP. DORSO MOVED that the absent members be excused, which motion prevailed.

MOTION

REP. DORSO MOVED that the House be on the Twelfth, Ninth, Fourth, Fifth, and Sixteenth orders of business and at the conclusion of those orders, the House stand adjourned until 10:30 a.m., Friday, March 17, 1995, which motion prevailed.

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 4014, SCR 4018.

FIRST READING OF SENATE CONCURRENT RESOLUTIONS

SCR 4014: A concurrent resolution to create and enact a new section to the Constitution of North Dakota, relating to suits against the state and state employees; and to amend and reenact section 9 of article I of the Constitution of North Dakota, relating to suits against the state and state employees.

Was heard by the Joint Constitutional Revision Committee.

SCR 4018: A concurrent resolution for the amendment of section 6 of article IX of the Constitution of North Dakota, relating to exchanges of state land and mineral rights.

Was heard by the Joint Constitutional Revision Committee.

REPORT OF STANDING COMMITTEE

HCR 3011: Joint Constitutional Revision Committee (Rep. Brown, Chairman) recommends DO NOT PASS (7 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HCR 3011 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3028: Joint Constitutional Revision Committee (Rep. Brown, Chairman) recommends DO NOT PASS (6 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). HCR 3028 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3035: Joint Constitutional Revision Committee (Rep. Brown, Chairman) recommends DO NOT PASS (9 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HCR 3035 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3036: Joint Constitutional Revision Committee (Rep. Brown, Chairman) recommends DO NOT PASS (6 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING). HCR 3036 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3029: Joint Constitutional Revision Committee (Rep. Brown, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO NOT PASS (5 YEAS, 3 NAYS, 2 ABSENT AND NOT VOTING). HCR 3029 was placed on the Sixth order on the calendar.

Page 1, line 10, replace "general" with "primary" and after "in" insert "June"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2045, as engrossed: Human Services Committee (Rep. Svedjan, Chairman)

recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS and BE REREFERRED to the Appropriations Committee (11 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). Engrossed SB 2045 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "create and enact sections 50-25.1-04.2, 50-25.1-04.3,"

Page 1, remove lines 2 and 3

Page 1, line 4, remove "subsection 3 of section 27-20-29, sections 50-25.1-02,"

Page 1, remove line 5

Page 1, line 6, replace "50-25.1-05.5, 50-25.1-06.1, 50-25.1-09, and" with "section"

Page 1, line 7, remove "burden of proof necessary for a finding that a"

Page 1, remove line 8

Page 1, line 9, remove "state child protection committee, and"

Page 1, remove lines 12 through 21

Page 2, remove lines 1 through 29

Page 3, remove lines 1 through 29

Page 4, remove lines 1 through 29

Page 5, remove lines 1 through 29

Page 6, remove lines 1 through 28

Page 7, remove lines 1 through 28

Page 8, remove lines 1 through 29

Page 9, remove lines 1 through 29

Page 10, remove lines 1 through 29

Page 11, remove lines 1 through 22

Page 12, line 5, remove "as provided under section"

Page 12, line 6, remove "50-25.1-04.4"

Re-number accordingly

REPORT OF STANDING COMMITTEE

SB 2080, as reengrossed: Judiciary Committee (Rep. Kretschmar, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS and BE REREFERRED to the Appropriations Committee (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Reengrossed SB 2080 was placed on the Sixth order on the calendar.

Page 1, line 8, after the second semicolon insert "to provide for a legislative council study;"

Page 11, line 5, after the second comma insert "public nonprofit corporations."

Page 11, line 15, remove the overstrike over "6-"

Page 11, line 16, after "~~government~~" insert "Public nonprofit corporation means a nonprofit corporation that performs a governmental function and is funded, entirely or partly, by the state, a city, county, park district, school district, or township" and remove the overstrike over the overstruck period

Page 20, line 26, after "state" insert "may participate in a government self-insurance pool or"

Page 21, line 3, after "or" insert "coverage may be provided"

Page 21, line 4, after "policy" insert "or memorandum of coverage"

Page 21, line 26, after "purchases" insert "or government self-insurance pool participation"

Page 22, line 3, after "or" insert "government self-insurance pools or" and after "and" insert "government self-insurance pools and"

Page 22, line 4, after "carriers" insert "or memorandums of coverage with government self-insurance pools"

Page 22, line 5, after "insurance" insert "or coverage"

Page 22, line 9, after the first "insurance" insert "or coverage" and after "company" insert "or government self-insurance pool"

Page 22, line 10, after "policy" insert "or memorandum of coverage"

Page 26, after line 1, insert:

"University of North Dakota 246,196 246,196"

Page 28, line 20, replace "1,803,235" with "2,049,431" and replace "3,375,480" with "3,621,676"

Page 28, after line 20, insert:

"SECTION 16. LEGISLATIVE COUNCIL STUDY. The legislative council shall consider studying the impact of the North Dakota supreme court decision abolishing the doctrine of sovereign immunity during the 1995-96 interim."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2104, as engrossed: **Industry, Business and Labor Committee (Rep. Berg, Chairman)** recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (11 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2104 was placed on the Sixth order on the calendar.

Page 2, line 19, after "1999" insert ", or upon the effective date of a vacancy of the office of commissioner of labor if before January 1, 1999"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2134: **Industry, Business and Labor Committee (Rep. Berg, Chairman)** recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (14 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2134 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "section" with "sections 52-01-03 and"

Page 1, line 2, after "to" insert "disclosure of information and"

Page 1, after line 3, insert:

"SECTION 1. AMENDMENT. Section 52-01-03 of the 1993 Supplement to the North Dakota Century Code is amended and reenacted as follows:

52-01-03. Disclosure of information. Except as otherwise provided in this section, information obtained from any employing unit or individual pursuant to the administration of the North Dakota Unemployment Compensation Law and determinations as to the benefit rights of any individual must be held confidential and may not be disclosed or be open to public inspection in any manner revealing the individual's or employing unit's identity. Any claimant or claimant's legal representative must be supplied with information from the records of the job insurance division, to the extent necessary for the proper presentation of the claimant's claim in any proceeding under the North Dakota Unemployment Compensation Law with respect to ~~such the~~ claim. Subject to ~~such~~ restrictions as the bureau by rule may prescribe, ~~such the~~ information may be made available to any agency of this or any other state, or any federal agency, charged with the administration of any unemployment compensation law or the maintenance of a system of public employment offices, or the bureau of internal revenue of the United States department of the treasury, and information obtained in connection with the administration of the employment service may be made available to persons or agencies for purposes appropriate to the operation of a public employment service. Upon a request, the bureau shall furnish to any agency of the United States charged with the administration of public works or assistance through public employment, and may furnish to any state agency similarly charged, the name, address, ordinary occupation, and employment status of each recipient of benefits and ~~such the~~ recipient's rights to further benefits under the North Dakota Unemployment Compensation Law. The bureau may request the comptroller of the currency of the United States to cause an examination of the correctness of any return or report of any national banking association, rendered pursuant to the North Dakota Unemployment Compensation Law, and in connection with ~~such the~~ request, may transmit any ~~such~~ report or return to the comptroller of the currency of the United States as provided in subsection c of section 3305 of the federal Internal Revenue Code. The bureau shall request and exchange information for purposes of income and eligibility verification to meet the requirements of section 1137 of the Social Security Act.

The bureau may provide the workers compensation bureau, the state ~~labor~~ commissioner of labor, the department of economic development and finance, ~~and~~ the state tax commissioner, and the North Dakota occupational information coordinating committee with information obtained pursuant to the administration of the North Dakota Unemployment Compensation Law. Any information so provided may be used only for the purpose of administering the duties of the workers compensation bureau, the state ~~labor~~ commissioner of labor, the state department of economic development and finance, ~~and~~ the state tax commissioner, and the North Dakota occupational information coordinating committee. The bureau may provide any state agency or a private entity with the names and addresses of employing units for the purpose of jointly publishing or distributing publications or other information as provided in section 54-06-04.3. Any information so provided may only be used for the purpose of jointly publishing or distributing publications or other information as provided in section 54-06-04.3.

Whenever the bureau obtains information on the activities of a contractor doing business in this state of which officials of the

secretary of state, workers compensation bureau, or the tax commissioner may be unaware and that may be relevant to duties of those officials, the bureau shall provide any relevant information to those officials for the purpose of administering their duties.

The bureau shall request and exchange information as required of the bureau under federal law with any specified governmental agencies. Any information so provided may be used only for the purpose of administering the duties of such governmental agencies."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2176, as engrossed: Appropriations Committee (Rep. Dalrymple, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (22 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2176 was placed on the Sixth order on the calendar.

Page 3, line 14, remove "In July of each year, one-half of the amount appropriated"

Page 3, replace line 15 with "Collections from this tax"

Page 3, line 17, overstrike "and the remaining"

Page 3, line 18, overstrike "revenue from the tax imposed upon policies for any" and overstrike "line of"

Page 3, line 19, overstrike "insurance" and insert immediately thereafter "but not in an amount exceeding one-half of the biennial amount appropriated for distribution under section 18-04-05 in any fiscal year. Collections from this tax exceeding the amount deposited in the insurance tax distribution fund each fiscal year"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 401 - INSURANCE DEPARTMENT

HOUSE - This amendment clarifies the provisions relating to the allocation of insurance premium tax collections between the insurance tax distribution fund and the general fund by providing that insurance premium tax collections equal to one-half of the biennial appropriation for payments to fire departments be deposited in the insurance tax distribution fund rather than only July collections. All remaining insurance premium tax collections are deposited in the general fund.

REPORT OF STANDING COMMITTEE

SB 2212: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2212 was placed on the Sixth order on the calendar.

Page 1, line 14, overstrike "to provide pharmaceutical care"

Page 1, line 15, after "provider" insert "of pharmaceutical care"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2231, 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 2231 was placed on the Sixth order on the calendar.

Page 3, line 3, remove the overstrike over "~~The coroner or~~", after "his" insert "the coroner's", and remove the overstrike over "~~medical deputy shall notify the~~"

Page 3, line 4, remove the overstrike over "~~parent or guardian of the child of~~", after "his" insert "the", and remove the overstrike over "~~right to the performance of~~"

Page 3, remove the overstrike over line 5

Page 3, line 12, remove "or the state department of health and consolidated laboratories"

Page 3, line 15, after "suspected" insert "by the child's parent or guardian or the coroner or the coroner's medical deputy"

Page 7, line 3, after "siblings" insert ", and offer the same"

Page 7, after line 16, insert:

"11. Information that apprises a parent or guardian of the parent's or guardian's rights and the procedures taken after the death of a child."

Page 8, line 27, after the comma insert "except for criminal liability as provided by section 50-25.1-13,"

Re-number accordingly

REPORT OF STANDING COMMITTEE

SB 2242, as engrossed: Transportation Committee (Rep. Belter, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO NOT PASS (11 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING). Engrossed SB 2242 was placed on the Sixth order on the calendar.

Page 1, line 14, after "by" insert "certified or"

Re-number accordingly

REPORT OF STANDING COMMITTEE

SB 2351, as engrossed: Judiciary Committee (Rep. Kretschmar, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (11 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). Engrossed SB 2351 was placed on the Sixth order on the calendar.

Page 8, line 8, replace "3" with "4"

Re-number accordingly

REPORT OF STANDING COMMITTEE

SB 2404: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2404 was placed on the Sixth order on the calendar.

Page 1, line 7, replace "by persons" with "in a licensed hospital or a nursing home by a person"

Page 1, line 8, after "compensation" insert "or by a nurse's assistant"

Re-number accordingly

REPORT OF STANDING COMMITTEE

SB 2405, 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 2405 was placed on the Sixth order on the calendar.

Page 3, line 8, after "avoid" insert "a"

Page 3, line 9, replace "action of the legislative assembly" with "appropriations measure"

ReNUMBER accordingly

REPORT OF STANDING COMMITTEE

SB 2452, 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 2452 was placed on the Sixth order on the calendar.

Page 1, line 1, after "to" insert "provide for the sale of controlled substance tax stamps as novelties by the tax commissioner; to"

Page 1, line 2, after "tax" insert "; and to provide an expiration date"

Page 1, after line 3, insert:

"SECTION 1. Sale of tax stamps as novelties. The tax commissioner may sell controlled substance tax stamps that have been made pursuant to chapter 57-36.1 as novelties for not more than ten dollars per stamp, inclusive of sales tax."

Page 1, after line 5, insert:

"SECTION 3. EXPIRATION DATE. Section 1 of this Act is effective through June 30, 1997, and after that date is ineffective."

ReNUMBER accordingly

REPORT OF STANDING COMMITTEE

SB 2500, as engrossed: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (14 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). Engrossed SB 2500 was placed on the Sixth order on the calendar.

Page 1, line 9, overstrike ", the" and remove "mortgagee"

Page 1, line 10, remove the overstrike over "~~owner of the property~~", remove "mortgagor", and after the comma insert "the owners of the mortgage or other lien"

Page 1, line 13, replace the first "mortgagor" with "owner of the property" and replace the second "mortgagor" with "owner of the property"

Page 1, line 14, remove the overstrike over "~~mortgage or~~"

Page 1, line 16, remove the overstrike over "~~owner of the property~~" and remove "mortgagor"

ReNUMBER accordingly

REPORT OF STANDING COMMITTEE

SB 2520: 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). SB 2520 was placed on the Sixth order on the calendar.

Page 5, line 6, replace the second "services" with "relationship"

Page 5, line 7, replace "described in writing and signed by the parties" with "disclosed"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2068, as engrossed: Judiciary Committee (Rep. Kretschmar, Chairman) recommends DO PASS (13 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). Engrossed SB 2068 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2096, as engrossed: Judiciary Committee (Rep. Kretschmar, Chairman) recommends DO PASS (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2096 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2113, as engrossed: Transportation Committee (Rep. Belter, Chairman) recommends DO NOT PASS (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2113 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2187: Education Committee (Rep. Rydell, Chairman) recommends DO PASS (9 YEAS, 4 NAYS, 2 ABSENT AND NOT VOTING). SB 2187 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2369, as engrossed: Judiciary Committee (Rep. Kretschmar, Chairman) recommends DO PASS (9 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2369 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2382, as engrossed: Judiciary Committee (Rep. Kretschmar, Chairman) recommends DO PASS (11 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). Engrossed SB 2382 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2496: Judiciary Committee (Rep. Kretschmar, Chairman) recommends DO PASS (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2496 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4009: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends DO NOT PASS (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4009 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4014, as engrossed: Joint Constitutional Revision Committee (Rep. Brown, Chairman) recommends DO PASS (10 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SCR 4014 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4018, as engrossed: Joint Constitutional Revision Committee (Rep. Brown, Chairman) recommends DO PASS (6 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SCR 4018 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4036: Transportation Committee (Rep. Belter, Chairman) recommends DO NOT PASS (11 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). SCR 4036 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4043, as engrossed: Judiciary Committee (Rep. Kretschmar, Chairman)

recommends **DO PASS** (12 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SCR 4043 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4054: Judiciary Committee (Rep. Kretschmar, Chairman) recommends **DO PASS** (12 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SCR 4054 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4055: 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 4055 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4060, as engrossed: Judiciary Committee (Rep. Kretschmar, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SCR 4060 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4061: Judiciary Committee (Rep. Kretschmar, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SCR 4061 was placed on the Tenth order on the calendar.

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

MADAM PRESIDENT: The House does not concur in the Senate amendments to HB 1064, HB 1207, HB 1221, HB 1300, and HB 1386 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1064: Reps. Belter; Keiser; Mahoney
HB 1207: Reps. Soukup; Carlson; Grumbo
HB 1221: Reps. Keiser; Poolman; Schmidt
HB 1300: Reps. Poolman; Jacobs; Delmore
HB 1386: Reps. Grosz; Austin; Sitz

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

MR. SPEAKER: The Senate has amended and subsequently failed to pass: HCR 3018.

SIGNING OF BILLS AND RESOLUTIONS

The Speaker signed the following enrolled bills and resolutions: HB 1058, HB 1183, HB 1239, HB 1417, HB 1425, HB 1440, HB 1450, HB 1451, HB 1458, HB 1484, HCR 3008, HCR 3020, HCR 3022, HCR 3045.

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 1058, HB 1183, HB 1239, HB 1417, HB 1425, HB 1440, HB 1450, HB 1451, HB 1458, HB 1484, HCR 3008, HCR 3020, HCR 3022, HCR 3045.

SIGNING OF BILLS AND RESOLUTIONS

The Speaker signed the following enrolled bills: HB 1077, HB 1136, HB 1195, HB 1206, HB 1238, HB 1251, HB 1277, HB 1299, HB 1302, HB 1321, HB 1324, HB 1327, HB 1338, HB 1340, HB 1361, HB 1365, HB 1370, HB 1377, HB 1384, HB 1393, HB 1397.

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 1077, HB 1136, HB 1195, HB 1206, HB 1238, HB 1251, HB 1277, HB 1299, HB 1302, HB 1321, HB 1324, HB 1327, HB 1338, HB 1340, HB 1361, HB 1365, HB 1370, HB 1377, HB 1384, HB 1393, HB 1397.

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

ROY GILBREATH, Chief Clerk