

JOURNAL OF THE HOUSE

Fifty-fourth Legislative Assembly

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Bismarck, March 29, 1995

The House convened at 8:00 a.m., with Speaker Martin presiding.

The prayer was offered by the Rev. Terry Kern, First Evangelical Free Church, Bismarck.

The roll was called and all members were present except Representatives Hagle, D. Henegar, Kliniske, and Schimke.

A quorum was declared by the Speaker.

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

MADAM PRESIDENT: The House has amended and subsequently passed: SB 2006.

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 1015, HB 1017, HB 1432.

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

MADAM PRESIDENT: The House does not concur in the Senate amendments to HB 1284 and HB 1439 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1284: Reps. Wardner; Thoreson; Christenson

HB 1439: Reps. Kelsch; Kretschmar; Mahoney

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

MADAM PRESIDENT: The House has adopted the conference committee report and subsequently passed: HB 1027, HB 1064, HB 1094, HB 1165.

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

MADAM PRESIDENT: The House has reconsidered its action whereby it did not concur in the Senate amendments to HB 1032, HB 1151, HB 1436, and HB 1493, as printed on pages 1141-1142, 1221, 1018-1019, and 1392-1393 of the House Journal. The House has now concurred in the Senate amendments, dissolved the conference committees, and subsequently passed the same.

MOTION

REP. DORSO MOVED that Reengrossed HB 1131 be placed at the bottom of the Twelfth order, which motion prevailed.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. SVEDJAN MOVED that the House do concur in the Senate amendments to HB 1376 as printed on HJ pages 1462-1463, which motion prevailed.

HB 1376, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1376: A BILL for an Act to create and enact a new section to chapter 25-10 of the North Dakota Century Code, relating to a unified mental health delivery system; and to amend and reenact sections 25-01-03, 25-02-01.1, and 25-02-04 of the North Dakota Century Code, relating to the qualifications and appointment of the superintendent and the medical director of the state hospital and requirements for the formation of a state hospital governing body and delivery of mental health 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 74 YEAS, 18 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

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

NAYS: Aarsvold; Boucher; Christenson; Coats; Delmore; Dobrinski; Grumbo; Gulleeson; Hanson; Kaldor; Kerzman; Kroeber; Laughlin; Nichols; Rydell; Sandvig; Sitz; Wilkie

ABSENT AND NOT VOTING: Gorman; Hagle; Henegar, D.; Kliniske; Kretschmar; Schimke

HB 1376, 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 3003 as printed on HJ page 1471, which motion prevailed.

HCR 3003, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3003: A concurrent resolution directing the Legislative Council to study methods to improve the cost effectiveness and efficiency of the Department of Human Services child support collection system and any anticipated impact on the health and welfare of the child and to review the roles of clerks of court, regional child support enforcement units, and the Department of Human Services in providing a coordinated and effective child support enforcement program.

The question being on the adoption of the amended resolution, which has been read.

HCR 3003, as amended, was declared adopted on a voice vote.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. SVEDJAN MOVED that the House do concur in the Senate amendments to Engrossed HCR 3023 as printed on HJ page 1471, which motion prevailed.

Engrossed HCR 3023, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3023: A concurrent resolution directing the Legislative Council to study the availability, coverage, and regulation of long-term care insurance.

The question being on the adoption of the amended resolution, which has been read.

Engrossed HCR 3023, as amended, was declared adopted on a voice vote.

REQUEST

REP. DORSO REQUESTED that the members of the Education Committee be excused, which request was granted.

POINT OF PERSONAL PRIVILEGE

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

REMARKS OF REPRESENTATIVE FREIER

Mr. Speaker, I think many of us had the opportunity to see the front page of the Bismarck Tribune this morning and I'd like to address that for just a second. I rise to take issue with the front page news story in the Bismarck Tribune and the assessment of how the legislature is doing. I resent the personal attack made on me. Yes, me. When Mr. Schilling talked about the bland nature of the legislature, he wasn't referring to Representative Dorso or Representative Boucher, or Representative Glasheim or, not even, Representative Schmidt. No, I think he labeled the current legislature as bland and he was talking specifically about me. Because, as any of you who have ever been around when I have given a floor speech know, he was talking about me. I know doggone well he was specifically referring to me and I'm mad. I'm mad as hell. I'm surprised the Tribune would allow such a vicious attack since they champion the rights of the underprivileged, the oppressed, and the little guy. Don't they think I have feelings? Mr. Speaker, I'll show them. I don't want this put in the journal and I don't want the reporters to report us in the newspapers. Take that! Seriously, Mr. Speaker, I think the Tribune article did a nice job. Eighty-eight percent of the people who responded to the report said we were doing a good job - fair, superior, excellent, good. The workmanship that has been displayed by this body over the last three months has been something that has been a little bit less than newsworthy. We're going about doing our work the way we should and not necessarily looking for the headlines and I think the people of North Dakota like that. They mention no money. If not overfunding every interest group is not popular with the people, and I can see why that may be in certain cases, but I think the people of North Dakota like that. The article mentions the predictability with no controversy. Is the legislature intended to be a three-ring circus so the Tribune or other news media can have a front page story? I don't think so, and I think we're doing great. They mention no leaders, no leadership. Well, I take exception to that, of course. I think that our leadership, on both sides of the aisle and on both sides of the hall, has done an exceptional job and I think that the media should cover the stories that we have and not try to sensationalize them.

I believe we are carrying out the will of the people. The election of 1994 sent a clear message not only to the people of North Dakota and the legislators in North Dakota, but to the people across this nation, and I would hope that the media would remember that message. I think that we are enacting, as a legislature, what the people wanted us to do during this session. I believe the final product of this legislature is going to be good for North Dakotans and I think it is going to meet with the approval of North Dakotans. Thank you Mr. Speaker.

MOTION

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

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. DALRYMPLE MOVED that the House do not concur in the Senate amendments to Engrossed HB 1013 as printed on HJ pages 1453-1455 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 1013: Reps. Bernstein, Kunkel, Laughlin.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. DALRYMPLE MOVED that the House do not concur in the Senate amendments to Engrossed HB 1021 as printed on HJ pages 1458-1459 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 1021: Reps. Dalrymple, Clayburgh, Kroeber.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2017: Reps. Martinson, Bernstein, Kroeber.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2029: Reps. Clayburgh, Tollefson, Kroeber.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2475: Reps. Bateman, DeWitz, Wilkie.

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 1376, HCR 3003, HCR 3023.

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

MADAM PRESIDENT: The House does not concur in the Senate amendments to HB 1013 and HB 1021 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1013: Reps. Bernstein; Kunkel; Laughlin
HB 1021: Reps. Dalrymple; Clayburgh; Kroeber

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 2017: Reps. Martinson; Bernstein; Kroeber
SB 2029: Reps. Clayburgh; Tollefson; Kroeber
SB 2475: Reps. Bateman; DeWitz; Wilkie

MOTION

REP. DORSO MOVED that the House stand in recess until 11:00 a.m., which motion prevailed.

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

MR. SPEAKER: The Senate does not concur in the House amendments to SB 2085, SB 2403, SB 2428, and SB 2466 and the President has appointed as a conference committee to act with a like committee from the House on:

SB 2085: Sens. Mutch; Sand; Krauter
SB 2403: Sens. Mutch; Sand; Langley
SB 2428: Sens. Wanzek; Andrist; Tomac
SB 2466: Sens. Krebsbach; Andrist; Krauter

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 1154: Sens. Grindberg; Wanzek; O'Connell

HB 1289: Sens. Krebsbach; Mutch; Langley
HB 1488: Sens. Wanzek; Grindberg; Heinrich

HOUSE ENGROSSING AND ENROLLING REPORT

The following bills were engrossed and enrolled: HB 1051, HB 1243, HB 1252, HB 1286, HB 1318, HB 1337, HB 1355.

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

MR. SPEAKER: The President has signed: HB 1011, HB 1090, HB 1305, HB 1322.

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

MR. SPEAKER: The President has signed and your signature is respectfully requested on: SCR 4069.

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 2004, SB 2020, SB 2021, SB 2028, SB 2090, SB 2104, SB 2134, SB 2155, SB 2176, SB 2212, SB 2270, SB 2306, SB 2309, SB 2342, SB 2343, SB 2351, SB 2352, SB 2353, SB 2383, SB 2388, SB 2399, SB 2402.

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 2010, SB 2011, SB 2022, SB 2023, SB 2025.

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

REPORT OF CONFERENCE COMMITTEE

REP. KLEIN MOVED that the conference committee report on HB 1082 as printed on HJ page 1360 be adopted, which motion prevailed.

HB 1082, as amended, was placed on the Eleventh order of business on today's calendar.

SECOND READING OF HOUSE BILL

HB 1082: A BILL for an Act to create and enact a new subsection to section 12-59-15 of the North Dakota Century Code, relating to the breach of parole; and to amend and reenact subsection 4 of section 12-48-15, section 12-48-20, and subdivision b of subsection 3 of section 12.1-08-06 of the North Dakota Century Code, relating to disposition of moneys earned by inmates and definitions relating to escape.

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, 0 NAYS, 0 EXCUSED, 23 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Austin; Belter; Berg; Boehm; Brown; Carlisle; Carlson; Christenson; Christopherson; Clark; Clayburgh; Coats; DeKrey; Delmore; Delzer; Dobrinski; Dorso; Drovdal; Froseth; Galvin; Glassheim; Gorder; Grosz; Grumbo; Gulleson; Gunter; Hanson; Henegar, K.; Holm; Jacobs; Johnson; Keiser; Kelsch; Kempenich; Kerzman; Klein; Kliniske; Koppelman; Kretschmar; Kunkel; Lloyd; Mahoney; Maragos; Mickelson; Monson; Mutzenberger; Nicholas; Nichols; Nottestad; Oban; Olson; Poolman; Price; Rennerfeldt; Retzer; Rydell; Sabby; Sandvig; Schmidt; Shide; Sitz; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Timm; Torgerson; Wald; Walker; Wardner; Speaker Martin

ABSENT AND NOT VOTING: Bateman; Bernstein; Boucher; Byerly; Dalrymple; DeWitz; Freier; Gerntholz; Gorman; Hagle; Hausauer; Henegar, D.; Howard; Huether; Kaldor; Kroeber; Laughlin; Martinson; Payne; Schimke; Tollefson; Wentz; Wilkie

HB 1082, as amended, passed and the title was agreed to.

REPORT OF CONFERENCE COMMITTEE

REP. KELSCH MOVED that the conference committee report on HB 1100 as printed on HJ page 1361 be adopted, which motion prevailed.

HB 1100, as amended, was placed on the Eleventh order of business on today's calendar.

SECOND READING OF HOUSE BILL

HB 1100: A BILL for an Act to amend and reenact sections 1-08-04.1, 48-10-01, and 48-10-03 of the North Dakota Century Code, relating to duties of the council on the arts and membership and duties of the capitol grounds planning commission; to repeal chapter 48-11 of the North Dakota Century Code, relating to the capitol arts and historic preservation advisory committee; and to transfer the balance of the capitol arts and historic preservation advisory committee special operating fund to the general fund.

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; Boehm; Boucher; Brown; Byerly; Carlisle; Carlson; Christenson; Christopherson; Clark; Clayburgh; Coats; Dalrymple; DeKrey; Delmore; Delzer; Dobrinski; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Glassheim; 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; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Mutzenberger; Nicholas; Nichols; Nottestad; Oban; Olson; Payne; Poolman; Price; Rennerfeldt; Retzer; Rydell; Sabby; Sandvig; Schmidt; Shide; Sitz; Skarphol; Soukup; Stenehjsem; Svedjan; Sveen; Thompson; Thoreson; Timm; Tollefson; Torgerson; Wald; Walker; Wardner; Wentz; Wilkie; Speaker Martin

ABSENT AND NOT VOTING: Bernstein; DeWitz; Hagle; Henegar, D.; Laughlin; Schimke

HB 1100, as amended, passed and the title was agreed to.

SIXTH ORDER OF BUSINESS

SB 2313, as reengrossed: REP. DALRYMPLE (Appropriations Committee) MOVED that the amendments on HJ page 1481 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2313: A BILL for an Act to amend and reenact sections 1 and 3 of chapter 411 of the 1993 Session Laws, relating to filing fees for filing documents in the Uniform Commercial Code central filing system and to the expiration date for fees for obtaining information from the Uniform Commercial Code central filing system; and to provide an appropriation.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of **DO PASS**, the roll was called and there were 74 YEAS, 21 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Austin; Bernstein; Boucher; Brown; Carlisle; Christenson; Christopherson; Clayburgh; Coats; Dalrymple; DeKrey; Delmore; DeWitz; Drovdal; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorman; Grosz; Grumbo; Gullerson; Gunter; Hanson; Hausauer; Henegar, K.; Holm; Howard; Huether; Jacobs; Johnson; Kaldor; Kelsch; Kempenich; Kerzman; Klein;

Koppelman; Kretschmar; Kroeber; Kunkel; Laughlin; Lloyd; Mahoney; Maragos; Martinson; Monson; Mutzenberger; Nicholas; Nottestad; Oban; Olson; Price; Rennerfeldt; Retzer; Rydell; Sabby; Sandvig; Schmidt; Shide; Sitz; Skarphol; Stenehjem; Svedjan; Sveen; Thoreson; Timm; Torgerson; Wald; Wardner; Wentz; Wilkie; Speaker Martin

NAYS: Bateman; Belter; Berg; Boehm; Byerly; Carlson; Clark; Delzer; Dobrinski; Dorso; Gorder; Keiser; Kliniske; Mickelson; Nichols; Payne; Poolman; Soukup; Thompson; Tollefson; Walker

ABSENT AND NOT VOTING: Hagle; Henegar, D.; Schimke

Reengrossed SB 2313, as amended, passed and the title was agreed to.

MOTION

REP. DORSO MOVED that the House reconsider its action whereby the Majority and Minority committee reports were accepted on Engrossed SB 2539 and the Majority and Minority committee reports were placed on the Seventh order of business on the calendar, which motion prevailed.

MOTION

REP. DORSO MOVED that Engrossed SB 2539 be rereferred to the Human Services Committee, which motion prevailed. Pursuant to Rep. Dorso's motion, Engrossed SB 2539 was rereferred.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. DALRYMPLE MOVED that the House do not concur in the Senate amendments to Engrossed HB 1002 as printed on HJ pages 1445-1453 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 1002: Reps. Clayburgh, Tollefson, Kroeber.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. DALRYMPLE MOVED that the House do not concur in the Senate amendments to Engrossed HB 1005 as printed on HJ pages 1438-1445 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 1005: Reps. Wald, Payne, Kaldor.

MOTION

REP. TIMM MOVED that the House Conference Committee on SB 2081 be dissolved and that a new conference committee be appointed, which motion prevailed.

THE SPEAKER APPOINTED as a new 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 2085: Reps. Keiser, Berg, Coats.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2403: Reps. Skarphol, Soukup, Coats.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2466: Reps. Carlson, Soukup, Schmidt.

MOTION

REP. DORSO MOVED that the House stand in recess until 1:00 p.m., which motion prevailed.

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

REPORT OF STANDING COMMITTEE

SB 2539, as engrossed: **Human Services Committee (Rep. Svedjan, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 5 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2539 was placed on the Sixth order on the calendar.

In lieu of the amendment to Engrossed Senate Bill No. 2539 as printed on pages 1481 and 1482 of the House Journal, Engrossed Senate Bill No. 2539 is amended as follows:

Page 2, line 5, remove "within forty-eight hours"

Page 2, line 7, remove "within"

Page 2, line 8, remove "forty-eight hours"

Page 2, line 10, remove "The state shall establish"

Page 2, remove lines 11 through 15

Re-number accordingly

SIXTH ORDER OF BUSINESS

SB 2539, as engrossed: **REP. SVEDJAN (Human Services Committee)** **MOVED** that the amendments on HJ page 1492 be adopted and then be placed on the Fourteenth order with **DO PASS**.

REQUEST

REP. SANDVIG REQUESTED a recorded roll call vote on the motion to adopt the proposed amendments to Engrossed SB 2539, which request was granted.

ROLL CALL

The question being on the motion to adopt the proposed amendments to Engrossed SB 2539, the roll was called and there were 95 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

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

The motion to adopt the proposed amendments to Engrossed SB 2539 passed.

Engrossed SB 2539, as amended, was placed on the Fourteenth order.

SECOND READING OF HOUSE BILL

SB 2539: A BILL for an Act to provide for restrictions on the use of public

funds for abortion; and to repeal section 14-02.3-01 of the North Dakota Century Code, relating to restrictions on abortion.

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 10 YEAS, 86 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Berg; Byerly; Christopherson; Dalrymple; Henegar, K.; Klein; Mutzenberger; Price; Svedjan; Thoreson

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

ABSENT AND NOT VOTING: Hagle; Henegar, D.

Engrossed SB 2539, as amended, was declared lost.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. NICHOLAS MOVED that the House do concur in the Senate amendments to HB 1129 as printed on HJ pages 1273-1274, which motion prevailed.

HB 1129, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1129: A BILL for an Act to amend and reenact section 1 of chapter 573 of the 1991 Session Laws, relating to the centennial trees program and administration of the program by the state forester; and to provide for legislative intent.

ROLL CALL

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

YEAS: Aarsvold; Austin; Bateman; Belter; Berg; Bernstein; Boehm; Boucher; Brown; Byerly; Carlisle; Carlson; Christenson; Christopherson; Clark; Clayburgh; Coats; Dalrymple; DeKrey; Delmore; Delzer; DeWitz; Dobrinski; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Glasshiem; 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: Hagle; Henegar, D.

Engrossed HB 1129, as amended, passed and the title was agreed to.

REPORT OF CONFERENCE COMMITTEE

REP. KELSCH MOVED that the conference committee report on Engrossed HB 1163 as printed on HJ page 1361 be adopted, which motion prevailed.

REPORT OF CONFERENCE COMMITTEE

REP. SOUKUP MOVED that the conference committee report on Engrossed HB 1207 as printed on HJ page 1361 be adopted, which motion prevailed.

Engrossed HB 1207, as amended, was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SECOND READING OF HOUSE BILL

HB 1207: A BILL for an Act to amend and reenact section 65-04-20 of the North Dakota Century Code, relating to the installment payment of premiums for workers' compensation.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 95 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Austin; Bateman; Belter; Berg; Bernstein; Boehm; Boucher; Brown; Byerly; Carlisle; Carlson; Christenson; Christopherson; Clark; Coats; Dalrymple; DeKrey; Delmore; Delzer; Dewitz; Dobrinski; 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; Wilkie; Speaker Martin

ABSENT AND NOT VOTING: Clayburgh; Hagle; Henegar, D.

Engrossed HB 1207, as amended, passed and the title was agreed to.

REPORT OF CONFERENCE COMMITTEE

REP. KRETSCHMAR MOVED that the conference committee report on HB 1298 as printed on HJ page 1361-1362 be adopted, which motion prevailed.

HB 1298, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1298: A BILL for an Act to amend and reenact section 15 of chapter 374 of the 1987 Session Laws, as amended by section 1 of chapter 379 of the 1989 Session Laws and section 6 of chapter 24 of the 1993 Session Laws, relating to extending the expiration date for legislation that created a temporary court of appeals.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 67 YEAS, 28 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Austin; Berg; Bernstein; Carlisle; Christenson; Christopherson; Clark; Coats; DeKrey; Delmore; Dobrinski; Freier;

Froseth; Galvin; Glassheim; Gorder; Gorman; Grumbo; Gunter; Hanson; Hausauer; Henegar, K.; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Klein; Kliniske; Koppelman; Kretschmar; Kroeber; Kunkel; Laughlin; Mahoney; Maragos; Martinson; Mickelson; Mutzenberger; Nicholas; Nichols; Nottestad; Oban; Payne; Price; Retzer; Rydell; Sabby; Sandvig; Shide; Sitz; Soukup; Stenehjlem; Svedjan; Sveen; Thoreson; Timm; Tollefson; Torgerson; Wald; Walker; Wardner; Wentz; Speaker Martin

NAYS: Bateman; Belter; Boehm; Boucher; Brown; Byerly; Carlson; Dalrymple; Delzer; DeWitz; Dorso; Drovda; Gertholz; Grosz; Gulleston; Holm; Kempenich; Kerzman; Lloyd; Monson; Olson; Poolman; Rennerfeldt; Schimke; Schmidt; Skarphol; Thompson; Wilkie

ABSENT AND NOT VOTING: Clayburgh; Hagle; Henegar, D.

HB 1298, as amended, passed and the title was agreed to.

REPORT OF CONFERENCE COMMITTEE

REP. POOLMAN MOVED that the conference committee report on Engrossed HB 1300 as printed on HJ page 1362 be adopted, which motion prevailed.

Engrossed HB 1300, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1300: A BILL for an Act to amend and reenact subsection 4 of section 23-06-03 of the North Dakota Century Code, relating to burial of the dead by county social service boards.

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

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

NAYS: Kerzman; Schmidt

ABSENT AND NOT VOTING: Hagle; Henegar, D.

Engrossed HB 1300, as amended, passed and the title was agreed to.

REPORT OF CONFERENCE COMMITTEE

REP. LLOYD MOVED that the conference committee report on Engrossed HB 1353 as printed on HJ page 1362 be adopted, which motion prevailed.

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

SECOND READING OF HOUSE BILL

HB 1353: A BILL for an Act to create and enact a new section to chapter 40-57.1 of the North Dakota Century Code, relating to reimbursement of income tax exemptions granted for new industries.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 37 YEAS, 59 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Belter; Boucher; Christenson; Coats; DeKrey; Delmore; Delzer; DeWitz; Dobrinski; Gorder; Grosz; Grumbo; Gulleson; Hanson; Henegar, K.; Huether; Jacobs; Kaldor; Kerzman; Kliniske; Kroeber; Laughlin; Mahoney; Maragos; Mutzenberger; Nichols; Oban; Retzer; Sabby; Sandvig; Schimke; Schmidt; Sitz; Thompson; Wilkie; Speaker Martin

NAYS: Austin; Bateman; Berg; Bernstein; Boehm; Brown; Byerly; Carlisle; Carlson; Christopherson; Clark; Clayburgh; Dalrymple; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorman; Gunter; Hausauer; Holm; Howard; Johnson; Keiser; Kelsch; Kempenich; Klein; Koppelman; Kretschmar; Kunkel; Lloyd; Martinson; Mickelson; Monson; Nicholas; Nottestad; Olson; Payne; Poolman; Price; Rennerfeldt; Rydell; Shide; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thoreson; Timm; Tollefson; Torgerson; Wald; Walker; Wardner; Wentz

ABSENT AND NOT VOTING: Hagle; Henegar, D.

Engrossed HB 1353, as amended, was declared lost.

MOTION

REP. FREIER MOVED that the House stand in recess until 4:00 p.m., which motion prevailed.

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 2027, SB 2030, SB 2075, SB 2179, SB 2358, SB 2404, SB 2405, SB 2406, SB 2438, SB 2452, SB 2477, SB 2482, SB 2491, SB 2500, SB 2508.

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

MR. SPEAKER: The Senate has failed to pass: HB 1363, HCR 3011.

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

MR. SPEAKER: The Senate has passed unchanged: HB 1194, HB 1228, HB 1473, HB 1478, HB 1489, HB 1492, HB 1500, HB 1502.

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

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

SB 2081: Reprs. Wardner; Timm; Sitz

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 2085: Reprs. Keiser; Berg; Coats

SB 2403: Reprs. Skarphol; Soukup; Coats

SB 2466: Reprs. Carlson; Soukup; Schmidt

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

MADAM PRESIDENT: The House does not concur in the Senate amendments to HB 1002 and HB 1005 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1002: Reps. Clayburgh; Tollefson; Kroeber

HB 1005: Reps. Wald; Payne; Kaldor

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 1129.

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

MADAM PRESIDENT: The House has amended and subsequently passed: SB 2313.

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

MADAM PRESIDENT: The House has adopted the conference committee report and subsequently failed to pass: HB 1353.

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

MADAM PRESIDENT: The House has adopted the conference committee report and subsequently passed: HB 1082, HB 1100.

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

MADAM PRESIDENT: The House has adopted the conference committee report and subsequently passed: HB 1163, HB 1207, HB 1298, HB 1300.

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

COMMUNICATION FROM GOVERNOR EDWARD T. SCHAFER

The following communication was received from the Governor at 4:05 p.m. on March 29, 1995.

This is to inform you that on March 28, 1995, I signed the following: HB 1159, HB 1185, HB 1190, and HB 1274. Also, on March 29, 1995, I signed the following: HB 1052, HB 1205, HB 1208, HB 1236, HB 1253, and HB 1314.

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

MR. SPEAKER: The Senate has passed and your favorable consideration is requested on: SCR 4063.

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

MR. SPEAKER: The Senate has amended and subsequently passed: HB 1362, HCR 3009.

SENATE AMENDMENTS TO HOUSE BILL NO. 1362

Page 1, line 2, after "officers" insert "and employees"

Page 1, line 6, after "officers" insert "and employees" and after "Diminution" insert "of officers' salaries"

Page 1, line 8, remove the overstrike over "~~er-employee~~"

Page 1, line 9, overstrike ", and"

Page 1, line 10, overstrike "after" and insert immediately thereafter "After" and after "salary" insert "of an officer"

Page 1, remove lines 12 through 14

Renumber accordingly

SENATE AMENDMENTS TO HOUSE CONCURRENT RESOLUTION NO. 3009

Page 4, line 10, remove "section 11 of"

Page 6, after line 21, insert:

"SECTION 12. If Senate Concurrent Resolution No. 4013 is not approved by the fifty-fourth legislative assembly, or if Senate Concurrent Resolution No. 4013 is approved by the fifty-fourth legislative assembly but is not approved by the qualified electors at the primary election held in 1996, then the following new section to a new article V of the Constitution of North Dakota is created and enacted as follows:

The lieutenant governor shall serve as president of the senate. If the senate is equally divided on a question, the lieutenant governor may vote on procedural matters and on substantive matters if the lieutenant governor's vote would be decisive."

Renumber accordingly

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

MR. SPEAKER: The Senate has passed and your favorable consideration is requested on: SCR 4068.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. DALRYMPLE MOVED that the House do not concur in the Senate amendments to Engrossed HB 1014 as printed on HJ pages 1455-1458 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 1014: Reps. Howard, Tollefson, Laughlin.

REPORT OF CONFERENCE COMMITTEE

REP. GROSZ MOVED that the conference committee report on Engrossed HB 1386 as printed on HJ page 1432 be adopted, which motion prevailed.

Engrossed HB 1386, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1386: A BILL for an Act to amend and reenact subsections 1 and 2 of section 50-22-01, sections 50-22-02, 50-22-02.1, 50-22-04, and 50-22-05 of the North Dakota Century Code, relating to the definition of charitable organizations and contributions, licenses to solicit, fees, registration of fundraisers and solicitors, annual information reports, and penalties.

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, 1 NAY, 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; DeKrey; Delmore; Delzer; DeWitz; Dobrinski; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Gorman; Grosz; Grumbo; Gulleeson; Gunter; Hanson; Hausauer; Henegar, K.; Holm; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kempenich; Kerzman; Klein; Kliniske; Koppelman; Kretschmar; Kroeber; Kunkel; Laughlin; Lloyd; Mahoney; Maragos; Martinson; 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; Tollefson; Torgerson; Wald; Walker; Wardner; Wentz; Wilkie; Speaker Martin

NAYS: Timm

ABSENT AND NOT VOTING: Hagle; Henegar, D.; Kelsch; Mickelson

Engrossed HB 1386, as amended, passed and the title was agreed to.

REPORT OF CONFERENCE COMMITTEE

REP. KEMPENICH MOVED that the conference committee report on Engrossed HB 1155 as printed on HJ page 1482 be adopted, which motion prevailed.

Engrossed HB 1155, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1155: A BILL for an Act to create and enact chapter 26.1-33.1 of the North Dakota Century Code, relating to viatical settlements; and to provide a penalty.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 50 YEAS, 45 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Boucher; Byerly; Carlisle; Christenson; Coats; Delmore; Delzer; Dobrinski; Drovdal; Froseth; Galvin; Glassheim; Gorder; Grosz; Grumbo; Gulleson; Gunter; Hanson; Hausauer; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Kroeber; Kunkel; Laughlin; Mahoney; Mutzenberger; Nicholas; Nichols; Nottestad; Oban; Rennerfeldt; Retzer; Rydell; Sandvig; Schmidt; Shide; Sitz; Stenehjem; Svedjan; Sveen; Thompson; Wilkie; Speaker Martin

NAYS: Austin; Bateman; Belter; Berg; Bernstein; Boehm; Brown; Carlson; Christopherson; Clark; Clayburgh; Dalrymple; DeKrey; DeWitz; Dorso; Freier; Gerntholz; Gorman; Henegar, K.; Holm; Howard; Klein; Kliniske; Koppelman; Kretschmar; Lloyd; Maragos; Martinson; Mickelson; Monson; Olson; Payne; Poolman; Price; Sabby; Schimke; Skarphol; Soukup; Thoreson; Timm; Tollefson; Wald; Walker; Wardner; Wentz

ABSENT AND NOT VOTING: Hagle; Henegar, D.; Torgerson

Engrossed HB 1155, as amended, passed and the title was agreed to.

REPORT OF CONFERENCE COMMITTEE

REP. BROWN MOVED that the conference committee report on Engrossed HB 1210 as printed on HJ page 1482 be adopted, which motion prevailed.

Engrossed HB 1210, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1210: A BILL for an Act to create and enact a new subsection to section 38-08-02 and a new section to chapter 38-08 of the North Dakota Century Code, relating to recording the location of oil and gas reserve pits.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 79 YEAS, 16 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Austin; Berg; Bernstein; Boucher; Brown; Carlisle; Christenson; Christopherson; Clark; Coats; Dalrymple; Delmore; Delzer; DeWitz; Dobrinski; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Gorman; Grosz; Grumbo; Gulleson; Gunter; Hausauer;

Henegar, K.; Holm; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Klein; Koppelman; Kretschmar; Kunkel; Laughlin; Lloyd; Mahoney; Maragos; Martinson; Mutzenberger; Nicholas; Nichols; Nottestad; Oban; Olson; Payne; Price; Retzer; Rydell; Sabby; Sandvig; Schimke; Schmidt; Shide; Sitz; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Timm; Tollefson; Wald; Walker; Wardner; Wentz; Wilkie; Speaker Martin

NAYS: Bateman; Belter; Boehm; Byerly; Carlson; Clayburgh; DeKrey; Hanson; Kerzman; Kliniske; Kroeber; Mickelson; Monson; Poolman; Rennerfeldt; Skarphol

ABSENT AND NOT VOTING: Hagle; Henegar, D.; Torgerson

Engrossed HB 1210, as amended, passed and the title was agreed to.

MOTION

REP. DORSO MOVED that the House stand in recess until 5:30 p.m., which motion prevailed.

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

REPORT OF CONFERENCE COMMITTEE

REP. KEISER MOVED that the conference committee report on Engrossed HB 1221 as printed on HJ page 1437 be adopted, which motion prevailed.

Engrossed HB 1221, as amended, was placed on the Eleventh order on the calendar.

SECOND READING OF HOUSE BILL

HB 1221: A BILL for an Act to allow an employer covered under the workers' compensation act to require the use of preferred providers.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 84 YEAS, 11 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

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

NAYS: Aarsvold; Boucher; Christenson; Coats; Glassheim; Gulleeson; Kerzman; Sandvig; Schmidt; Sitz; Wilkie

ABSENT AND NOT VOTING: Hagle; Henegar, D.; Thompson

Engrossed HB 1221, as amended, passed and the title was agreed to.

REPORT OF CONFERENCE COMMITTEE

REP. SKARPHOL MOVED that the conference committee report on Engrossed HB 1250 as printed on HJ page 1438 be adopted, which motion prevailed.

Engrossed HB 1250, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1250: A BILL for an Act to create and enact a new subsection to section 54-44.3-20 and a new section to chapter 65-02 of the North Dakota Century Code, relating to excepting officers and employees of the workers compensation bureau from the central personnel system and requiring the workers compensation bureau to establish a personnel system; to provide for approval of the system; 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 68 YEAS, 27 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

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

NAYS: Aarsvold; Boucher; Carlisle; Christenson; Coats; Delmore; Dobrinski; Glasheim; Grumbo; Gulleon; Hanson; Henegar, K.; Huether; Kaldor; Kerzman; Kroeber; Laughlin; Mahoney; Martinson; Mutzenberger; Nichols; Oban; Sandvig; Schimke; Schmidt; Sitz; Wilkie

ABSENT AND NOT VOTING: Hagle; Henegar, D.; Thompson

Engrossed HB 1250, as amended, passed and the title was agreed to.

REPORT OF CONFERENCE COMMITTEE

REP. CARLSON MOVED that the conference committee report on Engrossed HB 1260 as printed on HJ pages 1482-1483 be adopted, which motion prevailed.

Engrossed HB 1260, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1260: A BILL for an Act to amend and reenact sections 15-05-10 and 38-09-18 of the North Dakota Century Code, relating to modification of oil and gas leases for public lands.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 2 YEAS, 93 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Dobrinski; Nichols

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

ABSENT AND NOT VOTING: Hagle; Henegar, D.; Thompson

Engrossed HB 1260, as amended, was declared lost.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. BROWN MOVED that the House do concur in the Senate amendments to HCR 3009 as printed on pages 1497-1498, which motion prevailed.

HCR 3009, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3009: A concurrent resolution to create and enact a new article V of the Constitution of North Dakota, relating to the executive branch of government, to the election, qualification, and compensation of executive officials, to the powers and duties of the governor, and to gubernatorial succession; to repeal the present article V of the Constitution of North Dakota, relating to the executive branch of government, to the election and qualification of executive officials, to the powers and duties of the governor, and to gubernatorial succession; and to provide an effective date.

ROLL CALL

The question being on the adoption of the amended resolution, which has been read, the roll was called and there were 84 YEAS, 10 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Austin; Bateman; Belter; Berg; Bernstein; Boehm; Boucher; Brown; Carlisle; Carlson; Christenson; Christopherson; Clark; Coats; Dalrymple; DeKrey; Delmore; Delzer; DeWitz; Dobrinski; Dorso; Drovda; Freier; Froseth; Galvin; Gertholz; Gorder; Gorman; Grosz; Grumbo; Gulleon; 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; Monson; Mutzenberger; Nicholas; Nichols; Nottestad; Oban; Olson; Payne; Price; Rennerfeldt; Rydell; Sabby; Sandvig; Schimke; Schmidt; Sitz; Soukup; Stenehjem; Svedjan; Sveen; Thoreson; Timm; Tollefson; Torgerson; Wald; Walker; Wardner; Wilkie

NAYS: Byerly; Clayburgh; Glassheim; Mickelson; Poolman; Retzer; Shide; Skarphol; Wentz; Speaker Martin

ABSENT AND NOT VOTING: Hagle; Hausauer; Henegar, D.; Thompson

HCR 3009, as amended, was declared adopted.

MOTION

REP. DORSO MOVED that all legislative action, with the exception of Engrossed SB 2539 and Engrossed HB 1155, be messaged to the Senate immediately, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2428: Reps. DeWitz, Bateman, Laughlin.

MOTION

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

MOTION

REP. FREIER MOVED that the House be on the Fifth, Seventh, Thirteenth, and Sixteenth orders of business and at the conclusion of those orders, the House stand adjourned until 8:00 a.m., Thursday, March 30, 1995, which motion prevailed.

REPORT OF STANDING COMMITTEE

SB 2008, as engrossed: Appropriations Committee (Rep. Dalrymple, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (20 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2008 was placed on the Sixth order on the calendar.

Page 1, line 2, after the semicolon insert "to provide for a legislative council study;"

Page 1, line 13, replace "4,235,158" with "4,135,158"

Page 1, line 14, replace "983,945" with "1,028,054"

Page 1, line 18, replace "9,959,008" with "9,903,117"

Page 1, line 20, replace "3,328,408" with "3,272,517"

Page 1, after line 20, insert:

"SECTION 2. LEGISLATIVE COUNCIL STUDY. The legislative council shall study, during the 1995-96 interim, the services provided by the public service commission, their cost and effectiveness, and the need for continuing the services as a result of regulatory changes at both the state and federal level."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 408 - PUBLIC SERVICE COMMISSION

HOUSE - This amendment makes the following changes:

	SENATE VERSION	REMOVE POSITION FUNDING ¹	INCREASE PROFESSIONAL SERVICES ²	OTHER CHANGES	TOTAL CHANGES	HOUSE VERSION
Salaries and wages	\$4,235,158	\$(100,000)			\$(100,000)	\$4,135,158
Operating expenses	983,945		\$50,000	\$(5,891) ³	44,109	1,028,054
Equipment	167,500					167,500
Grants	20,000					20,000
AML contractual services	<u>4,552,405</u>					<u>4,552,405</u>
Total	\$9,959,008	\$(100,000)	\$50,000	\$(5,891)	\$(55,891)	\$9,903,117
General fund	\$3,328,408	\$(100,000)	\$50,000	\$(5,891)	\$(55,891)	\$3,272,517
Special funds	<u>6,630,600</u>					<u>6,630,600</u>
Total	\$9,959,008	\$(100,000)	\$50,000	\$(5,891)	\$(55,891)	\$9,903,117
FTE	45				0	45

¹ Removes funding for one undesignated position.

² Restores funding reduced by the Senate for employing experts and other assistance for regulating public utilities. A total of \$100,000 is provided for these services.

³ Removes funding for the commission's toll-free WATS line.

A section is added directing a Legislative Council study of services provided by the Public Service Commission.

REPORT OF STANDING COMMITTEE

SB 2019: Appropriations Committee (Rep. Dalrymple, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (23 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2019 was placed on the Sixth order on the calendar.

Page 1, line 15, replace "\$29,281,000" with "any amount transferred to the general fund pursuant to legislative authorization"

Page 1, line 16, remove "transferred to the general fund"

Re-number accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 085 - PAYMENTS TO POLITICAL SUBDIVISIONS

HOUSE - This amendment removes the reference to a specific dollar amount that is to be transferred to the general fund.

REPORT OF STANDING COMMITTEE

SB 2063, as engrossed: Appropriations Committee (Rep. Dalrymple, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (22 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). Engrossed SB 2063 was placed on the Sixth order on the calendar.

In lieu of the amendments adopted by the House as printed on page 1262 of the House Journal, Engrossed Senate Bill No. 2063 is amended as follows:

Page 1, line 3, remove the first "and"

Page 1, line 6, after "students" insert "; and to provide legislative intent"

Page 9, after line 11, insert:

"SECTION 7. LEGISLATIVE INTENT. It is the intent of the legislative assembly that the amount included in the grants - special education line item in subdivision 1 of section 1 of Senate Bill No. 2013 be distributed as follows:

1. Ten million dollars must be used to reimburse school districts for excess costs incurred on contracts for students with disabilities as required in section 15-40.2-08 and for low incidence or severely disabled students as required in sections 15-59-06 and 15-59-07, and for boarding care reimbursements as required in section 15-59-07.2;
2. Four hundred thousand dollars must be used to reimburse school districts for gifted and talented programs upon the submission of an application that is approved in accordance with guidelines adopted by the superintendent of public instruction;
3. Five hundred thousand dollars must be used to reimburse school districts with above-average incidence of moderately or severely disabled students upon the submission of an application that is approved in accordance with guidelines adopted by the superintendent of public instruction;
4. Any amount remaining in the line item must be distributed on a per student basis as required by law, except that during the 1995-96 school year a school district or special education unit may not receive less than ninety-five percent of the amount received during the 1993-94 school year from state special education funds, excluding reimbursements for

student contracts, boarding care, and gifted and talented programs.

During the 1996-97 school year a district or special education unit may not receive less than ninety percent of the amount received during the 1993-94 school year from state special education funds, excluding reimbursements for student contracts, boarding care, and gifted and talented programs."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2305: 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 2305 was placed on the Sixth order on the calendar.

Page 3, line 7, after the period insert "Any moneys generated by the farm management delivery system must be allocated by the board to the adult farm management program, the agricultural mediation services, and North Dakota state university for expenses related to the jointly developed and implemented farm management delivery system. The board may not allocate more than forty percent of these moneys to any one of these entities."

Renumber accordingly

REPORT OF CONFERENCE COMMITTEE

HB 1041, as engrossed: Your conference committee (Sens. Grindberg, Kelsh, Wanzek and Reps. Holm, Drovdal, Nichols) recommends that the **SENATE RECEDE** from the Senate amendments on HJ pages 1214-1215, adopt amendments as follows, and place HB 1041 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1214 and 1215 of the House Journal and page 1013 of the Senate Journal and that Engrossed House Bill No. 1041 be amended as follows:

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact a new section to chapter 15-22 of the North Dakota Century Code, relating to the duties of county superintendents of schools; and to repeal sections 15-21-10, 15-22-10, 15-22-11, 15-22-13, 15-22-15, 15-22-16, 15-22-20, 15-22-26, 15-35-10, 15-38-02, 15-38-03, 15-38-14, 15-40.1-19, 15-47-17, 15-47-23, and 65-04-07 of the North Dakota Century Code, relating to the duties of county superintendent of schools, filing requirements, contingency funds, disaster drills, teacher registers, and reporting requirements.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new section to chapter 15-22 of the North Dakota Century Code is created and enacted as follows:

County superintendents of schools - Assignment of duties. Notwithstanding any other provision of law, a board of county commissioners may by majority vote choose not to employ a county superintendent of schools and may assign, to one or more qualified persons, all statutory duties of county superintendents of schools. The assignment of duties must be set forth in a written plan, and the plan must be approved by a majority of the presidents of school boards whose districts include land in the county and must be placed on file with the legislative council.

SECTION 2. REPEAL. Sections 15-21-10, 15-22-10, 15-22-11, 15-22-13, 15-22-15, 15-22-16, 15-22-20, 15-22-26, 15-35-10, 15-38-02,

15-38-03, 15-38-14, 15-40.1-19, 15-47-17, 15-47-23, and 65-04-07 of the North Dakota Century Code are repealed."

Renumber accordingly

Engrossed HB 1041 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

HB 1134: Your conference committee (Sens. Tennefos, Kringstad, Kinnoin and Reps. Timm, Nicholas, Dobrinski) recommends that the SENATE RECEDE from the Senate amendments on HJ pages 1142-1143, adopt amendments as follows, and place HB 1134 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1142 and 1143 of the House Journal and page 1014 of the Senate Journal, and that House Bill No. 1134 be amended as follows:

Page 1, line 1, after "Act" insert "to provide limitations on production incentives for ethanol plants;"

Page 2, after line 5, insert:

"SECTION 2. Duration and limitation of ethanol plant production incentives. Notwithstanding any other provision of law, an ethanol plant may not receive production incentives except as permitted under this section.

1. An ethanol plant that was in operation before July 1, 1995, may not receive production incentives in the form of direct payments from the state for more than five fiscal years of operation after June 30, 1995. An ethanol plant that begins operation after June 30, 1995, may not receive production incentives in the form of direct payments from the state for more than ten fiscal years of operation. After December 31, 2007, the state may not provide production incentives in the form of direct payments to any ethanol plant.
2. An ethanol plant that was in operation before July 1, 1995, and which produced fewer than fifteen million gallons [56781000 liters] of ethanol in the previous fiscal year may receive up to one million dollars in production incentives from the state for production in a fiscal year. An ethanol plant that was in operation before July 1, 1995, and which produced fifteen million gallons [56781000 liters] or more of ethanol in the previous fiscal year and an ethanol plant that begins operation after June 30, 1995, are each eligible to receive an equal share in up to five hundred thousand dollars in production incentives from the state for production in a fiscal year."

Page 2, line 9, replace "1997" with "2000"

Page 2, line 15, replace "1996" with "1999" and replace "2" with "3"

Page 2, line 17, replace "2" with "3"

Renumber accordingly

HB 1134 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

HB 1309, as engrossed: Your conference committee (Sens. Bowman, B. Stenehjem, Mathern and Reps. K. Henegar, Thoreson, Boucher) recommends that the SENATE RECEDE from the Senate amendments on HJ page

1145, adopt amendments as follows, and place HB 1309 on the Seventh order:

That the Senate recede from its amendments as printed on page 1145 of the House Journal and pages 975 and 976 of the Senate Journal and that Engrossed House Bill No. 1309 be amended as follows:

Page 2, line 1, remove "Any immediate, adult family member of a child, including a parent,"

Page 2, remove lines 2 through 5

Page 2, line 6, remove "3." and after "person" insert ", including an immediate, adult family member of a child,"

Re-number accordingly

Engrossed HB 1309 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

HB 1329: Your conference committee (Sens. Andrist, Krauter, Sand and Reps. Carlson, Poolman, Schmidt) recommends that the **SENATE RECEDE** from the Senate amendments on HJ page 1098, adopt amendments as follows, and place HB 1329 on the Seventh order:

That the Senate recede from its amendments as printed on page 1098 of the House Journal and page 907 of the Senate Journal, and that House Bill No. 1329 be amended as follows:

Page 1, line 19, after "~~one~~" insert "to exceed two" and remove the overstrike over "~~and~~"

Page 1, line 20, remove the overstrike over "~~one-half~~" and remove "to exceed one thousand dollars plus five"

Page 3, line 6, replace "five" with "two"

Page 3, line 26, remove "The bureau's calculation of premiums, reimbursements,"

Page 3, remove line 27

Page 4, line 5, overstrike the second "of" and after "~~twenty-five~~" insert "not to exceed"

Page 9, line 21, remove "Neither the bureau nor a court of competent"

Page 9, remove lines 22 and 23

Page 9, line 24, remove "be uninsured under this title."

Page 10, line 29, after the overstruck period insert "A determination by the bureau that a person is not an employer required to obtain workers' compensation coverage under this title is a defense to any claim that the person failed to obtain coverage for the time period during which the determination is effective."

Page 12, line 3, overstrike "of two" and after "~~hundred~~" insert "not to exceed one"

Re-number accordingly

HB 1329 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

HB 1367, as engrossed: Your conference committee (Sens. Watne, Urlacher, DeMers(refused to sign) and Reps. Poolman, Soukup, Coats(refused to sign), recommends that the **HOUSE ACCEDE** to the Senate amendments on HJ page 1223, adopt further amendments as follows, and place HB 1367 on the Seventh order:

That the House accede to the amendments as printed on page 1223 of the House Journal and page 1088 of the Senate Journal and that Engrossed House Bill No. 1367 be further amended as follows:

Page 1, line 1, replace "sections" with "section" and remove "and 23-12-10.3"

Page 4, remove lines 12 through 17

Renumber accordingly

Engrossed HB 1367 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

SB 2101, as engrossed: Your conference committee (Sens. Traynor, W. Stenehjem, C. Nelson and Reps. Maragos, Kliniske, Christenson) recommends that the **HOUSE RECEDE** from the House amendments on SJ page 1036 and place SB 2101 on the Seventh order.

Engrossed SB 2101 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

SB 2152: Your conference committee (Sens. Bowman, Wanzek, Tomac and Reps. Nicholas, Johnson, Sitz) recommends that the **HOUSE RECEDE** from the House amendments on SJ page 912 and place SB 2152 on the Seventh order.

SB 2152 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

SB 2453, as engrossed: Your conference committee (Sens. Traynor, W. Stenehjem, C. Nelson and Reps. Jacobs, Walker, Coats) recommends that the **HOUSE RECEDE** from the House amendments on SJ page 983 and place SB 2453 on the Seventh order.

Engrossed SB 2453 was placed on the Seventh order of business on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4064, as engrossed: Education Committee (Rep. Rydell, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SCR 4064 was placed on the Tenth order on the calendar.

FIRST READING OF SENATE CONCURRENT RESOLUTION

SCR 4063: A concurrent resolution urging the Federal Railroad Administration to require railroads to provide for the application and maintenance of highly reflectorized materials on both sides of all railcars.

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

SIGNING OF BILLS AND RESOLUTIONS

The Speaker signed the following enrolled bills: SB 2004, SB 2010, SB 2011, SB 2020, SB 2021, SB 2022, SB 2023, SB 2025, SB 2028.

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

MADAM PRESIDENT: The Speaker has signed: SB 2004, SB 2010, SB 2011, SB 2020, SB 2021, SB 2022, SB 2023, SB 2025, SB 2028.

SIGNING OF BILLS AND RESOLUTIONS

The Speaker signed the following enrolled bills: SB 2027, SB 2030, SB 2075, SB 2179, SB 2358, SB 2404, SB 2405, SB 2406, SB 2438, SB 2452, SB 2477, SB 2482, SB 2491, SB 2500, SB 2508.

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

MADAM PRESIDENT: The Speaker has signed: SB 2027, SB 2030, SB 2075, SB 2179, SB 2358, SB 2404, SB 2405, SB 2406, SB 2438, SB 2452, SB 2477, SB 2482, SB 2491, SB 2500, SB 2508.

SIGNING OF BILLS AND RESOLUTIONS

The Speaker signed the following enrolled bills: HB 1051, HB 1243, HB 1252, HB 1286, HB 1318, HB 1337, HB 1355.

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

MADAM PRESIDENT: The Speaker has signed and your signature is respectfully requested on: HB 1051, HB 1243, HB 1252, HB 1286, HB 1318, HB 1337, HB 1355.

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

MADAM PRESIDENT: The Speaker has signed: SB 2090, SB 2104, SB 2134, SB 2155, SB 2176, SB 2212, SB 2270, SB 2306, SB 2309, SB 2342, SB 2343, SB 2351, SB 2352, SB 2353, SB 2383, SB 2388, SB 2399, SB 2402, SCR 4069.

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

MR. SPEAKER: The Senate has concurred in the House amendments and subsequently passed: SB 2014, SB 2192, SB 2202, SB 2239, SB 2359.

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

MR. SPEAKER: The Senate has adopted the conference committee report on: SB 2101, SB 2152, SB 2453.

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

MR. SPEAKER: The Senate has concurred in the House amendments and subsequently passed: SB 2026, SB 2506.

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

ROY GILBREATH, Chief Clerk