

JOURNAL OF THE HOUSE

Fifty-fourth Legislative Assembly

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Bismarck, March 21, 1995

The House convened at 9:30 a.m., with Speaker Martin presiding.

The prayer was offered by the Rev. Sam Freshwater, Washington Heights Community Church, Bismarck.

The roll was called and all members were present except Representatives DeKrey, Dobrinski, Hagle, D. Henegar, and Howard.

A quorum was declared by the Speaker.

SIXTH ORDER OF BUSINESS

The amendments on the Sixth order of business to Engrossed SB 2264, Engrossed SB 2029, Engrossed SB 2103, and SB 2161 were adopted.

Engrossed SB 2264, Engrossed SB 2029, Engrossed SB 2103, and SB 2161, as amended, were placed on the Fourteenth order of business on today's calendar.

MOTION

REP. FREIER MOVED that the House waive the reading of the title to Engrossed SB 2264, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2264: A BILL for an Act to create and enact a new chapter to title 12.1, a new subsection to section 12.1-34-02, a new section to chapter 26.1-40, four new sections to chapter 27-20, a new subsection to section 27-20-31, and a new section to chapter 39-06 of the North Dakota Century Code, relating to criminal street gangs and street crime, fair treatment of victims and witnesses in juvenile court proceedings, a juvenile's loss of driving privileges, loss of driving privileges by delinquent children, juvenile court's exercise of contempt authority over parents ordered to participate in the treatment of a child, authority of the juvenile court to order the parents of a juvenile adjudicated delinquent to make restitution to the victim, disclosure of identifying information about a juvenile, disposition of a delinquent child, and a juvenile delinquent's loss of driving privileges; to amend and reenact subsections 1 and 2 of section 12.1-06.1-01, sections 12.1-06.1-02 and 12.1-06.1-03, subsection 1 of section 12.1-32-02, subsection 5 of section 27-20-02, sections 27-20-26, 27-20-34, 27-20-51, 27-20-52, and 27-20-53 of the North Dakota Century Code, relating to criminal associations and racketeering, leading a criminal association, illegal control of an enterprise, sentencing alternatives, definition of a deprived child, right to counsel for juveniles under the Uniform Juvenile Court Act, transfer of juveniles to other courts, inspection of court files and records, law enforcement records, and fingerprinting and photographing of juveniles; to repeal section 29-01-28 of the North Dakota Century Code, relating to exclusion of spectators from trials of minors; and to provide a penalty.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 90 YEAS, 3 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

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

Clayburgh; Coats; Dalrymple; Delmore; Delzer; DeWitz; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Gordor; Gorman; Grosz; Grumbo; Gulleston; Gunter; Hanson; Hausauer; Henegar, K.; Holm; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Klein; Kliniske; Koppelman; Kretschmar; Kroeber; Kunkel; Laughlin; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Mutzenberger; Nicholas; Nichols; Nottestad; Olson; Payne; 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: Glassheim; Kerzman; Oban

ABSENT AND NOT VOTING: DeKrey; Dobrinski; Hagle; Henegar, D.; Poolman

Engrossed SB 2264, as amended, passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2029: A BILL for an Act making an appropriation for defraying the expenses of various state departments and institutions; to direct the attorney general to not spend certain funds appropriated for the 1993-95 biennium; to provide for a transfer of Bank of North Dakota profits; to amend and reenact section 21 of chapter 1 of the 1993 Session Laws, relating to state employee defense costs; and to declare an emergency.

ROLL CALL

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

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

ABSENT AND NOT VOTING: DeKrey; Dobrinski; Hagle; Henegar, D.

Engrossed SB 2029, as amended, passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF SENATE BILL

SB 2103: A BILL for an Act to amend and reenact sections 23-29-06 and 23-29-07 of the North Dakota Century Code, relating to solid waste management districts and solid waste management facility permits; to repeal sections 23-29-06, 23-29-06.1, 23-29-06.2, 23-29-06.3, 23-29-06.4, 23-29-07.3, and 23-29-07.4 of the North Dakota Century Code, relating to the solid waste management districts and solid waste management surcharge; and to provide an effective date.

ROLL CALL

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

read, and has committee recommendation of DO PASS, the roll was called and there were 94 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: DeKrey; Dobrinski; Hagle; Henegar, D.

Engrossed SB 2103, as amended, passed and the title was agreed to.

MOTION

REP. DORSO MOVED that SB 2161, as amended, be placed at the bottom of the calendar, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2388: A BILL for an Act to create and enact a new section to chapter 28-32 of the North Dakota Century Code, relating to the preparation of taking assessments in an administrative rulemaking procedure and reconsideration of administrative rules.

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 73 YEAS, 21 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Austin; Bateman; Belter; Berg; Bernstein; Boehm; Brown; Byerly; Carlson; Christopherson; Clark; Clayburgh; Dalrymple; Delzer; DeWitz; Dorso; Drovdal; Freier; Froseth; Gerntholz; Gorder; Gorman; Grosz; Grumbo; Gulleon; Gunter; Hanson; Hausauer; Holm; Howard; Huether; Jacobs; Johnson; Keiser; Kelsch; Kempenich; Klein; Kliniske; Koppelman; Kretschmar; Kroeber; Kunkel; Laughlin; Lloyd; Maragos; Martinson; Mickelson; Monson; Nicholas; Nichols; Olson; Payne; Poolman; Price; Rennerfeldt; Retzer; Sabby; Schimke; Shide; Skarphol; Soukup; Stenehjem; Sveen; Thompson; Thoreson; Timm; Tollefson; Torgerson; Wald; Walker; Wardner; Wilkie

NAYS: Boucher; Carlisle; Christenson; Coats; Delmore; Galvin; Glassheim; Henegar, K.; Kaldor; Kerzman; Mahoney; Mutzenberger; Nottestad; Oban; Rydell; Sandvig; Schmidt; Sitz; Svedjan; Wentz; Speaker Martin

ABSENT AND NOT VOTING: DeKrey; Dobrinski; Hagle; Henegar, D.

Reengrossed SB 2388, as amended, passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2455: A BILL for an Act to amend and reenact section 16.1-01-07, subsection 2 of section 16.1-01-09, sections 16.1-06-09, and 44-08-21 of the North Dakota Century Code, relating to initiative, referendum, and recall petitions; and to repeal section 16.1-06-09.1 of the North

Dakota Century Code, relating to statements of intent on constitutional amendments.

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; Carlson; Christenson; Christopherson; Clark; Clayburgh; Coats; Dalrymple; Delmore; Delzer; DeWitz; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; 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; 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; Wilkie; Speaker Martin

NAYS: Glassheim

ABSENT AND NOT VOTING: DeKrey; Dobrinski; Hagle; Henegar, D.; Wentz

Engrossed SB 2455, as amended, passed and the title was agreed to.

SECOND READING OF SENATE CONCURRENT RESOLUTIONS ON CONSENT CALENDAR

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.

SCR 4046: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of providing, in cooperation with tribal governments, gambling addiction treatment and counseling services to state residents.

SCR 4055: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of establishing an administrative process for the enforcement of child support obligations.

SCR 4056: A concurrent resolution directing the Legislative Council to study North Dakota's wetlands laws.

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.

SCR 4060: A concurrent resolution directing the Legislative Council to study the laws related to sex offenders, including consideration of options for involuntary treatment of civilly committed or criminally incarcerated sex offenders.

SCR 4061: A concurrent resolution directing the Legislative Council to study the statutes of this state to determine if there are obsolete, redundant, or inaccurate laws that should be eliminated.

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; Belter; Berg; Bernstein; Boehm; Boucher; Brown; Byerly; Carlisle; Christenson; Christopherson; Clark; Clayburgh; Coats; Dalrymple; Delmore; Delzer; DeWitz; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gordier; Gorman; Grosz; Grumbo; Gulleson; 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; Oban; Olson; Payne; Poolman; Price; Rennerfeldt; Retzer; Rydell; Sabby; Sandvig; Schimke; Schmidt; Shide; Sitz; Skarphol; Soukup; Stenehjelm; Svedjan; Sveen; Thompson; Thoreson; Timm; Torgerson; Wald; Walker; Wardner; Wilkie; Speaker Martin

ABSENT AND NOT VOTING: Bateman; Carlson; DeKrey; Dobrinski; Hagle; Henegar, D.; Tollefson; Wentz

SCR 4045, Engrossed SCR 4046, SCR 4055, Engrossed SCR 4056, Engrossed SCR 4057, Engrossed SCR 4060, and SCR 4061 were declared adopted on a recorded roll call vote.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. KRETSCHMAR MOVED that the House do not concur in the Senate amendments to HB 1082 as printed on HJ page 1063 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 1082: Reps. Klein, Koppelman, Christenson.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. BELTER MOVED that the House do not concur in the Senate amendments to Engrossed HB 1163 as printed on HJ page 1092 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 1163: Reps. Skarphol, Monson, Grumbo.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. KRETSCHMAR MOVED that the House do not concur in the Senate amendments to Engrossed HB 1165 as printed on HJ pages 1092-1096 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 Engrossed HB 1165: Reps. Kelsch, Stenehjelm, Mahoney.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. KRETSCHMAR MOVED that the House do not concur in the Senate amendments to Engrossed HB 1223 as printed on HJ page 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 Engrossed HB 1223: Reps. Stenehjelm, Maragos, Mahoney.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. BERG MOVED that the House do not concur in the Senate amendments to Engrossed HB 1250 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 1250: Reps. Skarphol, Kempenich, Grumbo.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. BERG MOVED that the House do not concur in the Senate amendments to HB 1329 as printed on HJ page 1098 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 1329: Reps. Carlson, Poolman, Schmidt.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. KRETSCHMAR MOVED that the House do not concur in the Senate amendments to HB 1436 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 1436: Reps. Kelsch, Mickelson, Christenson.

MOTION

REP. BERG MOVED that HB 1159 be placed after HB 1185 on the calendar, which motion prevailed.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. SVEDJAN MOVED that the House do concur in the Senate amendments to Engrossed HB 1185 as printed on HJ page 1063, which motion prevailed.

Engrossed HB 1185, as amended, was placed on the Eleventh order of business on today's calendar.

SECOND READING OF HOUSE BILL

HB 1185: A BILL for an Act to provide for the exchange of patient immunization data.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 88 YEAS, 4 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Coats; DeKrey; Dobrinski; Hagle; Henegar, D.; Nicholas

Engrossed HB 1185, as amended, passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. BERG MOVED that the House do concur in the Senate amendments to HB 1159 as printed on HJ page 1000, which motion prevailed.

HB 1159, as amended, was placed on the Eleventh order of business on today's calendar.

SECOND READING OF HOUSE BILL

HB 1159: A BILL for an Act to amend and reenact subsection 3 of section 38-08-11 of the North Dakota Century Code, relating to notice of hearings in industrial commission proceedings.

ROLL CALL

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

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

ABSENT AND NOT VOTING: DeKrey; Dobrinski; Hagle; Henegar, D.

HB 1159, as amended, passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. BERG MOVED that the House do concur in the Senate amendments to Engrossed HB 1190 as printed on HJ page 1064, which motion prevailed.

Engrossed HB 1190, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

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

ROLL CALL

The question being on the final passage of the amended bill, which has been read, 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; Carlson; Christenson; Christopherson; Clark; Clayburgh; Coats; Dalrymple; Delmore; Delzer; Dewitz; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Glasheim; Gorder; Gorman; 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; Oban; Olson; Payne; Poolman; Price; Rennerfeldt; Retzer; Rydell; Sabby; Sandvig; Schimke; Schmidt; Shide; Sitz; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Timm; Tollefson; Torgerson; Wald; Walker; Wardner; Wentz; Wilkie; Speaker Martin

ABSENT AND NOT VOTING: DeKrey; Dobrinski; Grosz; Hagle; Henegar, D.

Engrossed HB 1190, as amended, passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. BERG MOVED that the House do concur in the Senate amendments to Engrossed HB 1205 as printed on HJ pages 1064-1065, which motion prevailed.

Engrossed HB 1205, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1205: A BILL for an Act to create and enact two new sections to chapter 26.1-26 of the North Dakota Century Code, relating to license requirements for insurance brokers and payment of insurance commissions by insurance brokers; and to amend and reenact section 26.1-26-18 of the North Dakota Century Code, relating to bond requirements for insurance brokers and surplus lines insurance brokers.

ROLL CALL

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

YEAS: Aarsvold; Austin; Bateman; Belter; Berg; Bernstein; Boehm; Boucher; Brown; Byerly; Carlisle; Carlson; Christenson; Christopherson; Clark; Clayburgh; Coats; Dalrymple; Delmore; Delzer; Dewitz; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Glasheim; 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; Oban; Olson; Payne; Poolman; Price; Rennerfeldt; Retzer; Rydell; Sabby; Sandvig; Schimke; Schmidt; Shide; Sitz; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Timm; Tollefson; Torgerson; Wald; Walker; Wardner; Wentz; Wilkie; Speaker Martin

ABSENT AND NOT VOTING: DeKrey; Dobrinski; Hagle; Henegar, D.

Engrossed HB 1205, as amended, passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. BERG MOVED that the House do concur in the Senate amendments to Engrossed HB 1208 as printed on HJ page 1065, which motion prevailed.

Engrossed HB 1208, as amended, was placed on the Eleventh order of business on today's calendar.

SECOND READING OF HOUSE BILL

HB 1208: A BILL for an Act to amend and reenact sections 65-02-08, 65-02-15, 65-02-20, subsection 1 of section 65-05.1-06.1, and section 65-10-03 of the North Dakota Century Code, relating to workers' compensation attorney fees; to repeal sections 65-02-17 and 65-02-18 of the North Dakota Century Code, relating to binding arbitration; and to provide an effective date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 75 YEAS, 17 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

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

NAYS: Aarsvold; Boucher; Christenson; Coats; Delmore; Glassheim; Guleson; Hanson; Kaldor; Kelsch; Kerzman; Kroeber; Mahoney; Mutzenberger; Oban; Sandvig; Sitz

ABSENT AND NOT VOTING: DeKrey; Dobrinski; Hagle; Henegar, D.; Holm; Maragos

Engrossed HB 1208, as amended, passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. BERG MOVED that the House do concur in the Senate amendments to Engrossed HB 1236 as printed on HJ pages 1096-1097, which motion prevailed.

Engrossed HB 1236, as amended, was placed on the Eleventh order of business on today's calendar.

SECOND READING OF HOUSE BILL

HB 1236: A BILL for an Act to create and enact a new subsection to section 6-01-17.1, two new sections to chapter 6-05, a new section to chapter 57-35, and a new section to chapter 57-35.2 of the North Dakota Century Code, relating to application fees for trust companies, the establishment of multiple offices of a trust company, the engagement in business through operating subsidiaries of a trust company, and the taxation of trust companies; to amend and reenact subsection 2 of section 57-35-01 and subsection 4 of section 57-35.2-01 of the North Dakota Century Code, relating to the taxation of trust companies; and to provide an effective date.

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

YEAS: Aarsvold; Austin; Bateman; Belter; Berg; Bernstein; Boehm; Boucher; Byerly; Carlisle; Carlson; Christenson; Christopherson; Clark; Clayburgh; Coats; Dalrymple; Delmore; DeWitz; Dorso; Drovda; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Gorman; Grosz; Grumbo;

Gulleson; 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; 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: Brown; Delzer

ABSENT AND NOT VOTING: DeKrey; Dobrinski; Hagle; Henegar, D.

Engrossed HB 1236, as amended, passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. BERG MOVED that the House do concur in the Senate amendments to Engrossed HB 1253 as printed on HJ page 1097, which motion prevailed.

Engrossed HB 1253, as amended, was placed on the Eleventh order of business on today's calendar.

SECOND READING OF HOUSE BILL

HB 1253: A BILL for an Act to amend and reenact sections 54-03-25, 65-05.1-01, 65-05.1-04, and subdivision b of subsection 2 of section 65-05.1-06.1 of the North Dakota Century Code, relating to actuarial impact statements for workers' compensation measures, rehabilitation services for injured employees, an injured employee's responsibilities for rehabilitation of a work-related injury, and the twenty-five percent additional rehabilitation allowance given to injured workers.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 81 YEAS, 12 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

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

NAYS: Boucher; Christenson; Coats; Delmore; Glassheim; Hanson; Kerzman; Kroeber; Mahoney; Mutzenberger; Oban; Sandvig

ABSENT AND NOT VOTING: DeKrey; Dobrinski; Hagle; Henegar, D.; Svedjan

Engrossed HB 1253, as amended, passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. POOLMAN MOVED that the House do concur in the Senate amendments to Engrossed HB 1274 as printed on HJ pages 1097-1098, which motion prevailed on a voice vote.

Engrossed HB 1274, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1274: A BILL for an Act to amend and reenact section 49-21-01.6 of the North Dakota Century Code, relating to telephone call identification services.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 88 YEAS, 5 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

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

NAYS: Byerly; Kaldor; Monson; Olson; Skarphol

ABSENT AND NOT VOTING: DeKrey; Dobrinski; Hagle; Henegar, D.; Svedjan

Engrossed HB 1274, as amended, passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. SOUKUP MOVED that the House do concur in the Senate amendments to HB 1314 as printed on HJ page 1000, which motion prevailed.

HB 1314, as amended, was placed on the Eleventh order of business on today's calendar.

SECOND READING OF HOUSE BILL

HB 1314: A BILL for an Act to create and enact a new section to chapter 23-09 of the North Dakota Century Code, relating to food salvage operations; and to amend and reenact subsections 2, 5, and 7 of section 23-09-01, sections 23-09.1-02.1, and 23-10-04 of the North Dakota Century Code, relating to definitions for purposes of the regulation of hotels, lodginghouses, restaurants, and boardinghouses and inspections of bed and breakfast facilities and mobile home parks, trailer parks, and campgrounds.

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; Brown; Byerly; Carlisle; Carlson; Christenson; Christopherson; Clark; Clayburgh; Coats; Dalrymple; Delmore; Delzer; DeWitz; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Gorman; Grosz; Grumbo; Gullerson; Gunter; Hanson; 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

ABSENT AND NOT VOTING: Boucher; DeKrey; Dobrinski; Hagle; Hausauer; Henegar, D.

HB 1314, as amended, passed and the title was agreed to.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2037: Reps. Price, Christopherson, Kerzman.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2074: Reps. DeKrey, Brown, Gulleon.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2087: Reps. Christopherson, Thoreson, Mutzenberger.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2088: Reps. Gorder, Torgerson, Aarsvold.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2133: Reps. Carlson, Delzer, Schmidt.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2142: Reps. Drovdal, Nottestad, Mutzenberger.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2143: Reps. Carlson, K. Henegar, Hanson.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2247: Reps. Kempenich, Delzer, Mahoney.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2338: Reps. Klein, Sabby, Mahoney.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2480: Reps. Price, Walker, Boucher.

THE HOUSE RECOGNIZED THE PRESENCE OF:

Former Representative Gordon Berg.

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

MADAM PRESIDENT: The House has concurred in the Senate amendments and subsequently passed: HB 1159, HB 1185, HB 1190, HB 1205, HB 1208, HB 1236, HB 1253, HB 1274, HB 1314.

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

MADAM PRESIDENT: The House does not concur in the Senate amendments to HB 1082, HB 1163, HB 1165, HB 1223, HB 1250, HB 1329, and HB 1436 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1082: Reps. Klein; Koppelman; Christenson
HB 1163: Reps. Skarphol; Monson; Grumbo
HB 1165: Reps. Kelsch; Stenehjem; Mahoney
HB 1223: Reps. Stenehjem; Maragos; Mahoney
HB 1250: Reps. Skarphol; Kempenich; Grumbo
HB 1329: Reps. Carlson; Poolman; Schmidt
HB 1436: Reps. Kelsch; Mickelson; Christenson

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

MADAM PRESIDENT: The Speaker has appointed as a conference committee to act with a like committee from the Senate on:

SB 2247: Reps. Kempenich; Delzer; Mahoney
SB 2338: Reps. Klein; Sabby; Mahoney
SB 2480: Reps. Price; Walker; Boucher

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

MADAM PRESIDENT: The Speaker has appointed as a conference committee to act with a like committee from the Senate on:

SB 2037: Reps. Price; Christopherson; Kerzman
SB 2074: Reps. DeKrey; Brown; Gullison
SB 2087: Reps. Christopherson; Thoreson; Mutzenberger
SB 2088: Reps. Gorder; Torgerson; Aarsvold
SB 2133: Reps. Carlson; Delzer; Schmidt
SB 2142: Reps. Drovdal; Nottestad; Mutzenberger
SB 2143: Reps. Carlson; K. Henegar; Hanson

MOTION

REP. DORSO MOVED that the House stand in recess until 3:00 p.m., which motion prevailed.

THE HOUSE RECONVENED pursuant to recess taken, with Speaker Martin presiding.

HOUSE ENROSSING AND ENROLLING REPORT

The following bills were enrolled: HB 1030, HB 1074, HB 1075, HB 1160, HB 1180, HB 1218, HB 1264, HB 1269, HB 1271, HB 1279, HB 1287, HB 1315, HB 1328, HB 1330, HB 1331, HB 1332, and HB 1334.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. SOUKUP MOVED that the House do concur in the Senate amendments to HB 1346 as printed on HJ page 969, which motion prevailed.

HB 1346, as amended, was placed on the Eleventh order of business on today's calendar.

SECOND READING OF HOUSE BILL

HB 1346: A BILL for an Act to amend and reenact section 57-24-07 of the North Dakota Century Code, relating to notice by the county auditor of tax sales.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, 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; Carlson; Christenson; Christopherson; Clark; Clayburgh; Coats; Dalrymple; Delmore; Delzer; DeWitz; Dorso; Drovdal; Freier; Froseth; Galvin; Gertholz; Glasheim; Gorder; Gorman; Grosz; Grumbo; Gullison; 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; Oban; Olson; Payne; Poolman; 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: DeKrey; Dobrinski; Hagle; Henegar, D.; Price

HB 1346, as amended, passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. BELTER MOVED that the House do concur in the Senate amendments to Engrossed HB 1368 as printed on HJ pages 969-970, which motion prevailed.

Engrossed HB 1368, as amended, was placed on the Eleventh order of business on today's calendar.

SECOND READING OF HOUSE BILL

HB 1368: A BILL for an Act to amend and reenact subsection 2 of section 39-09-02 of the North Dakota Century Code, relating to speed limitations.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 74 YEAS, 20 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Austin; Belter; Berg; Bernstein; Boehm; Boucher; Byerly; Carlisle; Carlson; Christenson; Christopherson; Clayburgh; Coats; Dalrymple; Delmore; DeWitz; Dorso; Freier; Froseth; Galvin; Gerntholz; Glasheim; Gorder; Gorman; Grumbo; Gunter; Hanson; Hausauer; Henegar, K.; Holm; Howard; Huether; Jacobs; Kaldor; Keiser; Keisch; Kempenich; Kerzman; Klein; Koppelman; Kretschmar; Kroeber; Laughlin; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Mutzenberger; Nicholas; Nichols; Nottestad; Oban; Payne; Price; Rydell; Sabby; Sandvig; Shide; Sitz; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thoreson; Torgerson; Wald; Walker; Wardner; Wentz; Wilkie; Speaker Martin

NAYS: Bateman; Brown; Clark; Delzer; Drovdal; Grosz; Guleson; Johnson; Kliniske; Kunkel; Monson; Olson; Poolman; Rennerfeldt; Retzer; Schimke; Schmidt; Thompson; Timm; Tollefson

ABSENT AND NOT VOTING: DeKrey; Dobrinski; Hagle; Henegar, D.

Engrossed HB 1368, 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 1388 as printed on HJ page 1065, which motion prevailed.

Engrossed HB 1388, as amended, was placed on the Eleventh order of business on today's calendar.

SECOND READING OF HOUSE BILL

HB 1388: A BILL for an Act to amend and reenact sections 34-07-02 and 34-07-15 of the North Dakota Century Code, relating to exempting school-to-work programs from child labor laws.

ROLL CALL

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

read, the roll was called and there were 70 YEAS, 24 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Austin; Bateman; Belter; Berg; Bernstein; Boehm; Brown; Byerly; Carlisle; Carlson; Christopherson; Clark; Clayburgh; Coats; Dalrymple; Delzer; DeWitz; Dorso; Drovdal; Freier; Gerntholz; Gorder; Gorman; Grosz; Grumbo; Gunter; Hausauer; Henegar, K.; Holm; Howard; Jacobs; Johnson; Keiser; Kelsch; Kempenich; Klein; Koppelman; Kretschmar; Kunkel; Laughlin; Lloyd; Maragos; Martinson; Monson; Mutzenberger; Nicholas; Oban; Olson; Payne; Rennerfeldt; Retzer; Rydell; Sabby; Sandvig; Schimke; Shide; Skarphol; Soukup; Svedjan; Sveen; Thompson; Thoreson; Timm; Tollefson; Torgerson; Wald; Walker; Wardner; Wentz; Speaker Martin

NAYS: Aarsvold; Boucher; Christenson; Delmore; Froseth; Galvin; Glasheim; Gulleson; Hanson; Huether; Kaldor; Kerzman; Kliniske; Kroeber; Mahoney; Mickelson; Nichols; Nottestad; Poolman; Price; Schmidt; Sitz; Stenehjem; Wilkie

ABSENT AND NOT VOTING: DeKrey; Dobrinski; Hagle; Henegar, D.

Engrossed HB 1388, as amended, passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. SOUKUP MOVED that the House do concur in the Senate amendments to Engrossed HB 1469 as printed on HJ pages 1018-1019, which motion prevailed.

Engrossed HB 1469, as amended, was placed on the Eleventh order of business on today's calendar.

SECOND READING OF HOUSE BILL

HB 1469: A BILL for an Act to amend and reenact sections 34-13-03, 34-13-06, 34-13-12, 34-13-13, 34-13-13.1 of the North Dakota Century Code, relating to license issuance and revocation for employment agents, form and contents of licenses for employment agencies, schedule of charges posted on receipts given by employment agencies, contracts with applicants for employment, and definitions of temporary and permanent employment for the purpose of a service charge refund; and to repeal sections 34-13-11 and 34-13-14 of the North Dakota Century Code, relating to classes of employment agency licenses and the licensing of theatrical agencies.

ROLL CALL

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

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

ABSENT AND NOT VOTING: DeKrey; Dobrinski; Hagle; Henegar, D.

Engrossed HB 1469, as amended, passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. SVEDJAN MOVED that the House do concur in the Senate amendments to HB 1474 as printed on HJ page 1065, which motion prevailed.

HB 1474, as amended, was placed on the Eleventh order of business on today's calendar.

SECOND READING OF HOUSE BILL

HB 1474: A BILL for an Act to amend and reenact section 5-01-05.1 of the North Dakota Century Code, relating to public intoxication.

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

YEAS: Aarsvold; Austin; Bateman; Belter; Berg; Bernstein; Boehm; Boucher; Byerly; Carlisle; Carlson; Christenson; Christopherson; Clark; Clayburgh; Coats; Dalrymple; Delmore; DeWitz; Dorso; Drovdal; Freier; 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; 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: Brown; Delzer

ABSENT AND NOT VOTING: DeKrey; Dobrinski; Hagle; Henegar, D.

HB 1474, 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 1496 as printed on HJ page 1098, which motion prevailed.

Engrossed HB 1496, as amended, was placed on the Eleventh order of business on today's calendar.

SECOND READING OF HOUSE BILL

HB 1496: A BILL for an Act to create and enact a new section to chapter 15-47 of the North Dakota Century Code, relating to school reports.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 66 YEAS, 26 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

YEAS: Austin; Belter; Berg; Bernstein; Boucher; Brown; Byerly; Carlisle; Carlson; Christopherson; Clark; Clayburgh; Dalrymple; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorman; Gunter; Hausauer; Henegar, K.; Holm; Howard; Jacobs; Johnson; Keiser; Kelsch; Kempenich; Klein; Kliniske; Koppelman; Kretschmar; Kunkel; Maragos; Martinson; Mickelson; Monson; Nottestad; Olson; Payne; Poolman; Price; Rennerfeldt; Retzer; Rydell; Sabby; Sandvig; Schmidt; Shide; Skarphol;

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

NAYS: Aarsvold; Bateman; Boehm; Christenson; Coats; Delmore; Delzer; DeWitz; Gorder; Grosz; Grumbo; Gulleston; Hanson; Huether; Kaldor; Kerzman; Laughlin; Lloyd; Mahoney; Mutzenberger; Nichols; Oban; Schimke; Sitz; Wald; Wilkie

ABSENT AND NOT VOTING: DeKrey; Dobrinski; Hagle; Henegar, D.; Kroeber; Nicholas

Engrossed HB 1496, as amended, passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. SVEDJAN MOVED that the House do concur in the Senate amendments to HCR 3002 as printed on HJ pages 1065-1066, which motion prevailed.

HCR 3002, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3002: A concurrent resolution directing the Legislative Council to monitor the continued development of a continuum of services for the mentally ill and chemically dependent and the changes in the role of the State Hospital and expanded community services, including psychosocial clubs and the clubhouse projects.

ROLL CALL

The question being on the final adoption of the amended resolution, which has been read, 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; Carlson; Christenson; Christopherson; Clark; Clayburgh; Coats; Dalrymple; Delmore; Delzer; DeWitz; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Gorman; Grosz; Grumbo; Gulleston; Gunter; Hanson; Hausauer; Henegar, K.; Holm; Howard; Huether; Jacobs; Johnson; Kaldor; Kelsch; Kempenich; Kerzman; Klein; Kliniske; Koppelman; Kretschmar; 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

ABSENT AND NOT VOTING: DeKrey; Dobrinski; Hagle; Henegar, D.; Keiser; Kroeber; Wald

HCR 3002, as amended, was declared adopted on a roll call vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2081: Reps. Wardner, Timm, Sitz.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2159: Reps. Sveen, Schimke, Nichols.

SECOND READING OF SENATE BILL

SB 2068: A BILL for an Act to amend and reenact sections 50-25.1-02, 50-25.1-04.1, 50-25.1-05, 50-25.1-05.05, 50-25.1-05.1, 50-25.1-05.2,

50-25.1-05.4, 50-25.1-05.5, 50-25.1-06.1, and 50-25.1-09 of the North Dakota Century Code, relating to child abuse and neglect terminology and the duties of the state child protection team; 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 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; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Grosz; Grumbo; Gulleon; Gunter; Hausauer; Henegar, K.; Holm; Howard; Huether; Jacobs; Johnson; Kaldor; Kelsch; Kempenich; Kerzman; Klein; Kliniske; Koppelman; Kretschmar; Kroeber; Kunkel; Laughlin; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Mutzenberger; Nicholas; Nichols; Nottestad; Oban; Olson; Payne; Poolman; Price; Rennerfeldt; Retzer; Rydell; Sabby; Sandvig; Schimke; Schmidt; Shide; Sitz; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Timm; Tollefson; Torgerson; Wald; Walker; Wardner; Wentz; Wilkie; Speaker Martin

ABSENT AND NOT VOTING: Carlson; DeKrey; Dobrinski; Gorman; Hagle; Hanson; Henegar, D.; Keiser

Engrossed SB 2068 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2096: A BILL for an Act to provide for a block house 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 88 YEAS, 1 NAY, 0 EXCUSED, 9 ABSENT AND NOT VOTING.

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

NAYS: Bateman

ABSENT AND NOT VOTING: Carlson; DeKrey; Dobrinski; Gorman; Hagle; Hanson; Henegar, D.; Keiser; Maragos

Engrossed SB 2096 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2113: A BILL for an Act to create and enact a new section to chapter 39-01 of the North Dakota Century Code, relating to university system number plates; and to amend and reenact section 39-01-02 of the North

Dakota Century Code, relating to the display of window decals on vehicles owned or leased by the state.

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 14 YEAS, 78 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Clark; Glasheim; Gorder; Gulleson; Kaldor; Kliniske; Kroeber; Nichols; Nottestad; Poolman; Shide; Sveen; Wentz

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

ABSENT AND NOT VOTING: DeKrey; Dobrinski; Gorman; Hagle; Henegar, D.; Keiser

Engrossed SB 2113 was declared lost.

SECOND READING OF SENATE BILL

SB 2369: A BILL for an Act to create and enact a new section to chapter 29-01 of the North Dakota Century Code, relating to reciprocal discovery in criminal cases.

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 73 YEAS, 21 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Austin; Bateman; Bernstein; Boehm; Boucher; Byerly; Carlisle; Carlson; Christopherson; Clark; Coats; Dalrymple; Delmore; Delzer; DeWitz; Dorso; Freier; Froseth; Galvin; Gerntholz; Glasheim; Gorder; Gorman; Grosz; Grumbo; Gulleson; Gunter; Hanson; Hausauer; Holm; Howard; Huether; Jacobs; Johnson; Kaldor; Kempenich; Kerzman; Klein; Koppelman; Kretschmar; Kroeber; Laughlin; Mahoney; Maragos; Martinson; Mickelson; Monson; Nichols; Nottestad; Olson; Payne; Price; Rennerfeldt; Retzer; Sabby; Schmidt; Shide; Sitz; Skarphol; Soukup; Svedjan; Sveen; Thompson; Thoreson; Timm; Tollefson; Torgerson; Wald; Walker; Wardner; Wentz; Wilkie

NAYS: Belter; Berg; Brown; Christenson; Clayburgh; Drovdal; Henegar, K.; Keiser; Kelsch; Kliniske; Kunkel; Lloyd; Mutzenberger; Nicholas; Oban; Poolman; Rydell; Sandvig; Schimke; Stenehjem; Speaker Martin

ABSENT AND NOT VOTING: DeKrey; Dobrinski; Hagle; Henegar, D.

Engrossed SB 2369 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2372: A BILL for an Act to provide legislative intent regarding the expenditure of funds appropriated by the fifty-third legislative assembly for telecommunications grants; to provide an appropriation to

the superintendent of public instruction for the expansion of public radio service; to provide an exemption; 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 NOT PASS, the roll was called and there were 21 YEAS, 71 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

YEAS: Boucher; Carlisle; Christenson; Delmore; Glassheim; Gulleon; Henegar, K.; Johnson; Kaldor; Kroeber; Kunkel; Laughlin; Maragos; Martinson; Mutzenberger; Nicholas; Oban; Schmidt; Sveen; Wardner; Wentz

NAYS: Aarsvold; Austin; Bateman; Belter; Berg; Bernstein; Boehm; Brown; Byerly; Christopherson; Clark; Clayburgh; Coats; Dalrymple; Delzer; DeWitz; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Gorder; Gorman; Grosz; Grumbo; Gunter; Hausauer; Holm; Howard; Huether; Jacobs; Keiser; Kelsch; Kempenich; Kerzman; Klein; Kliniske; Koppelman; Kretschmar; Lloyd; Mahoney; Mickelson; Monson; Nichols; Nottestad; Olson; Payne; Poolman; Price; Rennerfeldt; Retzer; Rydell; Sabby; Sandvig; Schimke; Shide; Sitz; Skarphol; Soukup; Stenehjem; Svedjan; Thompson; Thoreson; Timm; Tollefson; Torgerson; Wald; Walker; Wilkie; Speaker Martin

ABSENT AND NOT VOTING: Carlson; DeKrey; Dobrinski; Hagle; Hanson; Henegar, D.

Engrossed SB 2372 was declared lost.

SECOND READING OF SENATE BILL

SB 2377: A BILL for an Act to create and enact a new section to chapter 65-02 of the North Dakota Century Code, relating to the establishment of a workers' compensation adviser program; to provide an effective date; and to provide an expiration date.

ROLL CALL

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

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

ABSENT AND NOT VOTING: DeKrey; Dobrinski; Hagle; Henegar, D.

SB 2377 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2380: A BILL for an Act to amend and reenact section 58-03-14 of the North Dakota Century Code, relating to civil penalties for violations of a township zoning ordinance.

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; Carlson; Christenson; Christopherson; Clark; Clayburgh; Coats; Dalrymple; Delmore; Delzer; DeWitz; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Gorman; Grosz; Grumbo; Gulleson; 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; Oban; Olson; Payne; Poolman; Price; Rennerfeldt; Retzer; Rydell; Sabby; Sandvig; Schimke; Schmidt; Shide; Sitz; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Timm; Tollefson; Torgerson; Wald; Walker; Wardner; Wentz; Speaker Martin

ABSENT AND NOT VOTING: DeKrey; Dobrinski; Hagle; Henegar, D.; Wilkie

SB 2380 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2382: A BILL for an Act to amend and reenact section 12.1-20-06.1 of the North Dakota Century Code, relating to sexual exploitation by a therapist.

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; Carlson; Christenson; Christopherson; Clark; Clayburgh; Coats; Dalrymple; Delmore; Delzer; DeWitz; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Gorman; Grosz; Grumbo; Gulleson; 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; Oban; Olson; Payne; Poolman; Price; Rennerfeldt; Retzer; Rydell; Sabby; Sandvig; Schimke; Schmidt; Shide; Sitz; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Timm; Tollefson; Torgerson; Wald; Walker; Wardner; Wentz; Speaker Martin

ABSENT AND NOT VOTING: DeKrey; Dobrinski; Hagle; Henegar, D.; Wilkie

Engrossed SB 2382 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2387: A BILL for an Act to amend and reenact section 65-04-01 of the North Dakota Century Code, relating to classification of employments for workers' compensation purposes and reports to the legislative council.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 18 YEAS, 75 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Boucher; Christenson; Delmore; Glassheim; Grumbo; Gulleston; Hanson; Kaldor; Kerzman; Kroeber; Laughlin; Mahoney; Mutzenberger; Oban; Sandvig; Schmidt; Timm

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

ABSENT AND NOT VOTING: DeKrey; Dobrinski; Hagle; Henegar, D.; Wilkie

Engrossed SB 2387 was declared lost.

SECOND READING OF SENATE BILL

SB 2395: A BILL for an Act to create and enact a new section to chapter 54-35 of the North Dakota Century Code, relating to authority of the legislative council to appoint or retain legal counsel to protect the interests of the legislative branch in actions and proceedings.

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

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

ABSENT AND NOT VOTING: DeKrey; Dobrinski; Hagle; Henegar, D.

Engrossed SB 2395 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2476: A BILL for an Act to create and enact a new subsection to section 23-29-02 and a new section to chapter 23-29 of the North Dakota Century Code, relating to the transportation of solid waste; and to amend and reenact section 23-29-03 of the North Dakota Century Code, relating to definitions for purposes of solid waste management.

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 48 YEAS, 45 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Austin; Boucher; Brown; Carlson; Christenson; Coats; Delmore; Drovdal; Galvin; Glassheim; Grumbo; Gulleson; Hanson; Henegar, K.; Huether; Johnson; Kaldor; Keiser; Kelsch; Kerzman; Kliniske; Koppelman; Kroeber; Kunkel; Laughlin; Mahoney; Maragos; Martinson; Mickelson; Mutzenberger; Nichols; Nottestad; Oban; Olson; Price; Retzer; Sabby; Sandvig; Schimke; Schmidt; Sitz; Stenehjem; Sveen; Wardner; Wentz; Wilkie; Speaker Martin

NAYS: Bateman; Belter; Berg; Bernstein; Boehm; Byerly; Carlisle; Christopherson; Clark; Clayburgh; Dalrymple; Delzer; DeWitz; Dorso; Freier; Froseth; Gerntholz; Gorder; Gorman; Grosz; Gunter; Hausauer; Holm; Howard; Jacobs; Kempenich; Klein; Kretschmar; Lloyd; Monson; Nicholas; Payne; Poolman; Rennerfeldt; Rydell; Shide; Skarphol; Soukup; Svedjan; Thompson; Thoreson; Timm; Tollefson; Torgerson; Walker

ABSENT AND NOT VOTING: DeKrey; Dobrinski; Hagle; Henegar, D.; Wald

Reengrossed SB 2476 was declared lost for want of a Constitutional majority.

SECOND READING OF SENATE BILL

SB 2492: A BILL for an Act to provide for the expiration of terms of members of the North Dakota council on the arts; and to amend and reenact sections 54-54-02 and 54-54-03 of the North Dakota Century Code, relating to the members of the North Dakota council on the arts.

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 56 YEAS, 38 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Austin; Bateman; Belter; Berg; Bernstein; Boehm; Brown; Byerly; Carlisle; Carlson; Clark; Delzer; DeWitz; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Gorder; Gorman; Grosz; Gunter; Hausauer; Henegar, K.; Holm; Howard; Jacobs; Keiser; Kempenich; Kerzman; Klein; Kliniske; Koppelman; Lloyd; Martinson; Nottestad; Payne; Poolman; Price; Rennerfeldt; Retzer; Sandvig; Schimke; Schmidt; Shide; Skarphol; Soukup; Stenehjem; Thoreson; Timm; Tollefson; Wald; Walker; Wardner; Speaker Martin

NAYS: Aarsvold; Boucher; Christenson; Christopherson; Clayburgh; Coats; Dalrymple; Delmore; Glassheim; Grumbo; Gulleson; Hanson; Huether; Johnson; Kaldor; Kelsch; Kretschmar; Kroeber; Kunkel; Laughlin; Mahoney; Maragos; Mickelson; Monson; Mutzenberger; Nicholas; Nichols; Oban; Olson; Rydell; Sabby; Sitz; Svedjan; Sveen; Thompson; Torgerson; Wentz; Wilkie

ABSENT AND NOT VOTING: DeKrey; Dobrinski; Hagle; Henegar, D.

SB 2492 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2496: A BILL for an Act to amend and reenact subsection 1 of section 12.1-32-01 of the North Dakota Century Code, relating to the imposition of life imprisonment without parole as the maximum penalty for a class AA felony.

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; Carlson; Christopherson; Clark; Clayburgh; Coats; Dalrymple; Delmore; Delzer; DeWitz; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Gorman; Grosz; Grumbo; Gulleson; 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; Oban; Olson; Payne; Poolman; Price; Rennerfeldt; Retzer; Rydell; Sabby; Sandvig; Schimke; Schmidt; Shide; Sitz; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Tollefson; Torgerson; Wald; Walker; Wardner; Wentz; Wilkie; Speaker Martin

ABSENT AND NOT VOTING: DeKrey; Dobrinski; Hagle; Henegar, D.; Timm

SB 2496 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2501: A BILL for an Act to create and enact a new subsection to section 65-05-28 of the North Dakota Century Code, relating to aggravation of a work-related injury for purposes of determining workers' compensation benefits.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 84 YEAS, 9 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

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

NAYS: Boucher; Christopherson; Coats; Delzer; Glassheim; Kroeber; Mahoney; Nichols; Schmidt

ABSENT AND NOT VOTING: DeKrey; Dobrinski; Gulleson; Hagle; Henegar, D.

SB 2501 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2507: A BILL for an Act to provide jobs development goals.

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 21 YEAS, 73 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Boucher; Christopherson; Coats; Delmore; Glassheim; Grumbo; Gulleson; Hanson; Kaldor; Kerzman; Kroeber; Laughlin; Mahoney; Martinson; Mutzenberger; Oban; Sandvig; Schmidt; Sitz; Wilkie

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

ABSENT AND NOT VOTING: DeKrey; Dobrinski; Hagle; Henegar, D.

Engrossed SB 2507 was declared lost.

SECOND READING OF SENATE BILL

SB 2511: A BILL for an Act to amend and reenact section 54-06-21 of the North Dakota Century Code, relating to notice of access to public employee personnel files.

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

ABSENT AND NOT VOTING: DeKrey; Dobrinski; Hagle; Henegar, D.; Maragos

SB 2511 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2514: A BILL for an Act to provide for accommodation of mailboxes next to a public road.

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 8 YEAS, 84 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Byerly; Drovdal; Howard; Huether; Kretschmar; Laughlin; Wald

NAYS: Austin; Bateman; Belter; Berg; Bernstein; Boehm; Boucher; Brown; Carlisle; Carlson; Christenson; Christopherson; Clark; Clayburgh; Coats; Dalrymple; Delmore; Delzer; DeWitz; Dorso; Freier; Froseth; Galvin; Gerntholz; Glasheim; Gorder; Gorman; Grosz; Grumbo; Gullerson; Gunter; Hanson; Hausauer; Henegar, K.; Holm; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kerzman; Klein; Kliniske; Koppelman; Kroeber; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Mutzenberger;

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

ABSENT AND NOT VOTING: DeKrey; Dobrinski; Hagle; Henegar, D.; Kempenich; Nicholas

Engrossed SB 2514 was declared lost.

SECOND READING OF SENATE BILL

SB 2518: A BILL for an Act to create and enact a new subsection to section 57-01-02 of the North Dakota Century Code, relating to the tax commissioner's power to publish names of taxpayers who have not presented for payment state warrants issued for tax refunds.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 19 YEAS, 75 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Boucher; Coats; Froseth; Glasheim; Grumbo; Gulleson; Hanson; Huether; Kaldor; Kerzman; Kroeber; Laughlin; Mutzenberger; Nichols; Oban; Sabby; Sandvig; Sitz

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

ABSENT AND NOT VOTING: DeKrey; Dobrinski; Hagle; Henegar, D.

SB 2518 was declared lost.

SECOND READING OF SENATE BILL

SB 2522: A BILL for an Act to amend and reenact subsection 13 of section 4-09-01, subdivision a of subsection 1 of section 4-09-10, and subsection 2 of section 4-09-14 of the North Dakota Century Code, relating to the definition of noxious weed seeds, to seed labeling requirements, and prohibited acts.

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; Carlson; Christenson; Christopherson; Clark; Clayburgh; Coats; Dalrymple; Delmore; Delzer; DeWitz; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Glasheim; Gorder; Gorman; Grosz; Grumbo; Gulleson; 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; Oban; Olson; Payne; Price; Rennerfeldt;

Retzer; 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: DeKrey; Dobrinski; Hagle; Henegar, D.; Poolman; Rydell; Sabby

SB 2522 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2526: A BILL for an Act to amend and reenact section 10-30.3-12 of the North Dakota Century Code, relating to the regional rural development fund.

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 18 YEAS, 73 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Austin; Bateman; Belter; Bernstein; Boehm; Brown; Byerly; DeWitz; Drovda;l; Grumbo; Kaldor; Kempenich; Kerzman; Kroeber; Laughlin; Nichols; Skarphol

NAYS: Berg; Boucher; Carlisle; Carlson; Christenson; Christopherson; Clark; Clayburgh; Coats; Dalrymple; Delmore; Dorso; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Gorman; Grosz; Gulleston; Gunter; Hanson; Hausauer; Henegar, K.; Holm; Howard; Huether; Jacobs; Johnson; Keiser; Kelsch; Klein; Kliniske; Koppelman; Kretschmar; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Mutzenberger; Nicholas; Nottestad; Oban; Olson; Payne; Price; Rennerfeldt; Retzer; Sabby; Sandvig; Schimke; Schmidt; Shide; Sitz; Soukup; Stenehjøm; Svedjan; Sveen; Thompson; Thoreson; Timm; Tollefson; Torgerson; Wald; Walker; Wardner; Wentz; Wilkie; Speaker Martin

ABSENT AND NOT VOTING: DeKrey; Delzer; Dobrinski; Hagle; Henegar, D.; Poolman; Rydell

Engrossed SB 2526 was declared lost.

SECOND READING OF SENATE BILL

SB 2527: A BILL for an Act to amend and reenact subsection 6 of section 57-38-01 of the North Dakota Century Code, relating to voting and residency for income tax purposes of active duty members of the armed forces assigned to duty in this state; 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 70 YEAS, 23 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

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

NAYS: Aarsvold; Boucher; Christenson; Clayburgh; Coats; Glassheim; Grumbo; Gulleson; Hagle; Hanson; Huether; Kaldor; Kerzman; Kroeber; Laughlin; Mahoney; Nichols; Oban; Sandvig; Schmidt; Sitz; Svedjan; Wilkie

ABSENT AND NOT VOTING: DeKrey; Dobrinski; Henegar, D.; Poolman; Rydell

SB 2527 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2531: A BILL for an Act relating to the science of geology and the practice of geology.

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 32 YEAS, 61 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Austin; Bateman; Berg; Boehm; Carlisle; Christenson; Coats; Delmore; Glassheim; Grumbo; Gulleson; Hagle; Henegar, K.; Johnson; Kaldor; Kelsch; Kretschmar; Kroeber; Kunkel; Laughlin; Mahoney; Maragos; Monson; Mutzenberger; Nicholas; Oban; Sabby; Schimke; Shide; Torgerson; Wentz

NAYS: Belter; Bernstein; Boucher; Brown; Byerly; Carlson; Christopherson; Clark; Clayburgh; Dalrymple; Delzer; DeWitz; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Gorder; Gorman; Grosz; Gunter; Hanson; Hausauer; Holm; Howard; Huether; Jacobs; Keiser; Kempenich; Kerzman; Klein; Kliniske; Koppelman; Lloyd; Martinson; Mickelson; Nichols; Nottestad; Olson; Payne; Price; Rennerfeldt; Retzer; Sandvig; Schmidt; Sitz; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Timm; Tollefson; Wald; Walker; Wardner; Wilkie; Speaker Martin

ABSENT AND NOT VOTING: DeKrey; Dobrinski; Henegar, D.; Poolman; Rydell

Engrossed SB 2531 was declared lost.

SECOND READING OF SENATE BILL

SB 2532: A BILL for an Act to amend and reenact subsection 4 of section 13-03.1-15 of the North Dakota Century Code, relating to closing costs on consumer finance loans.

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 85 YEAS, 10 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

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

NAYS: Aarsvold; Boucher; Christenson; Laughlin; Mutzenberger; Nichols; Oban; Sitz; Tollefson; Wilkie

ABSENT AND NOT VOTING: DeKrey; Dobrinski; Henegar, D.

SB 2532 passed and the title was agreed to.

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 2304, SB 2315, SB 2334, SB 2336, SB 2354, SB 2356, SB 2360, SB 2362, SB 2416, SB 2418, SB 2433, SB 2461, SB 2489, SB 2521, SCR 4006, SCR 4007, SCR 4013, SCR 4025, SCR 4058, SCR 4062.

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 2024, SB 2135, SB 2194, SB 2203, SB 2213, SB 2215, SB 2216, SB 2220, SB 2223, SB 2230, SB 2267, SB 2278, SB 2280, SB 2290, SB 2295, SB 2296, SB 2297, SB 2302.

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

MR. SPEAKER: The Senate does not concur in the House amendments to SB 2035, SB 2044, SB 2066, SB 2072, SB 2152, SB 2195, and SB 2332 and the President has appointed as a conference committee to act with a like committee from the House on:

SB 2035: Sens. Lee; Thane; DeMers
 SB 2044: Sens. B. Stenehjem; Lee; Mathern
 SB 2066: Sens. Krebsbach; Sand; Heinrich
 SB 2072: Sens. Kringstad; Freborg; Heitkamp
 SB 2152: Sens. Bowman; Wanzek; Tomac
 SB 2195: Sens. Andrist; Wanzek; Tomac
 SB 2332: Sens. W. Stenehjem; Traynor; C. Nelson

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

MR. SPEAKER: The Senate does not concur in the House amendments to SB 2198, SB 2204, SB 2430, SB 2439, SB 2442, SB 2453, and SB 2524 and the President has appointed as a conference committee to act with a like committee from the House on:

SB 2198: Sens. Andrist; Krebsbach; Krauter
 SB 2204: Sens. Tennefos; Urlacher; Kinnoin
 SB 2430: Sens. Lee; B. Stenehjem; DeMers
 SB 2439: Sens. Bowman; B. Stenehjem; Yockim
 SB 2442: Sens. Urlacher; Watne; Mathern
 SB 2453: Sens. Traynor; Watne; LaFountain
 SB 2524: Sens. Tennefos; Kringstad; Heitkamp

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

MR. SPEAKER: The President has appointed as a conference committee to act with a like committee from the House on:

HB 1300: Sens. Urlacher; Thane; Mathern
 HB 1353: Sens. Kringstad; Urlacher; Kinnoin
 HB 1386: Sens. Kringstad; Urlacher; Kinnoin

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

MR. SPEAKER: The President has appointed as a conference committee to act with a like committee from the House on:

HB 1064: Sens. B. Stenehjem; Mutch; O'Connell
 HB 1094: Sens. Tennefos; Kringstad; Tomac
 HB 1100: Sens. Grindberg; Sand; Scherber
 HB 1124: Sens. Andrist; Wanzek; Kinnoin
 HB 1207: Sens. Andrist; Sand; Langley
 HB 1221: Sens. Mutch; Krebsbach; Scherber

HB 1298: Sens. W. Stenehjem; Traynor; C. Nelson

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. BERG MOVED that the House do not concur in the Senate amendments to Engrossed HB 1155 as printed on HJ pages 1091-1092 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 1155: Reps. Kempenich, Skarphol, Grumbo.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. KRETSCHMAR MOVED that the House do not concur in the Senate amendments to HB 1027 as printed on HJ page 1143 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 1027: Reps. Maragos, Nottestad, Delmore.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. KRETSCHMAR MOVED that the House do not concur in the Senate amendments to Engrossed HB 1032 as printed on HJ pages 1141-1142 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 1032: Reps. Stenehjem, Klein, Christenson.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. KRETSCHMAR MOVED that the House do not concur in the Senate amendments to Engrossed HCR 3017 as printed on HJ pages 1145-1146 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 HCR 3017: Reps. Koppelman, Klein, Christenson.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2198: Reps. Poolman, Keiser, Schmidt.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2066: Reps. Klein, Austin, Schmidt.

MOTION

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

MOTION

REP. FREIER MOVED that the House be on the Fourth, Fifth, Twelfth, and Sixteenth orders of business and at the conclusion of those orders, the House stand adjourned until 10:30 a.m., Wednesday, March 22, 1995, which motion prevailed.

COMMUNICATION FROM GOVERNOR EDWARD T. SCHAFER

The following communication was received from the Governor at 4:15 p.m., March 21, 1995.

This is to inform you that on March 21, 1995, I signed the following: HB 1077, HB 1136, HB 1195, HB 1206, HB 1238, HB 1277, HB 1299, HB 1302,

HB 1327, HB 1338, HB 1340, HB 1361, HB 1365, HB 1370, HB 1377, HB 1384, HB 1393, and HB 1397.

REPORT OF STANDING COMMITTEE

SB 2004, as engrossed: Appropriations Committee (Rep. Dalrymple, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (21 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). Engrossed SB 2004 was placed on the Sixth order on the calendar.

Page 1, replace lines 12 through 14 with:

"Administration	\$ 240,655
Division of local government audits	1,046,622
Division of state audits	2,943,229
Mineral royalty auditing	<u>612,059</u> "

Page 1, line 15, replace "4,901,668" with "4,842,565"

Page 1, line 17, replace "3,247,624" with "3,188,521"

Page 1, line 19, replace "\$1,291,871" with "\$1,042,314"

Page 1, line 21, replace "\$1,291,871" with "\$1,042,314"

Page 2, after line 14, insert:

"SECTION 5. DEPUTY POSITION. The state auditor may fund a deputy state auditor position only to the extent funds are available within the agency's appropriation."

ReNUMBER accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 117 - STATE AUDITOR

HOUSE - This amendment makes the following changes to the State Auditor's programs:

	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Administration	\$ 240,655		\$ 240,655
Division of local government audits	1,046,622		1,046,622
Division of state audits	3,002,332	\$(59,103)	2,943,229
Mineral royalty auditing	<u>612,059</u>	<u> </u>	<u>612,059</u>
Total	\$4,901,658	\$(59,103)	\$4,842,565
FTE	54		54

This amendment makes the following line item changes:

	SENATE VERSION	REMOVE POSITION ADDED IN EXECUTIVE BUDGET	AUTHORIZE UNFUNDED DEPUTY POSITION	TOTAL HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$4,314,482	\$(59,103)		\$(59,103)	\$4,255,379
Operating expenses	530,786				530,786
Equipment	<u>56,400</u>				<u>56,400</u>

Total all funds	\$4,901,668	\$(59,103)		\$(59,103)	\$4,842,565
Less estimated income	<u>1,654,044</u>				<u>1,654,044</u>
Total general fund	\$3,247,624	\$(59,103)		\$(59,103)	\$3,188,521
FTE	54	(1)	1	0	54

This amendment also authorizes but does not fund a deputy state auditor position.

REPORT OF STANDING COMMITTEE

SB 2016, as engrossed: Appropriations Committee (Rep. Dalrymple, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (21 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2016 was placed on the Sixth order on the calendar.

Page 1, line 14, replace "5,880,945" with "4,780,945"

Page 1, line 15, replace "8,257,909" with "7,157,909"

Page 1, line 17, replace "1,398,081" with "298,081"

Re-number accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 512 - DIVISION OF EMERGENCY MANAGEMENT

HOUSE - This amendment makes the following changes:

	SENATE VERSION	REMOVE GENERAL FUND FLOOD DISASTER FUNDING	TOTAL CHANGES	HOUSE VERSION
Salaries and wages	\$1,630,084			\$1,630,084
Operating expenses	623,180			623,180
Equipment	123,700			123,700
Grants	<u>5,880,945</u>	<u>\$(1,100,000)</u>	<u>\$(1,100,000)</u>	<u>4,780,945</u>
Total all funds	\$8,257,909	\$(1,100,000)	\$(1,100,000)	\$7,157,909
Less estimated income	<u>6,859,828</u>			<u>6,859,828</u>
Total general fund	\$1,398,081	\$(1,100,000)	\$(1,100,000)	\$ 298,081
FTE		20		20

REPORT OF STANDING COMMITTEE

SB 2017, as engrossed: Appropriations Committee (Rep. Dalrymple, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (18 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2017 was placed on the Sixth order on the calendar.

Page 1, line 3, after "cemetery" insert "; to provide for a transfer from the veterans' postwar trust fund; and to amend and reenact section 54-45-03 of the North Dakota Century Code, relating to the administration of the civil air patrol by the adjutant general"

Page 1, line 13, replace "2,435,834" with "2,623,889"

Page 1, line 17, replace "410,720" with "373,950"

Page 1, line 19, replace "6,395,570" with "6,738,800"

Page 1, line 20, replace "923,250" with "1,498,250"

Page 1, line 21, replace "4,235,227" with "5,082,300"

Page 1, after line 21, insert:

"Civil air patrol

92,454"

Page 2, line 1, replace "16,830,365" with "18,839,407"

Page 2, line 2, replace "9,940,126" with "11,647,180"

Page 2, line 3, replace "6,890,239" with "7,192,227"

Page 2, line 4, replace "\$130,000" with "\$330,000"

Page 2, after line 15, insert:

"SECTION 4. SPECIAL FUNDS. The amount of \$375,000, or so much of the amount as is necessary, included in the estimated income line item in section 1 of this Act is to be spent from earnings of the veterans' postwar trust fund for the tuition programs provided for in chapters 37-07.1 and 37-07.2 for the biennium beginning July 1, 1995, and ending June 30, 1997.

SECTION 5. TRANSFER - APPROPRIATION. Notwithstanding the provisions of section 37-14-14, there is hereby appropriated and the state treasurer shall transfer, on December 31, 1996, the sum of \$1,000,000, from the principal balance of the veterans' postwar trust fund to the adjutant general for deposit in the North Dakota militia foundation, for the purpose of establishing a permanent endowment fund for the operations of the veterans' cemetery.

SECTION 6. AMENDMENT. Section 54-45-03 of the 1993 Supplement to the North Dakota Century Code is amended and reenacted as follows:

54-45-03. Expenditure of funds - Limitation. The commanding officer, North Dakota wing, civil air patrol, may expend appropriated grant funds as administered by the ~~aeronautics-commission adjutant general~~ adjutant general. A report of expenditure of grant funds must be issued to the ~~aeronautics-commission adjutant general~~ adjutant general annually. A general fund grant line item must be appropriated within the ~~aeronautics-commission's adjutant general's~~ adjutant general's budget. These funds may be expended to support the mission of the civil air patrol as determined by the commanding officer. No funds may be expended for uniforms or personal equipment of any member of the civil air patrol. All state equipment on inventory with the civil air patrol on July 7, 1991, and related to the mission of the civil air patrol must be transferred to the North Dakota wing of the civil air patrol."

Re-number accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 540 - ADJUTANT GENERAL

HOUSE - This amendment makes the following changes:

	SENATE VERSION	RESTORE VACANT POSITIONS ¹	MOVE CIVIL AIR PATROL TO A SEPARATE LINE	TUITION WAIVER PROGRAM ²	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$ 2,435,834	\$ 243,739	\$(55,684)		\$ 188,055	\$ 2,623,889
Operating expenses	2,350,464					2,350,464
Equipment	52,800					52,800
Capital improvements	25,000					25,000
Grants	410,720		(36,770)		(36,770)	373,950
Inauguration	1,500					1,500
Army Guard contract	6,395,570	343,230			343,230	6,738,800
Tuition and enlistment compensation	923,250			\$575,000	575,000	1,498,250
Air Guard contract	4,235,227	847,073			847,073	5,082,300
Civil Air Patrol			92,454		92,454	92,454
Total all funds	\$16,830,365	\$1,434,042	\$ 0	\$575,000	\$2,009,042	\$18,839,407
Less estimated income	<u>9,940,126</u>	<u>1,132,054</u>		<u>575,000</u>	<u>1,707,054</u>	<u>11,647,180</u>
Total general fund	\$ 6,890,239	\$ 301,988	\$ 0	\$ 0	\$ 301,988	\$ 7,192,227
FTE	112	23			23	135

¹ The House amendment restores all 23 vacant FTE positions and the related funding removed by the Senate.

² House Bill No. 1249 (1995) increases the tuition waiver from 75 percent to 100 percent. The total increase of \$575,000 includes \$375,000 from the veterans' postwar trust fund and \$200,000 from the National Guard tuition trust fund.

The amendment also adds a section transferring \$1 million from the veterans' postwar trust fund to the North Dakota Militia Foundation to establish a permanent endowment fund for the operations of the Veterans' Cemetery.

The amendment also amends section 54-45-03 of the North Dakota Century Code relating to the administration of the Civil Air Patrol by the Adjutant General instead of the Aeronautics Commission.

REPORT OF STANDING COMMITTEE

SB 2059, as engrossed: Education Committee (Rep. Rydell, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS and BE REREFERRED to the Appropriations Committee (8 YEAS, 7 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2059 was placed on the Sixth order on the calendar.

Page 3, overstrike line 17

Page 3, line 18, overstrike "district-owned and operated schoolbuses"

Page 3, line 23, after "to" insert "an amount equal to that received by the school district from the foundation aid program during the 1994-95 school year for the provision of transportation services during the 1993-94 school year.

2. In addition to the amounts provided in subsection 1, a school district may, within the limits of legislative appropriations, request a supplemental transportation payment when the number of students transported or the number of miles driven is increased by five percent or more over the number of students transported or the number of miles driven during the 1993-94 school year. The school district shall make a request to the superintendent of public instruction who shall determine if the school district is entitled to a supplemental payment. The decision of the superintendent of public instruction may be appealed to the state board of public school education. The decision of the state board of public school education is final. The amount of the supplemental payment must be computed in accordance with subsections 3 and 4.

3. For schoolbuses and other vehicles transporting students a sum equal to"

Page 4, line 20, overstrike "2." and insert immediately thereafter "4."

Page 4, line 28, overstrike "3." and insert immediately thereafter "5."

Page 5, line 16, overstrike "incurs" and insert immediately thereafter "incurred"

Page 5, line 17, after "services" insert "during the 1993-94 school year"

Page 5, line 25, after "the" insert "annual"

Page 5, line 26, overstrike "for the most recent year"

ReNUMBER accordingly

REPORT OF STANDING COMMITTEE

SB 2209, as engrossed: Education Committee (Rep. Rydell, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (9 YEAS, 1 ABSENT AND NOT VOTING). Engrossed SB 2209 was placed on the Sixth order on the calendar.

Page 1, line 7, remove "15-27.3-14,"

Page 2, line 27, after "levies" insert " , except those to retire bonded debt existing before the annexation or attachment"

Page 3, line 2, after "levies" insert " , except those to retire bonded debt existing before annexation."

Page 8, line 7, replace "reorganization proposal must be prepared by the school districts" with "school district may become involved in a reorganization proposal by a majority vote of its school board members. A reorganization proposal must be prepared by the school districts that have voted to become involved in the reorganization proposal."

Page 8, remove line 8

Page 12, remove lines 1 through 10

Page 14, line 7, after the underscored period insert "In addition, no annexation petitions involving any of the same territory may be filed with the county superintendent."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2211, as engrossed: Education Committee (Rep. Rydell, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (11 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2211 was placed on the Sixth order on the calendar.

Page 4, line 28, after the underscored comma insert "itinerant outreach teachers."

Page 5, line 25, remove "and"

Page 5, line 26, replace the underscored period with ":

e. Continuing contract rights; and

f. Discharge and nonrenewal hearing rights."

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, 1 NAY, 0 ABSENT AND NOT VOTING). Engrossed SB 2231 was placed on the Sixth order on the calendar.

In addition to the amendments to Engrossed Senate Bill No. 2231 adopted by the House as printed on pages 1085 and 1086 of the House Journal, Engrossed Senate Bill No. 2231 is amended as follows:

Page 3, line 16, after "deputy" insert " , after consultation with the parent or guardian."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2288: Appropriations Committee (Rep. Dalrymple, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (20 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING). SB 2288 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 amend and reenact sections 54-16-01 and 54-16-04 of the North Dakota Century Code, relating to emergency commission membership and authority to authorize line item transfers.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 54-16-01 of the North Dakota Century Code is amended and reenacted as follows:

54-16-01. Emergency commission - Members - Organization - Quorum - Meetings —Duties. The emergency commission ~~shall consist~~ consists of the governor, the ~~commissioner of agriculture~~ chairman of the legislative council, and the ~~secretary of state~~, except when the membership is expanded as herein provided. Whenever, during the biennium, an allocation or allocations out of the state contingency fund, a transfer of money between funds and line items, or an approval to spend federal funds in excess of ten thousand dollars is to be made to any institution or department of government the director of the office of management and budget, and the chairman ~~chairmen~~ of the senate appropriations committee and the chairman of the and house of representatives appropriations committee ~~must be members of the commission committees.~~ The aggregate total of transfers from the state contingency fund, within the limits of legislative appropriations, can exceed five hundred thousand dollars only to the extent that requests for transfers from the state contingency fund have been approved by the budget section of the legislative council. If the chairman of either an appropriations committee should die or resign ceases to be a member of the legislative assembly, the vice chairman of that committee shall become a member of succeeds to that position on the commission. A an appropriations committee vice chairman may also serve in the place of the appropriations committee chairman as a member of the commission at the request of the appropriate appropriations committee chairman, if the appropriations committee chairman is unable to attend a particular commission meeting. ~~Two~~ Four members of the commission constitute a quorum, except when the membership is expanded, in which case four members constitute a quorum. The governor ~~must be~~ is the chairman of the commission, and the secretary of state ~~must be~~ director of the office of management and budget is the secretary of the commission. The commission shall meet ~~upon~~ at the call of the chairman. The commission shall exercise the powers and perform the duties imposed upon it by law.

SECTION 2. AMENDMENT. Section 54-16-04 of the North Dakota Century Code is amended and reenacted as follows:

54-16-04. May order transfer of moneys between funds - Line item transfers - Order may draw from state treasury. ~~Whenever it is made to appear~~ A state officer may present to the emergency commission by an itemized, verified petition of any board, commission, or officer authorized to expend public funds, and after receiving requesting approval of a transfer of spending authority from the state contingencies appropriation, a transfer of money or spending authority between funds or line items, or expenditure of federal funds. The emergency commission shall request and receive information from the director of the office of management and budget, regarding the petition. If the emergency commission finds that an emergency exists, the emergency commission shall assume that an emergency exists and may order money or spending authority transferred from one fund or line item to another fund or line item belonging to or appropriated from for the same institution or board or the same state enterprise, may order a transfer of spending authority from the state contingencies appropriation, may authorize expenditure of federal funds, or in an extremity may authorize money to be drawn from the state treasury to meet the emergency until such time as the legislative assembly can make

an appropriation available therefor. ~~The term "emergency" is limited to calamities or unforeseen happenings subsequent to the time such appropriation was made and which were clearly not within the contemplation of the legislative assembly and the governor. The following transfers may not be authorized by the emergency commission without approval by the budget section of the legislative council.~~

1. A transfer of spending authority from the state contingencies appropriation after the aggregate amount transferred from that appropriation during the biennium exceeds five hundred thousand dollars.
2. A transfer of moneys or spending authority which would eliminate or make impossible the accomplishment of a program or objective funded by the legislative assembly.
3. A transfer exceeding one hundred thousand dollars from one fund or line item to another fund or line item, unless the transfer is necessary to comply with a court order or to avoid:
 - a. An imminent threat to the safety of people or property due to a natural disaster or war crisis; or
 - b. An imminent financial loss to the state."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2391: Finance and Taxation Committee (Rep. Timm, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (8 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING). SB 2391 was placed on the Sixth order on the calendar.

Page 1, line 3, after "agencies" insert "; and to provide for the development of a plan to implement a uniform employer reporting system between job service North Dakota, the workers compensation bureau, and the state tax commissioner"

Page 1, line 10, after the period insert "The procedures must address the measures that are necessary to maintain the confidentiality of information protected by federal or state law."

Page 1, line 11, after the period insert "If the original information is input, provided, compiled, or submitted by any political subdivision, the fees must be shared by the state and the political subdivision based on their proportional costs to make the data available."

Page 1, after line 14, insert:

"SECTION 2. DEVELOPMENT OF A UNIFORM EMPLOYER REPORTING SYSTEM. Job service North Dakota, the workers compensation bureau, and the state tax commissioner shall develop a plan to implement an employer reporting system to provide a single form for the submission of employer information. Job service North Dakota, the workers compensation bureau, and the state tax commissioner shall present any legislation necessary to implement this system to the fifty-fifth legislative assembly."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2403, as engrossed: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended,

recommends **DO PASS** (9 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2403 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "section" with "sections 65-04-01 and"

Page 1, line 2, after "to" insert "classification of employments for workers' compensation premium rates and"

Page 1, line 3, remove "; and to provide for retroactive application"

Page 1, after line 4, insert:

"SECTION 1. AMENDMENT. Section 65-04-01 of the North Dakota Century Code is amended and reenacted as follows:

65-04-01. Classification of employments - Premium rates - Requirements.

1. The bureau shall classify employments with respect to their degrees of hazard, determine the risks of different classifications, and fix the rate of premium for each of ~~said~~ the classifications sufficiently high to provide for:

- ~~1-~~ a. The payment of the expenses of administration of the bureau;
- ~~2-~~ b. The payment of compensation according to the provisions and schedules contained in this title; and
- ~~3-~~ c. The maintenance by the fund of adequate reserves and surplus to the end that it may be kept at all times in an entirely solvent condition.

2. In the exercise of the powers and discretion conferred upon it, the bureau shall fix and maintain for each class of occupation, the lowest rate which still will enable it to comply with the other provisions of this section.

3. Before the effective date of any premium rate change, the bureau shall hold a public hearing on the rate change. Chapter 28-32 does not apply to a hearing held by the bureau under this subsection."

Page 1, line 20, replace "reduce the minimum rate assigned to an employer with a" with "amend its experience rating system by emergency rulemaking."

Page 1, remove line 21

Page 2, remove lines 1 through 4

Re-number accordingly

REPORT OF STANDING COMMITTEE

SB 2491, as engrossed: Education Committee (Rep. Rydell, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). Engrossed SB 2491 was placed on the Sixth order on the calendar.

Page 2, line 26, after "certification" insert "to teach North Dakota native languages", remove "North Dakota", replace "board" with "language boards", and after the second "the" insert "four North Dakota"

Page 4, line 21, remove the overstrike over "~~student~~" and insert immediately thereafter "and eminence-credentialed" and remove the overstrike over "~~student~~"

Page 4, line 22, remove the overstrike over "~~teacher~~" and remove "person"

Page 4, line 23, remove "hired or assigned as an alternate", overstrike "teacher", and after the overstruck comma insert "or eminence-credentialed teacher hired or assigned in this capacity"

Page 4, line 24, remove the overstrike over "~~student~~" and replace "alternate" with "or eminence-credentialed"

Page 4, line 26, remove the overstrike over "~~student~~" and replace "alternate" with "or eminence-credentialed"

Page 5, line 1, remove the overstrike over "~~student~~" and replace "alternate" with "or eminence-credentialed"

Page 5, line 2, replace "alternate" with "student or eminence-credentialed"

Page 5, line 4, replace "alternate" with "student or eminence-credentialed"

Page 5, line 7, replace "alternate" with "student or eminence-credentialed"

Page 5, line 10, replace "alternate" with "eminence-credentialed" and remove "student teacher or a"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2031, as reengrossed: Appropriations Committee (Rep. Dalrymple, Chairman) recommends DO NOT PASS (19 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING). Reengrossed SB 2031 was placed on the Fourteenth order on the calendar.

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

MADAM PRESIDENT: The House has concurred in the Senate amendments and subsequently passed: HB 1346, HB 1368, HB 1388, HB 1469, HB 1474, HB 1496, HCR 3002.

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

MADAM PRESIDENT: The House does not concur in the Senate amendments to HB 1027, HB 1032, HB 1155, and HCR 3017 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1027: Reps. Maragos; Nottestad; Delmore

HB 1032: Reps. Stenehjelm; Klein; Christenson

HB 1155: Reps. Kempenich; Skarphol; Grumbo

HCR 3017: Reps. Koppelman; Klein; Christenson

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

MADAM PRESIDENT: The Speaker has appointed as a conference committee to act with a like committee from the Senate on:

SB 2066: Reps. Klein; Austin; Schmidt

SB 2081: Reps. Wardner; Timm; Sitz

SB 2159: Reps. Sveen; Schimke; Nichols

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

MADAM PRESIDENT: The Speaker has appointed as a conference committee to act with a like committee from the Senate on:

SB 2198: Reps. Poolman; Keiser; Schmidt

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

ROY GILBREATH, Chief Clerk