

JOURNAL OF THE HOUSE

Fifty-fifth Legislative Assembly

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Bismarck, February 14, 1997

The House convened at 8:30 a.m., with Speaker Timm presiding.

The prayer was offered by the Rev. Greg Odell, Kidder County Parish, Dawson.

The roll was called and all members were present.

A quorum was declared by the Speaker.

MOTION

REP. DORSO MOVED that HB 1067, which is on the Sixth order, be rereferred to the **Finance and Taxation Committee**, which motion prevailed. Pursuant to Rep. Dorso's motion, HB 1067 was rereferred.

SIXTH ORDER OF BUSINESS

REP. DORSO MOVED that the amendments on the Sixth order of business to HB 1068, HB 1223, HB 1266, HB 1364, HB 1392, HB 1411, and HB 1467 be adopted, which motion prevailed.

HB 1068, HB 1223, HB 1266, HB 1364, HB 1392, HB 1411, and HB 1467, as amended, were placed on the Eleventh order of business on the calendar.

SEVENTH ORDER OF BUSINESS

REP. GULLESON MOVED that the report of the Minority be substituted for the report of the Majority on HB 1340.

REQUEST

REP. BOUCHER REQUESTED a recorded roll call vote on the motion that the report of the Minority be substituted for the report of the Majority on HB 1340, which request was granted.

ROLL CALL

The question being on the motion that the report of the Minority be substituted for the report of the Majority, the roll was called and there were 34 YEAS, 62 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Boucher; Brandenburg; Callahan; Christenson; Coats; DeKrey; Delmore; Fairfield; Glassheim; Gorder; Grumbo; Guleson; Hanson; Hawken; Huether; Johnson, D.; Kelsh, S.; Kerzman; Kliniske; Kroeplin; Mahoney; Nichols; Niemeier; Oban; Poolman; Price; Rose; Sandvig; Schmidt; Thorpe; Warner; Weisz; Wilkie

NAYS: Axtman; Belter; Berg; Bernstein; Boehm; Brown; Brusegaard; Byerly; Carlisle; Carlson; Christopherson; Clark; Dalrymple; Delzer; Devlin; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Grosz; Gunter; Hausauer; Henegar; Jacobs; Jensen; Johnsen, C.; Keiser; Kelsch, R.; Kempenich; Kilzer; Klein; Koppelman; Kretschmar; Kunkel; Lloyd; Maragos; Martinson; Mickelson; Monson; Murphy; Nelson; Nicholas; Nottestad; Olson; Renner; Rennerfeldt; Sabby; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Tollefson; Torgerson; Wald; Wardner; Wentz; Speaker Timm

ABSENT AND NOT VOTING: Grande

The motion that the report of the Minority be substituted for the report of the Majority on HB 1340 failed.

MOTION

REP. BELTER MOVED that the report of the Majority be adopted, which motion prevailed.

HB 1340 with the proposed Majority report amendments was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MOTION

REP. DORSO MOVED that House Rule 601(3) be suspended and that HB 1340 with the proposed Majority report amendments be placed on the Sixth order on today's calendar, which motion prevailed.

SIXTH ORDER OF BUSINESS

HB 1340: REP. BELTER (Finance and Taxation Committee) MOVED that the Majority report amendments on HJ page 391 be adopted and then be **REFERRED** to the **Appropriations Committee** with **DO PASS**, which motion prevailed.

HB 1340, as amended, was rereferred to the **Appropriations Committee**.

SECOND READING OF SENATE BILL

SB 2347: A BILL for an Act to authorize the adjutant general to borrow funds to respond to disasters; to create and enact a new section to chapter 54-16 of the North Dakota Century Code, relating to authorizing state agencies to borrow funds for disasters; to amend and reenact section 54-16-08 of the North Dakota Century Code, relating to state contingencies appropriation; to provide an appropriation; and to declare an emergency.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 96 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Axtman; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brown; Brusegaard; Byerly; Callahan; Carlisle; Carlson; Christenson; Christopherson; Clark; Coats; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Dorso; Drovdal; Fairfield; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Grosz; Grumbo; Guleson; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroeplin; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Murphy; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Oban; Olson; Poolman; Price; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Wilkie; Speaker Timm

ABSENT AND NOT VOTING: Grande

Engrossed SB 2347 passed, the title was agreed to, and the emergency clause was declared carried.

MOTION

REP. DORSO MOVED that the rules be suspended and that Engrossed SB 2347 be messaged to the Senate immediately, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1002: A BILL for an Act to provide an appropriation for defraying the expenses of the secretary of state and public printing; and to amend and reenact section 54-09-05 of the North Dakota Century Code, relating to the salary of the secretary of state.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 96 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Axtman; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brown; Brusegaard; Byerly; Callahan; Carlisle; Carlson; Christenson; Christopherson; Clark; Coats; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Dorso; Drovdal; Fairfield; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Grosz; Grumbo; Guleson; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroeplin; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Murphy; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Oban; Olson; Poolman; Price; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Wilkie; Speaker Timm

ABSENT AND NOT VOTING: Grande

Engrossed HB 1002 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1004: A BILL for an Act to provide an appropriation for defraying the expenses of the state auditor; and to amend and reenact section 54-10-10 of the North Dakota Century Code, relating to the salary of the state auditor.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 96 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Axtman; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brown; Brusegaard; Byerly; Callahan; Carlisle; Carlson; Christenson; Christopherson; Clark; Coats; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Dorso; Drovdal; Fairfield; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleon; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroeplin; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Murphy; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Oban; Olson; Poolman; Price; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Wilkie; Speaker Timm

ABSENT AND NOT VOTING: Jacobs

Engrossed HB 1004 passed and the title was agreed to.

MOTION

REP. DORSO MOVED that HB 1034, which is on the Eleventh order, be rereferred to the **Appropriations Committee**, which motion prevailed. Pursuant to Rep. Dorso's motion, HB 1034 was rereferred.

SECOND READING OF HOUSE BILL

HB 1023: A BILL for an Act to provide an appropriation for defraying the expenses of the parks and recreation department.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 91 YEAS, 5 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Axtman; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brown; Brusegaard; Byerly; Callahan; Carlisle; Christenson; Christopherson; Clark; Coats; Dalrymple; Delmore; Delzer; Devlin; Dorso; Drovdal; Fairfield; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleon; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsh, S.; Kempenich; Kerzman; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroeplin; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Murphy; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Oban; Olson; Poolman; Price; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Wentz; Wilkie; Speaker Timm

NAYS: Carlson; DeKrey; Kelsch, R.; Skarphol; Weisz

ABSENT AND NOT VOTING: Jacobs

Engrossed HB 1023 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1024: A BILL for an Act to provide an appropriation for defraying the expenses of the tourism department.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 93 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Axtman; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brown; Brusegaard; Byerly; Callahan; Carlisle; Carlson; Christenson; Christopherson; Clark; Coats; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Drovdal; Fairfield; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Grande; Grosz; Grumbo; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kempenich; Kerzman; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroepflin; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Murphy; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Oban; Olson; Poolman; Price; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Wilkie; Speaker Timm

ABSENT AND NOT VOTING: Dorso; Gulleeson; Jacobs; Kelsh, S.

Engrossed HB 1024 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1058: A BILL for an Act to amend and reenact sections 20.1-13-05, 61-28-02, 61-28-03, 61-28-05, and 61-28-07 of the North Dakota Century Code, relating to the powers, procedures, and composition of the state water pollution control board.

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 61 YEAS, 34 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Axtman; Belter; Berg; Bernstein; Boehm; Brown; Brusegaard; Byerly; Carlson; Christopherson; Clark; Dalrymple; DeKrey; Dorso; Froseth; Galvin; Gerntholz; Grande; Grosz; Grumbo; Gunter; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kilzer; Klein; Koppelman; Kunkel; Mahoney; Martinson; Mickelson; Monson; Nicholas; Nottestad; Olson; Poolman; Price; Renner; Rennerfeldt; Sabby; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Tollefson; Torgerson; Wald; Wardner; Weisz; Wentz; Speaker Timm

NAYS: Aarsvold; Boucher; Brandenburg; Callahan; Carlisle; Christenson; Coats; Delmore; Devlin; Drovdal; Fairfield; Freier; Glassheim; Gorder; Hanson; Kelsh, S.; Kempenich; Kerzman; Kliniske; Kretschmar; Kroepflin; Lloyd; Maragos; Murphy; Nelson; Nichols; Niemeier; Oban; Rose; Sandvig; Schmidt; Thorpe; Warner; Wilkie

ABSENT AND NOT VOTING: Delzer; Gulleeson

Engrossed HB 1058 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1265: A BILL for an Act to amend and reenact section 65-05-07 of the North Dakota Century Code, relating to medical benefits furnished by the workers compensation bureau.

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

YEAS: Aarsvold; Axtman; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brown; Brusegaard; Byerly; Callahan; Carlisle; Carlson; Christenson; Christopherson; Clark; Coats; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Dorso; Drovdal; Fairfield; Freier;

Froseth; Galvin; Gerntholz; Glassheim; Gorder; Grande; Grumbo; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroeplin; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Murphy; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Oban; Olson; Poolman; Price; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Wilkie; Speaker Timm

ABSENT AND NOT VOTING: Grosz; Gulleason

Engrossed HB 1265 passed and the title was agreed to.

MOTION

REP. DORSO MOVED that HB 1267 be placed at the foot of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1332: A BILL for an Act to create and enact a new subdivision to subsection 6 of section 57-38-38 and a new subsection to section 57-38-62 of the North Dakota Century Code, relating to the exemption of penalties on refunded income taxes from an amended return or claim and permitting the application of a tax overpayment for a year as an estimated tax payment for the succeeding year; to amend and reenact section 57-38-35.2 and subsections 1 and 2 of section 57-38-45 of the North Dakota Century Code, relating to income tax interest and penalties; 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 96 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Axtman; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brown; Brusegaard; Byerly; Callahan; Carlisle; Carlson; Christenson; Christopherson; Clark; Coats; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Dorso; Drovdal; Fairfield; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Grande; Grosz; Grumbo; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroeplin; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Murphy; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Oban; Olson; Poolman; Price; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Wilkie; Speaker Timm

ABSENT AND NOT VOTING: Gulleason

Engrossed HB 1332 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1355: A BILL for an Act to provide for immunity for any person that does not provide health care services because of a religious or moral conviction.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 15 YEAS, 79 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Boehm; Brown; Brusegaard; Coats; DeKrey; Grosz; Kelsh, S.; Kerzman; Klein; Koppelman; Niemeier; Sandvig; Schmidt; Wald; Weisz

NAYS: Aarsvold; Axtman; Belter; Berg; Bernstein; Boucher; Brandenburg; Byerly; Callahan; Carlisle; Carlson; Christenson; Christopherson; Clark; Dalrymple; Delmore; Devlin; Dorso; Drovdal; Fairfield; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Grande; Grumbo; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kempenich; Kilzer; Kliniske; Kretschmar; Kroeplin; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Murphy; Nelson; Nicholas; Nichols; Nottestad; Oban; Olson; Poolman; Price;

Renner; Rennerfeldt; Rose; Sabby; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thorpe; Tollefson; Torgerson; Wardner; Warner; Wentz; Wilkie; Speaker Timm

ABSENT AND NOT VOTING: Delzer; Gulleason; Thoreson

Engrossed HB 1355 was declared lost.

SECOND READING OF HOUSE BILL

HB 1357: A BILL for an Act to prohibit surreptitious intrusion; to amend and reenact subdivision c of subsection 1 of section 12.1-32-15 of the North Dakota Century Code, relating to sexual offenders; 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 95 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Axtman; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brown; Brusegaard; Byerly; Callahan; Carlisle; Carlson; Christenson; Christopherson; Clark; Coats; Dalrymple; DeKrey; Delmore; Devlin; Dorso; Drovdal; Fairfield; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Grande; Grosz; Grumbo; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroepflin; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Murphy; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Oban; Olson; Poolman; Price; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Wilkie; Speaker Timm

ABSENT AND NOT VOTING: Delzer; Gulleason

Engrossed HB 1357 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1369: A BILL for an Act to provide an appropriation for the state waterbank program; and to authorize a transfer of funds.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 56 YEAS, 40 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Axtman; Boucher; Brandenburg; Callahan; Carlisle; Christenson; Coats; DeKrey; Delmore; Devlin; Drovdal; Fairfield; Froseth; Galvin; Glassheim; Gorder; Grumbo; Gunter; Hanson; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsh, S.; Kempenich; Kerzman; Kilzer; Koppelman; Kretschmar; Kroepflin; Kunkel; Mahoney; Maragos; Martinson; Monson; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Oban; Poolman; Rose; Sandvig; Schmidt; Stenehjem; Thompson; Thoreson; Thorpe; Warner; Weisz; Wilkie

NAYS: Belter; Berg; Bernstein; Boehm; Brown; Brusegaard; Byerly; Carlson; Christopherson; Clark; Dalrymple; Delzer; Dorso; Freier; Gerntholz; Grande; Grosz; Hausauer; Hawken; Kelsch, R.; Klein; Kliniske; Lloyd; Mickelson; Murphy; Olson; Price; Renner; Rennerfeldt; Sabby; Skarphol; Soukup; Svedjan; Sveen; Tollefson; Torgerson; Wald; Wardner; Wentz; Speaker Timm

ABSENT AND NOT VOTING: Gulleason

Engrossed HB 1369 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1370: A BILL for an Act to amend and reenact subsection 21 of section 43-17-31 of the North Dakota Century Code, relating to grounds for disciplinary action by the state board of medical examiners.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 42 YEAS, 54 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Belter; Boehm; Boucher; Brandenburg; Brown; Brusegaard; Byerly; Christenson; Coats; DeKrey; Fairfield; Galvin; Glassheim; Gorder; Grosz; Hanson; Hawken; Kelsh, S.; Kempenich; Kerzman; Lloyd; Mahoney; Maragos; Mickelson; Monson; Murphy; Nelson; Niemeier; Olson; Renner; Schmidt; Soukup; Sveen; Thompson; Tollefson; Torgerson; Wald; Wardner; Weisz; Wentz; Wilkie; Speaker Timm

NAYS: Aarsvold; Axtman; Berg; Bernstein; Callahan; Carlisle; Carlson; Christopherson; Clark; Dalrymple; Delmore; Delzer; Devlin; Dorso; Drovdal; Freier; Froseth; Gerntholz; Grande; Grumbo; Gunter; Hausauer; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroepelin; Kunkel; Martinson; Nicholas; Nichols; Nottestad; Oban; Poolman; Price; Rennerfeldt; Rose; Sabby; Sandvig; Skarphol; Stenehjem; Svedjan; Thoreson; Thorpe; Warner

ABSENT AND NOT VOTING: Gulleason

Engrossed HB 1370 was declared lost.

SECOND READING OF HOUSE BILL

HB 1381: A BILL for an Act to authorize the state board of higher education to convey certain land in Grand Forks, North Dakota; 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 96 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Axtman; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brown; Brusegaard; Byerly; Callahan; Carlisle; Carlson; Christenson; Christopherson; Clark; Coats; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Dorso; Drovdal; Fairfield; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Grande; Grosz; Grumbo; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroepelin; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Murphy; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Oban; Olson; Poolman; Price; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Wilkie; Speaker Timm

ABSENT AND NOT VOTING: Gulleason

Engrossed HB 1381 passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF HOUSE BILL

HB 1420: A BILL for an Act to amend and reenact subsection 1 of section 11-17-04 and section 14-03-22 of the North Dakota Century Code, relating to the fee for filing, depositing, or registering certain documents with the clerk of court and for performing marriage ceremonies.

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 86 YEAS, 9 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Axtman; Belter; Berg; Bernstein; Boucher; Brandenburg; Brown; Brusegaard; Byerly; Callahan; Carlson; Christenson; Christopherson; Clark; Coats; Dalrymple; DeKrey; Delmore; Devlin; Dorso; Drovdal; Fairfield; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gordier; Grande; Grumbo; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroeplin; Kunkel; Mahoney; Maragos; Mickelson; Monson; Murphy; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Oban; Olson; Poolman; Price; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wardner; Warner; Weisz; Wentz; Wilkie; Speaker Timm

NAYS: Boehm; Carlisle; Delzer; Grosz; Kerzman; Lloyd; Martinson; Schmidt; Skarphol

ABSENT AND NOT VOTING: Gulleson; Wald

Engrossed HB 1420 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1421: A BILL for an Act to amend and reenact section 48-02-06.2 of the North Dakota Century Code, relating to bonds required of contractors for certain public improvement contracts; 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 95 YEAS, 1 NAY, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Axtman; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brown; Brusegaard; Byerly; Callahan; Carlisle; Carlson; Christenson; Christopherson; Clark; Coats; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Dorso; Drovdal; Fairfield; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gordier; Grande; Grosz; Grumbo; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroeplin; Kunkel; Lloyd; Mahoney; Martinson; Mickelson; Monson; Murphy; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Oban; Olson; Poolman; Price; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Wilkie; Speaker Timm

NAYS: Maragos

ABSENT AND NOT VOTING: Gulleson

Engrossed HB 1421 passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF HOUSE BILL

HB 1434: A BILL for an Act to create and enact a new section to chapter 4-09 of the North Dakota Century Code, relating to labeling requirements for bagged agricultural seed; and to amend and reenact section 4-09-08 of the North Dakota Century Code, relating to public laboratory services by the state seed commissioner.

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, 6 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Axtman; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brown; Brusegaard; Byerly; Callahan; Carlisle; Carlson; Christenson; Christopherson; Clark; Coats; Delmore; Devlin; Dorso; Drovdal; Fairfield; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gordier; Grande; Grosz; Grumbo; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroeplin; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Murphy; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Oban; Olson; Poolman; Price; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Skarphol; Soukup; Stenehjem; Svedjan;

Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Wentz; Speaker Timm

NAYS: Aarsvold; Dalrymple; DeKrey; Delzer; Weisz; Wilkie

ABSENT AND NOT VOTING: Gulleson

Engrossed HB 1434 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1436: A BILL for an Act to create and enact two new sections to chapter 4-10 of the North Dakota Century Code, relating to quality standards and planting records for seed potatoes.

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 83 YEAS, 13 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Axtman; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brusegaard; Byerly; Callahan; Carlson; Christenson; Christopherson; Clark; Coats; Dalrymple; Delmore; Devlin; Dorso; Fairfield; Freier; Galvin; Gerntholz; Glassheim; Gorder; Grande; Grumbo; Gulleson; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kilzer; Kliniske; Koppelman; Kretschmar; Kroeplin; Kunkel; Lloyd; Mahoney; Martinson; Mickelson; Monson; Murphy; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Oban; Olson; Poolman; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Soukup; Stenehjem; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Wentz; Wilkie; Speaker Timm

NAYS: Belter; Brown; Carlisle; DeKrey; Delzer; Drovdal; Froseth; Grosz; Klein; Maragos; Price; Skarphol; Weisz

ABSENT AND NOT VOTING: Svedjan

Engrossed HB 1436 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1437: A BILL for an Act to create and enact three new sections to chapter 4-10 of the North Dakota Century Code, relating to quality standards for seed potatoes imported into the state and potato planting records; to amend and reenact section 4-10-22 of the North Dakota Century Code, relating to civil penalties for violating potato grading and inspection laws; 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 93 YEAS, 2 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Axtman; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brusegaard; Byerly; Callahan; Carlisle; Carlson; Christenson; Christopherson; Clark; Coats; Dalrymple; DeKrey; Delmore; Devlin; Dorso; Drovdal; Fairfield; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleson; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroeplin; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Murphy; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Oban; Olson; Poolman; Price; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wardner; Warner; Weisz; Wentz; Wilkie; Speaker Timm

NAYS: Brown; Delzer

ABSENT AND NOT VOTING: Schmidt; Wald

Engrossed HB 1437 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1442: A BILL for an Act to amend and reenact section 48-01.1-03 of the North Dakota Century Code, relating to publication of advertising for bids for public improvement projects.

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 88 YEAS, 7 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Belter; Berg; Bernstein; Boucher; Brandenburg; Brown; Brusegaard; Byerly; Callahan; Carlisle; Carlson; Christenson; Christopherson; Clark; Coats; Dalrymple; DeKrey; Delmore; Devlin; Dorso; Drovdal; Fairfield; Freier; Froseth; Galvin; Gerntholz; Glassheim; Grande; Grumbo; Gulleeson; Gunter; Hanson; Hausauer; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroeplin; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Murphy; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Oban; Olson; Poolman; Price; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wardner; Warner; Weisz; Wentz; Speaker Timm

NAYS: Axtman; Boehm; Delzer; Grosz; Hawken; Renner; Wilkie

ABSENT AND NOT VOTING: Gorder; Wald

Engrossed HB 1442 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1469: A BILL for an Act to create and enact a new section to chapter 23-12 of the North Dakota Century Code, relating to a prohibition on the use of public and health insurance funds for assisting in the commission of a suicide; 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 NOT PASS, the roll was called and there were 10 YEAS, 87 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Bernstein; Boehm; Coats; Grande; Koppelman; Martinson; Niemeier; Renner; Sandvig; Wald

NAYS: Aarsvold; Axtman; Belter; Berg; Boucher; Brandenburg; Brown; Brusegaard; Byerly; Callahan; Carlisle; Carlson; Christenson; Christopherson; Clark; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Dorso; Drovdal; Fairfield; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Grosz; Grumbo; Gulleeson; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kilzer; Klein; Kliniske; Kretschmar; Kroeplin; Kunkel; Lloyd; Mahoney; Maragos; Mickelson; Monson; Murphy; Nelson; Nicholas; Nichols; Nottestad; Oban; Olson; Poolman; Price; Rennerfeldt; Rose; Sabby; Schmidt; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wardner; Warner; Weisz; Wentz; Wilkie; Speaker Timm

Engrossed HB 1469 was declared lost.

MOTION

REP. DORSO MOVED that HB 1019, which is on the Eleventh order, be rereferred to the **Appropriations Committee**, which motion prevailed. Pursuant to Rep. Dorso's motion, HB 1019 was rereferred.

SECOND READING OF HOUSE BILL

HB 1061: A BILL for an Act to amend and reenact section 50-24.1-02.2 of the North Dakota Century Code, relating to eligibility for services provided by the department of human services.

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 5 YEAS, 91 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Callahan; Mahoney; Murphy; Sandvig; Warner

NAYS: Aarsvold; Axtman; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brown; Brusegaard; Byerly; Carlisle; Carlson; Christenson; Christopherson; Clark; Coats; Dalrymple; Delmore; Delzer; Devlin; Dorso; Drovdal; Fairfield; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleson; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroeplin; Kunkel; Lloyd; Maragos; Martinson; Mickelson; Monson; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Oban; Olson; Poolman; Price; Renner; Rennerfeldt; Rose; Sabby; Schmidt; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Weisz; Wentz; Wilkie; Speaker Timm

ABSENT AND NOT VOTING: DeKrey

HB 1061 was declared lost.

SECOND READING OF HOUSE BILL

HB 1080: A BILL for an Act to amend and reenact subsection 1 of section 12.1-28-01 of the North Dakota Century Code, relating to the definition of gambling.

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 20 YEAS, 75 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Delmore; Hawken; Huether; Jensen; Johnsen, C.; Johnson, D.; Klein; Kliniske; Kretschmar; Kunkel; Maragos; Mickelson; Nelson; Nichols; Price; Stenehjem; Sveen; Thoreson; Wentz; Speaker Timm

NAYS: Aarsvold; Axtman; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brown; Brusegaard; Byerly; Callahan; Carlisle; Carlson; Christenson; Christopherson; Clark; Coats; Dalrymple; DeKrey; Delzer; Devlin; Dorso; Drovdal; Fairfield; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Grande; Grosz; Grumbo; Gunter; Hanson; Hausauer; Henegar; Jacobs; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kilzer; Koppelman; Kroeplin; Lloyd; Martinson; Monson; Murphy; Nicholas; Niemeier; Nottestad; Oban; Olson; Poolman; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Skarphol; Soukup; Svedjan; Thompson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wilkie

ABSENT AND NOT VOTING: Gulleson; Mahoney

HB 1080 was declared lost.

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

MADAM PRESIDENT: The House has passed unchanged: SB 2347.

MOTION

REP. FREIER MOVED that the House stand in recess until 2:00 p.m., which motion prevailed.

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

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

MR. SPEAKER: The Senate has passed and your favorable consideration is requested on: SB 2152, SB 2213, SB 2232.

SECOND READING OF HOUSE BILL

HB 1115: A BILL for an Act to amend and reenact section 4-28-07 of the North Dakota Century Code, relating to the wheat tax levy rate.

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, 21 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

YEAS: Axtman; Belter; Berg; Bernstein; Boucher; Brandenburg; Brusegaard; Byerly; Carlisle; Carlson; Christopherson; Clark; DeKrey; Delmore; Devlin; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Grande; Grumbo; Gunter; Hausauer; Hawken; Henegar; Huether; Jensen; Johnsen, C.; Johnson, D.; Kelsch, R.; Kelsh, S.; Kempenich; Klein; Koppelman; Kroepelin; Kunkel; Lloyd; Mahoney; Martinson; Monson; Nelson; Nicholas; Nichols; Nottestad; Oban; Price; Rennerfeldt; Rose; Sabby; Schmidt; Skarphol; Soukup; Stenehjem; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Wilkie; Speaker Timm

NAYS: Boehm; Brown; Callahan; Christenson; Coats; Delzer; Fairfield; Grosz; Gulleson; Hanson; Jacobs; Keiser; Kerzman; Kilzer; Kliniske; Mickelson; Murphy; Olson; Poolman; Renner; Sandvig

ABSENT AND NOT VOTING: Aarsvold; Dalrymple; Kretschmar; Maragos; Niemeier; Svedjan

HB 1115 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1183: A BILL for an Act to amend and reenact subdivision a of subsection 1 of section 28-32-01 and section 54-21-18 of the North Dakota Century Code, relating to adoption of administrative rules concerning conduct on the state capitol grounds; and to provide a penalty.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 95 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Axtman; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brown; Brusegaard; Byerly; Callahan; Carlisle; Carlson; Christenson; Christopherson; Clark; Coats; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Dorso; Drovdal; Fairfield; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleson; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroepelin; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Murphy; Nelson; Nicholas; Nichols; Nottestad; Oban; Olson; Poolman; Price; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Wilkie; Speaker Timm

ABSENT AND NOT VOTING: Aarsvold; Niemeier

HB 1183 passed and the title was agreed to.

MOTION

REP. KOPPELMAN MOVED that the House reconsider its action whereby HB 1369 passed, which motion prevailed on a verification vote.

SECOND READING OF HOUSE BILL

HB 1369: A BILL for an Act to provide an appropriation for the state waterbank program; and to authorize a transfer of funds.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 38 YEAS, 57 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Boucher; Brandenburg; Callahan; Carlisle; Christenson; Coats; Delmore; Fairfield; Froseth; Glassheim; Gorder; Grumbo; Gulleson; Gunter; Hanson; Henegar; Huether; Johnsen, C.; Johnson, D.; Kelsh, S.; Kerzman; Kretschmar; Kunkel; Maragos;

Martinson; Nelson; Nicholas; Nichols; Nottestad; Oban; Rose; Schmidt; Soukup; Thompson; Thoreson; Thorpe; Warner; Wilkie

NAYS: Axtman; Belter; Berg; Bernstein; Boehm; Brown; Brusegaard; Byerly; Carlson; Christopherson; Clark; Dalrymple; DeKrey; Delzer; Devlin; Dorso; Drovdal; Freier; Galvin; Gerntholz; Grande; Grosz; Hausauer; Hawken; Jacobs; Jensen; Keiser; Kelsch, R.; Kempenich; Kilzer; Klein; Kliniske; Koppelman; Kroeplin; Lloyd; Mahoney; Mickelson; Monson; Murphy; Olson; Poolman; Price; Renner; Rennerfeldt; Sabby; Sandvig; Skarphol; Stenehjem; Svedjan; Sveen; Tollefson; Torgerson; Wald; Wardner; Weisz; Wentz; Speaker Timm

ABSENT AND NOT VOTING: Aarsvold; Niemeier

Engrossed HB 1369 was declared lost.

SECOND READING OF HOUSE BILL

HB 1184: A BILL for an Act to amend and reenact section 15-40.3-01 of the North Dakota Century Code, relating to the applicability of open enrollment procedures.

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 2 YEAS, 93 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: DeKrey; Maragos

NAYS: Axtman; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brown; Brusegaard; Byerly; Callahan; Carlisle; Carlson; Christenson; Christopherson; Clark; Coats; Dalrymple; Delmore; Delzer; Devlin; Dorso; Drovdal; Fairfield; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Grande; Grosz; Grumbo; Guleson; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kelsch, S.; Kempenich; Kerzman; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroeplin; Kunkel; Lloyd; Mahoney; Martinson; Mickelson; Monson; Murphy; Nelson; Nicholas; Nichols; Nottestad; Oban; Olson; Poolman; Price; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Wilkie; Speaker Timm

ABSENT AND NOT VOTING: Aarsvold; Niemeier

HB 1184 was declared lost.

SECOND READING OF HOUSE BILL

HB 1189: A BILL for an Act to amend and reenact section 8-10-11 of the North Dakota Century Code, relating to the interruption of telecommunications in certain emergencies; and to provide a penalty.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 95 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Axtman; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brown; Brusegaard; Byerly; Callahan; Carlisle; Carlson; Christenson; Christopherson; Clark; Coats; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Dorso; Drovdal; Fairfield; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Grande; Grosz; Grumbo; Guleson; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kelsch, S.; Kempenich; Kerzman; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroeplin; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Murphy; Nelson; Nicholas; Nichols; Nottestad; Oban; Olson; Poolman; Price; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Wilkie; Speaker Timm

ABSENT AND NOT VOTING: Aarsvold; Niemeier

HB 1189 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1199: A BILL for an Act to amend and reenact sections 4-10.2-03, 4-10.2-05, and 4-10.2-08 of the North Dakota Century Code, relating to the North Dakota oilseed council, its members, member compensation, and commodity assessments.

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

YEAS: Axtman; Belter; Berg; Bernstein; Boehm; Brandenburg; Brusegaard; Byerly; Callahan; Carlisle; Carlson; Christenson; Christopherson; Clark; Coats; Dalrymple; DeKrey; Delmore; Devlin; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Grande; Grumbo; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Klein; Kliniske; Koppelman; Kretschmar; Kroeplin; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Monson; Nelson; Nichols; Nottestad; Oban; Olson; Price; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Wilkie; Speaker Timm

NAYS: Boucher; Brown; Delzer; Fairfield; Grosz; Guleson; Kilzer; Mickelson; Murphy; Poolman

ABSENT AND NOT VOTING: Aarsvold; Nicholas; Niemeier

HB 1199 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1233: A BILL for an Act to amend and reenact sections 16.1-07-01, 16.1-07-05, 16.1-07-06, and 16.1-07-08 of the North Dakota Century Code, relating to an elector's eligibility to vote by absentee ballot; and to repeal section 16.1-07-02 of the North Dakota Century Code, relating to voting by absentee ballot.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 0 YEAS, 93 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

NAYS: Axtman; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brown; Brusegaard; Byerly; Callahan; Carlisle; Carlson; Christenson; Christopherson; Clark; Coats; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Dorso; Drovdal; Fairfield; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Grande; Grosz; Grumbo; Guleson; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroeplin; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Murphy; Nelson; Nichols; Nottestad; Oban; Olson; Poolman; Price; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Skarphol; Soukup; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Wilkie; Speaker Timm

ABSENT AND NOT VOTING: Aarsvold; Nicholas; Niemeier; Stenehjem

HB 1233 was declared lost.

SECOND READING OF HOUSE BILL

HB 1277: A BILL for an Act to create and enact a new section to chapter 59-02 of the North Dakota Century Code, relating to the duty of a trustee with respect to acquiring or retaining a life insurance policy; and to provide for retroactive application.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 0 YEAS, 93 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

NAYS: Axtman; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brown; Brusegaard; Byerly; Callahan; Carlisle; Carlson; Christenson; Christopherson; Clark; Coats; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Dorso; Drovdal; Fairfield; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleston; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroeplin; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Murphy; Nelson; Nichols; Nottestad; Oban; Olson; Poolman; Price; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Skarphol; Soukup; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Wilkie; Speaker Timm

ABSENT AND NOT VOTING: Aarsvold; Nicholas; Niemeier; Stenehjem

HB 1277 was declared lost.

SECOND READING OF HOUSE BILL

HB 1295: A BILL for an Act to amend and reenact section 15-10-18 of the North Dakota Century Code, relating to nonresident tuition at institutions of higher education.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 13 YEAS, 81 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Belter; Boehm; Brusegaard; DeKrey; Delzer; Grosz; Nelson; Renner; Skarphol; Soukup; Tollefson; Torgerson; Weisz

NAYS: Axtman; Berg; Bernstein; Boucher; Brandenburg; Brown; Byerly; Callahan; Carlisle; Carlson; Christenson; Christopherson; Clark; Coats; Dalrymple; Delmore; Devlin; Dorso; Drovdal; Fairfield; Freier; Froseth; Galvin; Gerntholz; Glassheim; Grande; Grumbo; Gulleston; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroeplin; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Murphy; Nicholas; Nichols; Nottestad; Oban; Olson; Poolman; Price; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Wald; Wardner; Warner; Wentz; Wilkie; Speaker Timm

ABSENT AND NOT VOTING: Aarsvold; Gorder; Niemeier

HB 1295 was declared lost.

SECOND READING OF HOUSE BILL

HB 1301: A BILL for an Act to amend and reenact subsection 15 of section 57-02-08 of the North Dakota Century Code, relating to the farm residence and buildings exemption for bed and breakfast facilities; 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 74 YEAS, 20 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Axtman; Belter; Bernstein; Boehm; Boucher; Brandenburg; Brown; Brusegaard; Callahan; Carlisle; Christenson; Christopherson; Coats; Dalrymple; DeKrey; Delmore; Dorso; Drovdal; Fairfield; Freier; Froseth; Gerntholz; Glassheim; Gorder; Grosz; Grumbo; Gulleston; Gunter; Hausauer; Henegar; Huether; Jacobs; Johnsen, C.; Johnson, D.; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Klein; Koppelman; Kretschmar; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Murphy; Nelson; Nicholas; Nichols; Nottestad; Oban; Olson; Poolman; Price; Renner;

Rose; Sabby; Sandvig; Schmidt; Skarphol; Stenehjem; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wardner; Warner; Weisz; Wentz; Wilkie

NAYS: Berg; Byerly; Carlson; Clark; Devlin; Galvin; Grande; Hanson; Hawken; Jensen; Keiser; Kilzer; Kliniske; Kroeplin; Rennerfeldt; Soukup; Svedjan; Sveen; Wald; Speaker Timm

ABSENT AND NOT VOTING: Aarsvold; Delzer; Niemeier

HB 1301 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1313: A BILL for an Act to create and enact a new section to chapter 15-29 and a new section to chapter 15-47 of the North Dakota Century Code, relating to the provision of teaching and other educational services on a voluntary basis; and to amend and reenact subsection 10 of section 15-29-08, section 15-41-25, and subsection 1 of section 15-47-46 of the North Dakota Century Code, relating to the provision of teaching and other educational services on a voluntary basis and qualifications of elementary and secondary school teachers.

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 24 YEAS, 69 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Boehm; Brown; Brusegaard; Callahan; Carlson; Coats; DeKrey; Delzer; Gorder; Grande; Grosz; Klein; Lloyd; Mahoney; Murphy; Renner; Sandvig; Soukup; Thompson; Tollefson; Torgerson; Wald; Weisz; Speaker Timm

NAYS: Axtman; Belter; Berg; Bernstein; Boucher; Brandenburg; Byerly; Carlisle; Christenson; Christopherson; Clark; Dalrymple; Delmore; Devlin; Dorso; Drovdal; Fairfield; Freier; Froseth; Galvin; Gerntholz; Glassheim; Grumbo; Gulleeson; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kilzer; Kliniske; Kretschmar; Kroeplin; Kunkel; Maragos; Martinson; Mickelson; Monson; Nelson; Nicholas; Nichols; Nottestad; Oban; Olson; Poolman; Price; Rennerfeldt; Rose; Sabby; Schmidt; Stenehjem; Svedjan; Sveen; Thoreson; Thorpe; Wardner; Warner; Wentz; Wilkie

ABSENT AND NOT VOTING: Aarsvold; Koppelman; Niemeier; Skarphol

HB 1313 was declared lost.

SECOND READING OF HOUSE BILL

HB 1329: A BILL for an Act relating to parental consent for purposes of school activities.

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 20 YEAS, 75 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Boehm; Brown; Clark; DeKrey; Galvin; Gorder; Grande; Grumbo; Koppelman; Lloyd; Murphy; Nelson; Renner; Sabby; Sandvig; Skarphol; Tollefson; Wald; Wardner; Weisz

NAYS: Axtman; Belter; Berg; Bernstein; Boucher; Brandenburg; Brusegaard; Byerly; Callahan; Carlisle; Carlson; Christenson; Christopherson; Coats; Dalrymple; Delmore; Delzer; Devlin; Dorso; Drovdal; Fairfield; Freier; Froseth; Gerntholz; Glassheim; Grosz; Gulleeson; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kilzer; Klein; Kliniske; Kretschmar; Kroeplin; Kunkel; Mahoney; Maragos; Martinson; Mickelson; Monson; Nicholas; Nichols; Nottestad; Oban; Olson; Poolman; Price; Rennerfeldt; Rose; Schmidt; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Torgerson; Warner; Wentz; Wilkie; Speaker Timm

ABSENT AND NOT VOTING: Aarsvold; Niemeier

HB 1329 was declared lost.

SECOND READING OF HOUSE BILL

HB 1338: A BILL for an Act to amend and reenact subsection 4 of section 43-41-02 of the North Dakota Century Code, relating to social work designees in hospitals or nursing homes.

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 45 YEAS, 50 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Bernstein; Boucher; Brandenburg; Brown; Callahan; Christenson; Christopherson; Coats; Delmore; Fairfield; Freier; Galvin; Glassheim; Gorder; Grumbo; Gulleon; Gunter; Hanson; Hawken; Huether; Jacobs; Jensen; Johnson, D.; Kelsh, S.; Kerzman; Kretschmar; Kroeplin; Kunkel; Mahoney; Maragos; Mickelson; Nicholas; Nichols; Oban; Poolman; Rose; Schmidt; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Warner; Wentz; Wilkie

NAYS: Axtman; Belter; Berg; Boehm; Brusegaard; Byerly; Carlisle; Carlson; Clark; Dalrymple; DeKrey; Delzer; Devlin; Dorso; Drovdal; Froseth; Gerntholz; Grande; Grosz; Hausauer; Henegar; Johnsen, C.; Keiser; Kelsch, R.; Kempenich; Kilzer; Klein; Kliniske; Koppelman; Lloyd; Martinson; Monson; Murphy; Nelson; Nottestad; Olson; Price; Renner; Rennerfeldt; Sabby; Sandvig; Skarphol; Soukup; Stenehjem; Svedjan; Torgerson; Wald; Wardner; Weisz; Speaker Timm

ABSENT AND NOT VOTING: Aarsvold; Niemeier

HB 1338 was declared lost.

MOTION

REP. DORSO MOVED that HB 1339, which is on the Eleventh order, be laid over one legislative day, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1362: A BILL for an Act to create and enact two new sections to chapter 4-24 of the North Dakota Century Code, relating to induction in the North Dakota agricultural hall of fame; and to amend and reenact section 4-24-08 of the North Dakota Century code, relating to the North Dakota agricultural hall of fame.

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 79 YEAS, 16 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Axtman; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brown; Callahan; Carlisle; Christenson; Christopherson; Clark; Coats; DeKrey; Delmore; Devlin; Dorso; Drovdal; Fairfield; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Grosz; Grumbo; Gulleon; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Klein; Koppelman; Kretschmar; Kroeplin; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Nicholas; Nichols; Nottestad; Oban; Olson; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wardner; Warner; Weisz; Wentz; Wilkie

NAYS: Brusegaard; Byerly; Carlson; Dalrymple; Delzer; Grande; Keiser; Kilzer; Kliniske; Murphy; Nelson; Poolman; Price; Skarphol; Wald; Speaker Timm

ABSENT AND NOT VOTING: Aarsvold; Niemeier

HB 1362 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1386: A BILL for an Act to repeal chapter 26.1-33.1 of the North Dakota Century Code, relating to viatical settlements.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 0 YEAS, 94 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

NAYS: Axtman; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brown; Brusegaard; Byerly; Callahan; Carlisle; Carlson; Christenson; Christopherson; Clark; Coats; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Dorso; Drovda; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleston; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroepflin; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Murphy; Nelson; Nicholas; Nichols; Nottestad; Oban; Olson; Poolman; Price; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Skarphol; Soukup; Stenehjerm; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Wilkie; Speaker Timm

ABSENT AND NOT VOTING: Aarsvold; Fairfield; Niemeier

HB 1386 was declared lost.

SECOND READING OF HOUSE BILL

HB 1398: A BILL for an Act to amend and reenact subsection 2 of section 50-25.1-02 and section 50-25.1-05.4 of the North Dakota Century Code, relating to child abuse and neglect definitions and hearing procedures.

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

YEAS: Boucher; Brandenburg; Callahan; Christenson; Coats; Delmore; Fairfield; Glassheim; Grumbo; Gulleston; Hawken; Jensen; Kelsh, S.; Maragos; Oban; Rose; Stenehjerm; Thorpe; Wentz

NAYS: Axtman; Belter; Berg; Bernstein; Boehm; Brown; Brusegaard; Byerly; Carlisle; Carlson; Christopherson; Clark; Dalrymple; DeKrey; Delzer; Devlin; Dorso; Drovda; Freier; Froseth; Galvin; Gerntholz; Gorder; Grande; Grosz; Gunter; Hanson; Hausauer; Henegar; Huether; Jacobs; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kempenich; Kerzman; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroepflin; Kunkel; Lloyd; Mahoney; Martinson; Mickelson; Monson; Murphy; Nelson; Nicholas; Nichols; Nottestad; Olson; Poolman; Price; Renner; Rennerfeldt; Sabby; Sandvig; Schmidt; Skarphol; Soukup; Svedjan; Sveen; Thompson; Thoreson; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wilkie; Speaker Timm

ABSENT AND NOT VOTING: Aarsvold; Niemeier

HB 1398 was declared lost.

SECOND READING OF HOUSE BILL

HB 1426: A BILL for an Act relating to farm equipment warranty compliance.

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 13 YEAS, 80 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Boucher; Callahan; Christenson; DeKrey; Fairfield; Kelsh, S.; Kerzman; Murphy; Oban; Rose; Sandvig; Weisz; Wilkie

NAYS: Axtman; Belter; Berg; Bernstein; Boehm; Brandenburg; Brown; Brusegaard; Byerly; Carlisle; Carlson; Christopherson; Clark; Coats; Dalrymple; Delmore; Delzer; Devlin; Drovda; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleston; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kempenich; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroepflin; Kunkel; Lloyd; Mahoney; Maragos;

Martinson; Mickelson; Monson; Nelson; Nicholas; Nichols; Nottestad; Olson; Poolman; Price; Renner; Rennerfeldt; Sabby; Schmidt; Skarphol; Soukup; Stenehjøm; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Wentz; Speaker Timm

ABSENT AND NOT VOTING: Aarsvold; Dorso; Niemeier; Warner

HB 1426 was declared lost.

SECOND READING OF HOUSE BILL

HB 1435: A BILL for an Act to create and enact a new section to chapter 44-04 of the North Dakota Century Code, relating to political subdivision hearings concerning public health, natural resources, or the environment; and to amend and reenact section 11-35-01 of the North Dakota Century Code, relating to formation of joint zoning commissions by political subdivisions.

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 65 YEAS, 27 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Axtman; Bernstein; Boucher; Brandenburg; Byerly; Callahan; Carlisle; Christenson; Christopherson; Coats; DeKrey; Delmore; Devlin; Dorso; Drovdal; Fairfield; Freier; Galvin; Gerntholz; Glassheim; Grumbo; Guleson; Gunter; Hanson; Hawken; Henegar; Huether; Jacobs; Jensen; Johnson, D.; Kelsch, R.; Kelsh, S.; Kerzman; Klein; Kliniske; Kretschmar; Kroepelin; Kunkel; Mahoney; Martinson; Monson; Murphy; Nelson; Nicholas; Nichols; Nottestad; Oban; Olson; Price; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Stenehjøm; Sveen; Thoreson; Thorpe; Tollefson; Wald; Warner; Weisz; Wentz; Speaker Timm

NAYS: Belter; Berg; Boehm; Brown; Brusegaard; Carlson; Clark; Dalrymple; Delzer; Froseth; Grande; Grosz; Johnsen, C.; Keiser; Kempenich; Kilzer; Koppelman; Lloyd; Maragos; Mickelson; Poolman; Skarphol; Soukup; Svedjan; Thompson; Torgerson; Wardner

ABSENT AND NOT VOTING: Aarsvold; Gorder; Hausauer; Niemeier; Wilkie

HB 1435 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1439: A BILL for an Act to create and enact six new sections to chapter 43-40 of the North Dakota Century Code, relating to qualifying, registering, licensing, and regulating electronic security system personnel and electronic security system companies; and to amend and reenact sections 43-30-01, 43-30-04, 43-30-06, 43-30-10, 43-30-12, and 43-30-13 of the North Dakota Century Code, relating to qualifying, registering, licensing, and regulating electronic security system personnel and electronic security system companies.

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 7 YEAS, 86 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Kelsh, S.; Kerzman; Oban; Price; Rose; Schmidt; Warner

NAYS: Axtman; Belter; Berg; Bernstein; Boehm; Brandenburg; Brown; Brusegaard; Byerly; Callahan; Carlisle; Carlson; Christenson; Christopherson; Clark; Coats; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Dorso; Drovdal; Fairfield; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Grande; Grosz; Grumbo; Guleson; Gunter; Hanson; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kempenich; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroepelin; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Murphy; Nelson; Nicholas; Nichols; Nottestad; Olson; Poolman; Renner; Rennerfeldt; Sabby; Sandvig; Skarphol; Soukup; Stenehjøm; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Weisz; Wentz; Wilkie; Speaker Timm

ABSENT AND NOT VOTING: Aarsvold; Boucher; Hausauer; Niemeier

HB 1439 was declared lost.

SECOND READING OF HOUSE BILL

HB 1441: A BILL for an Act to create and enact a new section to chapter 44-04 of the North Dakota Century Code, relating to the conduct of meetings of political subdivision governing bodies by telephone conference calls or other electronic means.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 95 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Axtman; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brown; Brusegaard; Byerly; Callahan; Carlisle; Carlson; Christenson; Christopherson; Clark; Coats; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Dorso; Drovdal; Fairfield; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleeson; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroepflin; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Murphy; Nelson; Nicholas; Nichols; Nottestad; Oban; Olson; Poolman; Price; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Wilkie; Speaker Timm

ABSENT AND NOT VOTING: Aarsvold; Niemeier

HB 1441 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1451: A BILL for an Act to amend and reenact section 53-02-08 of the North Dakota Century Code, relating to public dances, music festivals, or public concerts.

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

YEAS: Axtman; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brown; Brusegaard; Byerly; Carlisle; Carlson; Christenson; Christopherson; Clark; Coats; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Dorso; Drovdal; Fairfield; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleeson; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroepflin; Kunkel; Lloyd; Mahoney; Martinson; Mickelson; Monson; Murphy; Nelson; Nicholas; Nichols; Nottestad; Oban; Olson; Poolman; Price; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Wilkie; Speaker Timm

NAYS: Callahan; Maragos

ABSENT AND NOT VOTING: Aarsvold; Niemeier

HB 1451 passed and the title was agreed to.

MOTION

REP. GULLESON MOVED that the House reconsider its action whereby HB 1370 failed to pass, which motion lost on a verification vote.

SECOND READING OF HOUSE BILL

HB 1453: A BILL for an Act to amend and reenact section 27-08.1-01 of the North Dakota Century Code, relating to the location of small claims actions.

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

YEAS: Axtman; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brown; Brusegaard; Byerly; Carlisle; Carlson; Christenson; Christopherson; Coats; Dalrymple; DeKrey; Devlin; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Glassheim; Grande; Grosz; Grumbo; Gulleston; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kilzer; Klein; Kliniske; Koppelman; Kroeplin; Kunkel; Lloyd; Maragos; Martinson; Mickelson; Monson; Nelson; Nicholas; Nichols; Nottestad; Oban; Olson; Poolman; Price; Renner; Rennerfeldt; Rose; Sabby; Schmidt; Skarphol; Soukup; Stenehjerm; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Wilkie; Speaker Timm

NAYS: Callahan; Clark; Delmore; Delzer; Fairfield; Kretschmar; Mahoney; Murphy; Sandvig

ABSENT AND NOT VOTING: Aarsvold; Gorder; Niemeier

HB 1453 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1454: A BILL for an Act to amend and reenact section 15-10-19.1 of the North Dakota Century Code, relating to the definition of a resident for purposes of tuition at institutions of higher education.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 34 YEAS, 57 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

YEAS: Berg; Boucher; Brandenburg; Callahan; Christenson; Christopherson; Clark; Coats; Delmore; Fairfield; Froseth; Glassheim; Gulleston; Gunter; Jensen; Kelsh, S.; Kerzman; Kliniske; Kroeplin; Kunkel; Lloyd; Maragos; Mickelson; Nicholas; Nichols; Nottestad; Oban; Poolman; Rose; Sandvig; Schmidt; Thompson; Thorpe; Wilkie

NAYS: Axtman; Belter; Bernstein; Boehm; Brown; Brusegaard; Byerly; Carlisle; Carlson; Dalrymple; DeKrey; Delzer; Devlin; Dorso; Drovdal; Galvin; Gerntholz; Grande; Grosz; Grumbo; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kempenich; Kilzer; Klein; Koppelman; Kretschmar; Mahoney; Martinson; Monson; Murphy; Nelson; Olson; Price; Renner; Rennerfeldt; Sabby; Skarphol; Soukup; Stenehjerm; Svedjan; Sveen; Thoreson; Tollefson; Torgerson; Wardner; Warner; Weisz; Speaker Timm

ABSENT AND NOT VOTING: Aarsvold; Freier; Gorder; Niemeier; Wald; Wentz

HB 1454 was declared lost.

SECOND READING OF HOUSE BILL

HB 1457: A BILL for an Act to amend and reenact subsection 15 of section 57-02-08 of the North Dakota Century Code, relating to the amount of property required for qualification for the farm home property tax exemption; 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 NOT PASS, the roll was called and there were 23 YEAS, 68 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

YEAS: Bernstein; Byerly; Clark; Froseth; Galvin; Grande; Hanson; Johnsen, C.; Keiser; Kilzer; Klein; Kretschmar; Kunkel; Lloyd; Nicholas; Sabby; Skarphol; Soukup; Thompson; Tollefson; Torgerson; Wald; Wardner

NAYS: Axtman; Belter; Berg; Boehm; Boucher; Brandenburg; Brown; Brusegaard; Callahan; Carlisle; Carlson; Christenson; Christopherson; Coats; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Dorso; Drovdal; Fairfield; Gerntholz; Glassheim; Grosz; Grumbo;

Gulleson; Gunter; Hausauer; Hawken; Henegar; Huether; Jacobs; Johnson, D.; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kliniske; Kroepflin; Mahoney; Maragos; Martinson; Mickelson; Monson; Murphy; Nelson; Nichols; Nottestad; Oban; Olson; Poolman; Price; Renner; Rennerfeldt; Rose; Sandvig; Schmidt; Stenehjem; Svedjan; Sveen; Thoreson; Thorpe; Warner; Weisz; Wentz; Wilkie; Speaker Timm

ABSENT AND NOT VOTING: Aarsvold; Freier; Gorder; Jensen; Koppelman; Niemeier

HB 1457 was declared lost.

SECOND READING OF HOUSE BILL

HB 1460: A BILL for an Act to amend and reenact subsection 8 of section 57-02-08 of the North Dakota Century Code, relating to property tax exemption for property of charitable organizations; 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 NOT PASS, the roll was called and there were 11 YEAS, 82 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Boehm; Brusegaard; Delzer; Drovda; Galvin; Glassheim; Oban; Renner; Sabby; Soukup; Tollefson

NAYS: Axtman; Belter; Berg; Bernstein; Boucher; Brandenburg; Brown; Byerly; Callahan; Carlisle; Carlson; Christenson; Christopherson; Clark; Coats; DeKrey; Delmore; Devlin; Dorso; Fairfield; Freier; Froseth; Gerntholz; Gorder; Grande; Grosz; Grumbo; Gulleson; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kilzer; Klein; Kliniske; Kretschmar; Kroepflin; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Murphy; Nelson; Nicholas; Nichols; Nottestad; Olson; Poolman; Price; Rennerfeldt; Rose; Sandvig; Schmidt; Skarphol; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Wilkie; Speaker Timm

ABSENT AND NOT VOTING: Aarsvold; Dalrymple; Koppelman; Niemeier

HB 1460 was declared lost.

MOTION

REP. DORSO MOVED that HB 1477 be placed at the top of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1477: A BILL for an Act to create and enact two new sections to chapter 54-03 of the North Dakota Century Code, relating to the sale of property or service to state agencies by members of the legislative assembly and to prohibiting the receipt of honoraria by members of the legislative assembly.

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 22 YEAS, 71 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Boucher; Brandenburg; Callahan; Christenson; Coats; Fairfield; Grumbo; Gulleson; Hanson; Huether; Keiser; Kelsh, S.; Kerzman; Kroepflin; Nichols; Oban; Rose; Sandvig; Schmidt; Thorpe; Warner; Wilkie

NAYS: Axtman; Belter; Berg; Bernstein; Boehm; Brown; Brusegaard; Byerly; Carlisle; Carlson; Christopherson; Clark; DeKrey; Delmore; Delzer; Devlin; Dorso; Drovda; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Grande; Grosz; Gunter; Hausauer; Hawken; Henegar; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Kelsch, R.; Kempenich; Kilzer; Klein; Kliniske; Kretschmar; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Murphy; Nelson; Nicholas; Nichols; Nottestad; Olson; Poolman; Price; Renner; Rennerfeldt; Sabby; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Tollefson; Torgerson; Wald; Wardner; Weisz; Wentz; Speaker Timm

ABSENT AND NOT VOTING: Aarsvold; Dalrymple; Koppelman; Niemeier

HB 1477 was declared lost.

**SECOND READING OF HOUSE CONCURRENT RESOLUTIONS ON CONSENT
CALENDAR**

HCR 3001: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of funding the office of the clerk of district court through the unified judicial system.

HCR 3012: A concurrent resolution commending Robert W. Peterson on 30 years of service to the State of North Dakota.

HCR 3018: A concurrent resolution urging Congress to provide funds to widen and provide an attached walkway to the bridge over the Burlington Northern tracks on United States Highway 85 north of Bowman, North Dakota.

HCR 3019: A concurrent resolution recognizing North Dakota's commercial relationship with the people of the Republic of China on Taiwan and the record of the Republic of China concerning democratization at home and humanitarian service abroad.

HCR 3020: A concurrent resolution directing the Legislative Council to study airline service in this state.

HCR 3030: A concurrent resolution directing the Legislative Council to study the development of a strategic planning process for the future of public health in this state.

HCR 3031: A concurrent resolution directing the Legislative Council to study the issues of fairness and equity as they relate to child support guidelines and the issuance and enforcement of child custody and visitation orders.

HCR 3032: A concurrent resolution directing the Legislative Council to study the responsibilities of county social services as they are distinguished from the responsibilities of regional human service centers and the Department of Human Services when providing services to children and their families and persons with disabilities, including the elderly.

ROLL CALL

The question being on the final adoption of the resolutions, which have been read, the roll was called and there were 94 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Axtman; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brown; Brusegaard; Byerly; Callahan; Carlisle; Carlson; Christenson; Christopherson; Clark; Coats; DeKrey; Delmore; Delzer; Devlin; Dorso; Drovdal; Fairfield; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gordier; Grande; Grosz; Grumbo; Gullerson; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroepelin; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Murphy; Nelson; Nicholas; Nichols; Nottestad; Oban; Olson; Poolman; Price; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Wilkie; Speaker Timm

ABSENT AND NOT VOTING: Aarsvold; Dalrymple; Niemeier

HCR 3001, HCR 3012, HCR 3018, HCR 3019, HCR 3020, HCR 3030, HCR 3031, and HCR 3032 were declared adopted on a recorded roll call vote.

HOUSE ENROLLING REPORT

The following bills were enrolled: HB 1020, HB 1070, HB 1105, HB 1107, and HB 1120.

HOUSE ENGROSSING REPORT

The following bills were engrossed: HB 1068, HB 1223, HB 1266, HB 1364, HB 1392, HB 1411, and HB 1467.

MOTION

REP. FREIER MOVED that House Rule 329(4), with reference to the deadline date for rereferring House bills to the **Appropriations Committee**, be suspended until February 17, 1997, for HB 1041 and HB 1226, which motion prevailed.

MOTION

REP. FREIER MOVED that the House be on the Fifth, Ninth, and Thirteenth orders of business and at the conclusion of those orders, the House stand adjourned until 8:00 a.m., Monday, February 17, 1997, which motion prevailed.

REPORT OF STANDING COMMITTEE

HB 1014, as engrossed: Appropriations Committee (Rep. Dalrymple, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (16 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1014 was placed on the Sixth order on the calendar.

Page 1, remove lines 10 through 12

Page 1, line 13, replace "2,178,752" with "2,110,787"

Page 1, line 15, replace "767,965" with "700,000"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 360 - COMMITTEE ON PROTECTION AND ADVOCACY

HOUSE - This amendment provides a total appropriation to the Committee on Protection and Advocacy in the amount of \$2,110,787 and reduces the general fund appropriation by \$67,965 to a level of \$700,000. The total appropriation provided is intended to fund up to 21 FTE positions, a reduction of one FTE from the executive budget level.

REPORT OF STANDING COMMITTEE

HB 1017, as engrossed: Appropriations Committee (Rep. Dalrymple, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (21 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1017 was placed on the Sixth order on the calendar.

Page 1, line 17, replace "92,822" with "92,822"

Page 1, after line 17, insert:

"Civil air patrol - workers' compensation payment 9,186"

Page 1, line 18, replace "20,932,592" with "20,941,778"

Page 1, line 20, replace "8,046,681" with "8,055,867"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 540 - ADJUTANT GENERAL

HOUSE - This amendment makes the following changes:

	1997-99 EXECUTIVE RECOMMENDATION	REMOVE VACANT FTE POSITIONS	CIVIL AIR PATROL PAYMENTS ¹	TOTAL HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$2,855,065				\$2,855,065
Operating expenses	2,724,015				2,724,015
Equipment	50,000				50,000
Capital improvements	27,500				27,500
Grants	366,538				366,538
Army Guard contract	8,658,017				8,658,017
Tuition and enlistment compensation	1,096,000				1,096,000
Air Guard contract	5,062,635				5,062,635
Civil Air Patrol	92,822				92,822
Civil Air Patrol - Workers' compensation payment			\$9,186	\$9,186	9,186
Total all funds	\$20,932,592		\$9,186	\$9,186	\$20,941,778
Less estimated income	12,885,911				12,885,911
General fund	\$8,046,681		\$9,186	\$9,186	\$8,055,867
FTE	131.00	(6.00)		(6.00)	125.00

¹ This amendment transfers the Civil Air Patrol payments from the Workers Compensation Bureau to the Adjutant General.

The six vacant FTE positions being removed are 100 percent federally funded and are funded through the Air and Army Guard contract line items. The federal funding for the positions has been left in the appropriation in order to provide the necessary funding for the Adjutant General to be able to use temporary positions or contract services should the need arise. The intent is that if the Adjutant General decides to fill the positions during the 1997-99 biennium, he may go to the Emergency Commission and request approval for the FTE positions.

REPORT OF STANDING COMMITTEE

HB 1021, as engrossed: Appropriations Committee (Rep. Dalrymple, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (21 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). Engrossed HB 1021 was placed on the Sixth order on the calendar.

Page 1, line 10, replace "11,292,661" with "11,236,409"

Page 1, line 13, replace "898,122" with "498,122"

Page 1, line 22, replace "26,316,168" with "25,859,916"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 720 - GAME AND FISH DEPARTMENT

HOUSE - This amendment eliminates funding for the construction of a southeastern regional office and a full-time equivalent (FTE) audiovisual production specialist I included in the executive recommendation. This amendment also removes the authority, but not the funding, for an FTE administrative secretary III included in the executive recommendation.

	1997-99 EXECUTIVE RECOMMENDATION	REMOVE CAPITAL CONSTRUCTION PROJECT	REMOVE TWO FTE POSITIONS	TOTAL CHANGES	HOUSE VERSION
Salaries and wages	\$11,292,661		\$ (56,252)	\$ (56,252)	\$11,236,409
Operating expenses	7,302,181				7,302,181
Equipment	638,150				638,150
Capital improvements	898,122	\$ (400,000)		(400,000)	498,122
Grants	2,548,400				2,548,400
Noxious weed control	200,000				200,000
Land habitat and deer depredation	1,200,000				1,200,000
Wildlife habitat	650,000				650,000
Small and big game restoration trust	400,000				400,000
Grants, gifts, and donations	100,000				100,000
Nongame wildlife	120,000				120,000
Lonetree Reservoir	<u>966,654</u>				<u>966,654</u>
Total special funds	\$26,316,168	\$ (400,000)	\$ (56,252)	\$ (456,252)	\$25,859,916
FTE positions	128.00		(2.00)	(2.00)	126.00

REPORT OF STANDING COMMITTEE

HB 1026, as engrossed: Appropriations Committee (Rep. Dalrymple, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (20 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1026 was placed on the Sixth order on the calendar.

Page 1, line 2, remove the second "and"

Page 1, line 3, after "item" insert "; and to amend and reenact section 65-06.1-04 of the North Dakota Century Code, relating to civil air patrol workers' compensation reimbursements"

Page 1, line 11, replace "12,949,049" with "13,299,049"

Page 1, line 12, replace "5,065,609" with "5,190,609"

Page 1, line 15, replace "3,101,768" with "3,250,000"

Page 1, line 16, replace "100,000" with "100,000"

Page 1, remove line 17

Page 1, line 18, replace "all funds" with "special funds appropriation" and replace "22,659,998" with "23,274,044"

Page 1, remove lines 19 and 20

Page 1, after line 24, insert:

"SECTION 3. REPORT TO BUDGET SECTION. The workers compensation bureau is to report to the budget section on the expenditure of the \$350,000 provided for critical salary adjustments.

SECTION 4. AMENDMENT. Section 65-06.1-04 of the North Dakota Century Code is amended and reenacted as follows:

65-06.1-04. ~~State reimbursement~~ Reimbursement for liability in excess of collected premiums. Whenever claim liability against the fund credited to the classification of civil air patrol members exceeds the amount of premiums paid into ~~such~~ the fund, ~~such the~~ excess liabilities ~~shall be~~ are a general obligation of the ~~state of North Dakota~~ adjutant general of the North Dakota national guard as the North Dakota wing of the civil air patrol and ~~shall~~ must be reimbursed to the bureau for credit to the workers' compensation fund through legislative appropriation. The adjutant general may use the funds available to it under the Federal Employment Compensation Act liability coverage to satisfy its obligation under this section."

ReNUMBER accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 485 - WORKERS COMPENSATION BUREAU

HOUSE - This amendment makes the following changes:

	1997-99 EXECUTIVE RECOMMENDATION	PROVIDE FOR CRITICAL SALARY ADJUSTMENTS ¹	PROVIDE FOR BIENNIAL PERFORMANCE AUDITS ²	INCREASE INFORMATION REENGINEERING ³	REMOVE CIVIL AIR PATROL PAYMENTS ⁴	REMOVE 2 FTE POSITIONS	TOTAL HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$12,949,049						\$350,000	\$13,299,049
Operating expenses	5,065,609	\$350,000	\$125,000				125,000	5,190,609
Equipment	576,000							576,000
Managed care/TPA	858,386			\$148,232			148,232	858,386
Information reengineering	3,101,768							3,250,000
Contingency	100,000							100,000
Civil air patrol payment	9,186				\$(9,186)		(9,186)	
Total all funds	\$22,659,998	\$350,000	\$125,000	\$148,232	\$(9,186)		\$614,046	\$23,274,044
Less estimated income	22,650,812	350,000	125,000	148,232			623,232	23,274,044
General fund	\$ 9,186	\$ 0	\$ 0	\$ 0	\$(9,186)		\$(9,186)	\$ 0
FTE	168.00					(2.00)	(2.00)	166.00

- ¹ Increases salary and wages by \$350,000 for critical salary adjustments.
- ² Provides funding for a biennial performance audit as required in Senate Bill No. 2074.
- ³ Increases information reengineering line item by \$148,232.
- ⁴ Removes Civil Air Patrol payments because the payments are being transferred to the Adjutant General's appropriation, where other funding for the Civil Air Patrol is located. The amendment also adds a section to the bill to amend Section 65-06.1-04 of the North Dakota Century Code relating to this transfer of Civil Air Patrol payments from the bureau to the Adjutant General.
- ⁵ Removes two authorized FTE positions. The executive budget recommendation changed 18 temporary positions to 18 authorized FTE positions. There was no cost increase by changing the temporary positions to authorized FTE positions; therefore, there is no cost savings by changing the authorized FTE positions back to temporary positions.

The amendment also adds a section requiring the bureau to report to the Budget Section on the expenditure of the \$350,000 provided for critical salary adjustments.

REPORT OF STANDING COMMITTEE

HB 1047: Judiciary Committee (Rep. Kretschmar, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (12 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). HB 1047 was placed on the Sixth order on the calendar.

Page 1, remove lines 11 and 12

Page 1, line 13, replace "4" with "3"

Page 1, line 17, replace "5" with "4"

Page 1, line 18, replace "6" with "5"

Page 2, line 1, replace "7" with "6"

Page 2, line 3, replace "8" with "7"

Page 2, line 4, replace "manifested a mental disorder" with "a congenital or acquired condition that is manifested by a sexual disorder, a personality disorder, or other mental disorder or dysfunction"

Page 2, line 7, after the first period insert "It is a rebuttable presumption that sexually predatory conduct creates a danger to the physical or mental health or safety of the victim of the conduct."

Page 2, line 8, replace "9" with "8"

Page 3, line 8, replace "10" with "9" and replace "mental disorder" with "congenital or acquired condition that is manifested by a sexual disorder, a personality disorder, or other mental disorder or dysfunction"

Page 3, line 10, replace "11" with "10"

Page 3, line 12, replace "12" with "11"

Page 4, line 2, replace "Any privilege between the respondent or committed individual and" with "The physician-patient privilege and psychotherapist-patient privilege do not apply to communications relevant to an issue in proceedings to commit an individual as a sexually dangerous person if the physician or psychotherapist in the course of diagnosis or treatment determines the patient is in need of commitment and to communications with a committed individual"

Page 4, remove lines 3 and 4

Page 4, line 5, remove "state's attorney or the court for proceedings pursuant to this chapter"

Page 6, line 1, replace "must be afforded an" with "has a right to be present,"

Page 6, line 2, remove "opportunity" and after "testify" insert a comma

Page 6, line 7, replace "mental disorder" with "congenital or acquired condition that is manifested by a sexual disorder, a personality disorder, or other mental disorder or dysfunction"

Page 6, line 12, replace "mental disorder" with "congenital or acquired condition that is manifested by a sexual disorder, a personality disorder, or other mental disorder or dysfunction"

Page 7, line 1, replace "must be afforded an" with "has a right to be present,"

Page 7, line 2, remove "opportunity" and after "testify" insert a comma

Page 7, line 7, replace "for treatment" with ". A treatment program must be available to the respondent at the facility or in the program in which the respondent is placed"

Page 7, line 19, replace "an existing mental disorder" with "a congenital or acquired condition that is manifested by a sexual disorder, a personality disorder, or other mental disorder or dysfunction"

Page 8, line 28, after the period insert "The notice must explain to the committed person when the committed person has a right to a hearing on the petition. The notice must inform the committed person of the rights this chapter affords the committed person at a discharge hearing."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1050: Education Committee (Rep. R. Kelsch, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (9 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). HB 1050 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 15-40.1-06, 15-40.1-07, 15-40.1-08, and 57-15-14 of the North Dakota Century Code, relating to per student payments, the school district equalization factor, and tax levy limitations in school districts; and to provide a statement of intent regarding foundation aid dollars.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 15-40.1-06 of the 1995 Supplement to the North Dakota Century Code is amended and reenacted as follows:

15-40.1-06. Declaration of legislative intent - Educational support per student - School district equalization factor - Limitations.

1. It is the intent of the legislative assembly, not considering any separate and supplemental payments as may be provided by law, to support elementary and secondary education in this state from state funds based on the educational cost per student. In determining the educational cost per student, the following criteria may not be used:
 - a. Expenditures for capital outlay for buildings and sites, or debt service.
 - b. Expenditures from school activities and school lunch programs.
 - c. Expenditures for the cost of transportation, including the cost of schoolbuses.
2.
 - a. The educational support per student during the first year of the ~~1995-97~~ 1997-99 biennium must be one thousand ~~seven~~ nine hundred ~~fifty-seven~~ forty-six dollars and for the second year of the 1997-99 biennium the educational support per student must be ~~one~~ two thousand ~~eight hundred sixty-two~~ forty-seven dollars and is the basis for calculating grants-in-aid on a per student basis as provided in sections 15-40.1-07 and 15-40.1-08.
 - b. School districts operating high schools not meeting the minimum curriculum as provided in section 15-41-24 or the teacher qualifications in section 15-41-25 must be supported in the amount of two hundred twenty dollars, which is the basis for calculating grants-in-aid on a per student basis as provided in section 15-40.1-07.
 - c. School districts operating high schools that are not accredited pursuant to the accreditation standards adopted by the superintendent of public instruction on July 1, 1991, or that become unaccredited in any succeeding school year must be supported for the 1991-92 school year or for the first year that they become unaccredited in the amount of the educational support per student established in subdivision a, which is the basis for calculating grants-in-aid on a per student basis as provided in section 15-40.1-07, but those school districts are not entitled to the amounts resulting from applying the factors in that section. The amount of aid a school district is entitled to under this subsection for each high school that is not accredited must be reduced by two hundred dollars times the number of students in the school for the second school year that the high school is unaccredited, and an additional two hundred dollars per student in the unaccredited

school for each additional year the school remains unaccredited. Any high school that becomes accredited is entitled to the per student payments provided for in section 15-40.1-07 for the entire school year in which the school becomes accredited.

- d. School districts operating elementary schools that are not accredited pursuant to the accreditation standards adopted by the superintendent of public instruction on July 1, 1992, or that become unaccredited in any succeeding school year must be supported for the 1992-93 school year or for the first year that they become unaccredited in the amount of the educational support per student established in subdivision a, which is the basis for calculating grants-in-aid on a per student basis as provided in section 15-40.1-08, except that the amount of aid that a school district is entitled to under this subsection for each elementary school that is unaccredited must be reduced by two hundred dollars times the number of students in the school each year that the elementary school is unaccredited. Any elementary school that becomes accredited is entitled to the per student payments provided for in section 15-40.1-08 for the entire school year in which the school becomes accredited.
3. In determining the amount of payments due school districts for tuition apportionment provided in section 15-44-03, and per student aid under this section, the amount of tuition apportionment, foundation aid, special education aid, and transportation aid for which a school district is eligible must be added together, and from that total, the following amounts must be subtracted:
 - a. The product of ~~twenty-eight~~ twenty-three and ten hundredths mills for the ~~1995-96~~ 1997-98 school year and ~~thirty-two~~ twenty-three and eighty hundredths mills for the ~~1996-97~~ 1998-99 school year times the latest available net assessed and equalized valuation of property of the school district. For succeeding school years, the number of mills to be used in the computation must be determined as follows:
 - (1) The superintendent of public instruction shall determine the percentage resulting from dividing the number of mills used in the computation the previous year by the state average school district general fund mill levy.
 - (2) The superintendent of public instruction shall determine the amount of foundation aid estimated to be distributed during the current year and subtract from that the amount of foundation aid that was distributed during the prior year, and divide the result by the amount of foundation aid distributed during the prior year.
 - (3) The superintendent of public instruction shall multiply the quotient determined under paragraph 2 by forty percent and shall add this product to the percentage obtained in paragraph 1. This sum ~~shall~~ must be multiplied times the state average school district general fund mill levy to determine the number of mills to be used in the computation provided in subdivision a. However, the number of mills used may not fall below ~~thirty-two~~ twenty-three and eighty hundredths mills, nor rise above twenty-five percent of the state average school district general fund mill levy.
 - b. An amount determined by multiplying .1484 percent during the first year of the biennium and .1583 percent during the second year of the biennium, times the total adjusted gross income of residents of the school district for the most recent taxable year for which the information is available. The tax commissioner shall certify the information required by this subdivision to the superintendent of public instruction before August first of each year.
 - c. The amount that the unobligated general fund balance of a school district on the preceding June thirtieth is in excess of three-fourths of the actual expenditures, plus an additional twenty thousand dollars.

4. No school district may receive foundation payments beyond the October payment unless the following reports have been filed with the superintendent of public instruction:
 - a. Annual average daily membership report.
 - b. Annual school district financial report.
 - c. The September tenth fall enrollment report.
 - d. The personnel report forms for certified and noncertified employees.
5. No school district may receive the January foundation payment unless the taxable valuation and mill levy certifications are on file with the department of public instruction by December fifteenth.

SECTION 2. AMENDMENT. Section 15-40.1-07 of the 1995 Supplement to the North Dakota Century Code is amended and reenacted as follows:

15-40.1-07. High school per student payments - Amount - Proportionate payments. Payments must be made each year from state funds to each school district operating a high school and to each school district contracting to educate high school students in a federal school, subject to adjustment as provided in section 15-40.1-09, as follows:

1. For each high school district having under seventy-five students in average daily membership in grades nine through twelve, the amount of money resulting from multiplying the factor 1.625 adjusted by ~~fifty~~ eighty percent of the difference between 1.625 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, times the number of high school students in grades nine through twelve registered in that school district, times the educational support per student as provided in section 15-40.1-06. Beginning July 1, ~~1996~~ 1998, the factor is ~~1.625 adjusted by sixty five percent of the difference between 1.625 and the factor representing that which represents~~ the five-year average cost of education per student for this category, as determined by the superintendent of public instruction.
2. For each high school district having seventy-five or more, but less than one hundred fifty students in average daily membership in grades nine through twelve, the amount of money resulting from multiplying the factor 1.335 adjusted by ~~fifty~~ eighty percent of the difference between 1.335 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, times the number of high school students in grades nine through twelve registered in that school district, times the educational support per student provided in section 15-40.1-06. Beginning July 1, ~~1996~~ 1998, the factor is ~~1.335 adjusted by sixty five percent of the difference between 1.335 and the factor representing that which represents~~ the five-year average cost of education per student for this category, as determined by the superintendent of public instruction.
3. For each high school district having one hundred fifty or more, but less than five hundred fifty students in average daily membership in grades nine through twelve, the amount of money resulting from multiplying the factor 1.24 adjusted by ~~fifty~~ eighty percent of the difference between 1.24 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, times the number of high school students in grades nine through twelve registered in that school district, times the educational support per student provided in section 15-40.1-06. Beginning July 1, ~~1996~~ 1998, the factor is ~~1.24 adjusted by sixty five percent of the difference between 1.24 and the factor representing that which represents~~ the five-year average cost of education per student for this category, as determined by the superintendent of public instruction.
4. For each high school district having a total high school enrollment of five hundred fifty or more students in average daily membership in grades nine through twelve, the amount of money resulting from multiplying the factor

1.14 adjusted by ~~fifty eight~~ percent of the difference between 1.14 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, times the number of high school students in grades nine through twelve registered in that school district, times the educational support per student provided in section 15-40.1-06. Beginning July 1, ~~1996~~ 1998, the factor is ~~1.14 adjusted by sixty five percent of the difference between 1.14 and the factor representing that which represents~~ the five-year average cost of education per student for this category, as determined by the superintendent of public instruction.

5. For high schools having an approved alternative education program, the amount of money resulting from multiplying the factor in:
 - a. Subsection 1 times the number of students registered in the alternative education program, times the educational support per student provided in section 15-40.1-06, if the alternative education program has less than seventy-five students in average daily membership.
 - b. Subsection 2 times the number of students registered in the alternative education program, times the educational support per student provided in section 15-40.1-06, if the alternative education program has seventy-five or more, but less than one hundred fifty students in average daily membership.
 - c. Subsection 3 times the number of students registered in the alternative education program, times the educational support per student provided in section 15-40.1-06, if the alternative education program has one hundred fifty or more, but less than five hundred fifty students in average daily membership.
 - d. Subsection 4 times the number of students registered in the alternative education program times the educational support per student as provided in section 15-40.1-06 if the alternative education program has five hundred fifty or more students in average daily membership.

Every high school district must receive at least as much in total payments as it would have received if it had the highest number of students in the next lower category. Payments may not be made unless four or more units of standard high school work approved by the superintendent of public instruction are offered during the current year, only certificated teachers have been employed, and the other standards prescribed by this chapter have been met. Payments must be made to the high school district in which the student is enrolled for graduation and units of approved vocational education in accordance with the provisions of chapter 15-20.1, and other courses approved by the superintendent of public instruction, earned in another high school district must be included to meet the minimum four required units. In the case of students enrolled in nonpublic schools for graduation or students enrolled in less than four units of standard high school work who are in their fourth year of high school coursework and who are enrolled in approved alternative high school curriculum programs, proportionate payments must be made to the public school district in which the student is enrolled for specific courses. School districts offering high school summer school programs are eligible for proportionate payments provided each course offered satisfies requirements for graduation, comprises at least as many clock hours as courses offered during the regular school term, and complies with rules adopted by the superintendent of public instruction. The superintendent may adopt rules regarding eligibility for school districts to receive proportionate payments for summer education programs. The proportionate payment made under this section during the biennium for high school summer school programs may not exceed one and one-half percent of the total amount appropriated by the legislative assembly for foundation aid and transportation aid during the biennium.

SECTION 3. AMENDMENT. Section 15-40.1-08 of the 1995 Supplement to the North Dakota Century Code is amended and reenacted as follows:

15-40.1-08. Elementary per student payments - Amount. Payments must be made from state funds to each school district operating an elementary school and to each school district contracting to educate elementary students in a federal school, employing teachers holding valid certificates or permits in accordance with section 15-47-46 and chapter 15-36, adjusted as provided in section 15-40.1-09, as follows:

1. For each one-room rural school, the amount of money resulting from multiplying the factor 1.28 adjusted by ~~fifty eight~~ percent of the difference between 1.28 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, times the number of students in that school in grades one through eight in average daily membership, up to a maximum of sixteen students, times the educational support per student provided in section 15-40.1-06. There must be paid .9 times each additional student in its school in grades one through eight in average daily membership times the educational support per student provided in section 15-40.1-06, except that no payment may be made for more than twenty students in average daily membership. If the one-room rural school is located in a school district with another elementary school, the weighting factor for the students in grades one through six must be based on the average daily membership in the district in grades one through six as provided in subsections 2 through 4. If the one-room rural school is located in a school district with another school that has students in grade seven or eight, the weighting factor for the students in grade seven or eight must be the same as that provided for in subsection 5. Beginning July 1, ~~1996~~ 1998, the factor is ~~1.28 adjusted by sixty five percent of the difference between 1.28 and that which represents~~ the five-year average cost of education per student for this category, as determined by the superintendent of public instruction.
2. For each elementary school in school districts having under one hundred students in average daily membership in grades one through six, the amount of money resulting from multiplying the factor 1.09 adjusted by ~~fifty eight~~ percent of the difference between 1.09 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, times the number of students in that school in grades one through six in average daily membership in each classroom or for each teacher, times the educational support per student provided in section 15-40.1-06, except that no payment may be made for more than twenty-five students in average daily membership in each classroom or for each teacher. Beginning July 1, ~~1996~~ 1998, the factor is ~~1.09 adjusted by sixty five percent of the difference between 1.09 and that which represents~~ the five-year average cost of education per student for this category, as determined by the superintendent of public instruction.
3. For each elementary school in school districts having one hundred or more students in average daily membership in grades one through six, and provided the districts in which such schools are located have an average daily membership of less than one thousand elementary students in grades one through six, the amount of money resulting from multiplying the factor .905 adjusted by ~~fifty eight~~ percent of the difference between .905 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, times the number of students in that school in grades one through six in average daily membership in each classroom or for each teacher times the educational support per student provided in section 15-40.1-06, except that no payment may be made for more than thirty students in average daily membership in each classroom or for each teacher. Beginning July 1, ~~1996~~ 1998, the factor is ~~.905 adjusted by sixty five percent of the difference between .905 and that which represents~~ the five-year average cost of education per student for this category, as determined by the superintendent of public instruction.
4. For each elementary school in school districts having an average daily membership of one thousand or more elementary students in grades one through six, the amount of money resulting from multiplying the factor .95 adjusted by ~~fifty eight~~ percent of the difference between .95 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, times the number of students in that school in grades one through six in average daily membership in each classroom or for each teacher times the educational support per student provided in section 15-40.1-06, except that no payment may be made for more than thirty students in average daily membership in each classroom or for each teacher. Beginning July 1,

~~1996 1998, the factor is .95 adjusted by sixty five percent of the difference between .95 and that which represents the five-year average cost of education per student for this category, as determined by the superintendent of public instruction.~~

5. For each of the above classes of elementary schools, except for one-room rural schools that are not located in a district with another school having students in grade seven or eight, there must be paid to each school the amount of money resulting from multiplying the factor 1.01 adjusted by ~~fifty~~ eighty percent of the difference between 1.01 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, times the number of students in that school in grades seven and eight in average daily membership in each classroom or for each teacher times the educational support per student provided in section 15-40.1-06, except that no payment may be made for more than thirty students in average daily membership in each classroom or for each teacher. Beginning July 1, ~~1996~~ 1998, the factor is ~~1.01 adjusted by sixty five percent of the difference between 1.01 and that which represents the five-year average cost of education per student for this category, as determined by the superintendent of public instruction.~~
6. For each elementary school having students under the compulsory age for school attendance, but not less than three years of age, in a special education program approved by the director of special education, the amount of money resulting from multiplying the factor 1.01 adjusted by ~~fifty~~ eighty percent of the difference between 1.01 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, times the number of special education students in that school under the compulsory age for school attendance in average daily membership in each classroom or for each teacher times the educational support per student provided in section 15-40.1-06. Beginning July 1, ~~1996~~ 1998, the factor is ~~1.01 adjusted by sixty five percent of the difference between 1.01 and that which represents the five-year average cost of education per student for this category, as determined by the superintendent of public instruction.~~
7. For each elementary school providing a kindergarten that is established according to provisions of section 15-45-01, the amount of money resulting from multiplying the factor .50 adjusted by ~~fifty~~ eighty percent of the difference between .50 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, times the number of students in that school in average daily membership in each classroom or for each teacher times the educational support per student, as provided under section 15-40.1-06, except that no payment may be made for more than twenty-five students in average daily membership in each classroom or for each teacher. The full per student payment may be made only to those kindergarten programs providing the equivalent of ninety full days of classroom instruction during any twelve-month period. Programs providing shorter periods of instruction during the same time period must receive a proportionately smaller per student payment. Beginning July 1, ~~1996~~ 1998, the factor is ~~.50 adjusted by sixty five percent of the difference between .50 and that which represents the five-year average cost of education per student for this category, as determined by the superintendent of public instruction.~~

The superintendent of public instruction shall make proportionate payments to each public school district educating students who are also enrolled in nonpublic schools.

Every school district must receive at least as much in total payments for elementary students as it would have received if it had the highest number of students in the next lower category.

SECTION 4. AMENDMENT. Section 57-15-14 of the 1995 Supplement to the North Dakota Century Code is amended and reenacted as follows:

57-15-14. Tax levy limitations in school districts. The aggregate amount levied each year for the purposes listed in section 57-15-14.2 by any school district,

except the Fargo school district, may not exceed the amount in dollars which the school district levied for the prior school year plus eighteen percent up to a general fund levy of one hundred ~~eighty-five~~ ninety-two mills on the dollar of the taxable valuation of the district, except that:

1. In any school district having a total population in excess of four thousand according to the last federal decennial census:
 - a. There may be levied any specific number of mills that upon resolution of the school board has been submitted to and approved by a majority of the qualified electors voting upon the question at any regular or special school district election.
 - b. There is no limitation upon the taxes which may be levied if upon resolution of the school board of any such district the removal of the mill levy limitation has been submitted to and approved by a majority of the qualified electors voting at any regular or special election upon such question.
2. In any school district having a total population of less than four thousand, there may be levied any specific number of mills that upon resolution of the school board has been approved by fifty-five percent of the qualified electors voting upon the question at any regular or special school election.
3. In any school district in which the total assessed valuation of property has increased twenty percent or more over the prior year and in which as a result of that increase the school district is entitled to less in state foundation aid payments provided in sections 15-40.1-06 through 15-40.1-08 because of the deduction required in subsection 3 of section 15-40.1-06, there may be levied any specific number of mills more in dollars than was levied in the prior year up to a general fund levy of one hundred ~~eighty-five~~ ninety-two mills on the dollar of the taxable valuation of the school district. The additional levy authorized by this subsection may be levied for not more than two years because of any twenty percent or greater annual increase in assessed valuation. The total amount of revenue generated in excess of the eighteen percent increase which is otherwise permitted by this section may not exceed the amount of state aid payments lost as a result of applying the deduction provided in subsection 3 of section 15-40.1-06 to the increased assessed valuation of the school district in a one-year period.

The question of authorizing or discontinuing such specific number of mills authority or unlimited taxing authority in any school district must be submitted to the qualified electors at the next regular election upon resolution of the school board or upon the filing with the school board of a petition containing the signatures of qualified electors of the district equal in number to twenty percent of the number of persons enumerated in the school census for that district for the most recent year such census was taken, unless such census is greater than four thousand in which case only fifteen percent of the number of persons enumerated in the school census is required. However, not fewer than twenty-five signatures are required unless the district has fewer than twenty-five qualified electors, in which case the petition must be signed by not less than twenty-five percent of the qualified electors of the district. In those districts with fewer than twenty-five qualified electors, the number of qualified electors in the district must be determined by the county superintendent for such county in which such school is located. However, the approval of discontinuing either such authority does not affect the tax levy in the calendar year in which the election is held. The election must be held in the same manner and subject to the same conditions as provided in this section for the first election upon the question of authorizing the mill levy.

SECTION 5. PER STUDENT PAYMENTS - HOLD HARMLESS.

Notwithstanding any provision of this Act, no school district may receive fewer foundation aid dollars than the district received for the 1996-97 school year."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1193: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1193 was placed on the Sixth order on the calendar.

Page 1, line 16, replace "clear and convincing" with "a preponderance of the" and after "evidence" insert "that"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1198: Industry, Business and Labor Committee (Rep. Berg, Chairman) A MAJORITY of your committee (Reps. Berg, Carlson, Froseth, Jacobs, Kempenich, Klein, Murphy, Skarphol, Poolman) recommends **DO NOT PASS**.

REPORT OF STANDING COMMITTEE

HB 1198: Industry, Business and Labor Committee (Rep. Berg, Chairman) A MINORITY of your committee (Reps. Keiser, Axtman, Glassheim, Thorpe) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS**.

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 23-12 of the North Dakota Century Code, relating to smoking restrictions in nonpublic workplaces; to amend and reenact sections 23-12-09, 23-12-10, 23-12-10.1, and 23-12-11 of the North Dakota Century Code, regarding restrictions on smoking in places of public access and nonpublic workplaces; and to provide a penalty.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 23-12-09 of the North Dakota Century Code is amended and reenacted as follows:

23-12-09. Smoking in places of public assembly access and nonpublic workplaces - Definitions. In sections 23-12-09 through 23-12-11, unless the context or subject matter otherwise requires:

1. "Place of public ~~assembly access~~" means any enclosed indoor place of business, commerce, banking, financial service, or other service-related activity, whether publicly or privately owned and whether operated for profit or not, to which persons not employed at the place of public access have general and regular access or which the public uses, including:
 - a. ~~Enclosed theaters; auditoriums; gymnasiums; elevators; libraries; vehicles used in public transportation; rooms in which persons are confined as a matter of health care, including the waiting room, restroom, lobby, or hallway of a hospital, nursing home, rest home, or other health care institution or facility, and waiting areas in all public transportation terminals.~~ Buildings, offices, shops, elevators, restrooms, vehicles used in public transportation, means of transportation or common carrier waiting rooms, restaurants, cafes, cafeterias, taverns or cabarets, shopping malls, retail stores, grocery stores, arcades, libraries, theaters, concert halls, museums, art galleries, planetariums, historical sites, auditoriums, arenas, barbershops, hair salons, laundromats, and sports or fitness facilities;
 - b. ~~Any building or other enclosed structure owned or leased by the state, its agencies, or political subdivisions, and all public education buildings.~~ Common areas of nursing homes, hospitals, resorts, hotels, motels, bed and breakfast facilities, and other similar lodging facilities, including the lobbies, hallways, elevators, cafeterias, other designated dining areas, and restrooms of any of these;
 - c. ~~Each portion of a building or enclosed structure that is not included in this subsection if it has the seating capacity for fifty or more persons and is available to the public, including restaurants, food service establishments, dining rooms, cafes, cafeterias, or other rooms used primarily for the service of food, regardless of whether the establishments serve alcoholic beverages.~~

~~The term does not include private, enclosed rooms of residence, establishments licensed primarily or exclusively to sell alcoholic beverages for consumption on the premises, including private and fraternal~~

~~organizations, or areas used for the service of alcoholic beverages and which are physically separate rooms within food service establishments. Child care facilities subject to licensure by the department of human services, including those operated in private homes, when any child cared for under that license is present;~~

- d. Common areas of multiunit residential buildings, including apartments, duplexes, and condominiums;
 - e. Public or private elementary or secondary school buildings and educational facilities or the property on which those facilities are located; and
 - f. Any area where the proprietor or manager of the area has posted a conspicuous sign stating "no smoking", "thank you for not smoking", or similar statement.
2. ~~"Smoke drift" means the presence of smoke from a lighted cigar, cigarette, pipe, or other smoking equipment in a place of public assembly outside a designated smoking area. "Publicly owned building or office" means any enclosed indoor place or portion of a place owned, leased, or rented by any state or political subdivision, or by any agency supported by appropriation of, or by contracts or grants from, funds derived from the collection of taxes. The term does not include student rooms in residence halls or dormitories and other housing units owned and operated by state institutions of higher education.~~
3. ~~"Smoking" means carrying a the possession of any lighted cigar, cigarette, pipe, or any other lighted tobacco product or smoking equipment.~~

SECTION 2. AMENDMENT. Section 23-12-10 of the 1995 Supplement to the North Dakota Century Code is amended and reenacted as follows:

23-12-10. Designation of Restrictions on smoking areas in public places and in specified places - Exceptions.

- 1. ~~Smoking is not permitted outside of designated smoking areas in places of public assembly as provided in this section. Smoking areas may be designated only by proprietors of privately owned buildings or by public officials having general supervisory responsibility for government buildings. No smoking area may be designated in a place in which smoking is prohibited by the state fire marshal. A sign must be posted in any designated smoking area which states "Designated Smoking Area" or words to that effect prohibited in every enclosed indoor place of public access and publicly owned building or office, except under subsection 2.~~
- 2. Subsection 1 does not apply to:
 - a. (1) A building owned, rented, leased, or otherwise operated by a social, fraternal, or religious organization when used solely by the organization members or their guests or families; or
 - (2) A facility rented or leased for private functions from which the general public is excluded and arrangements for the function are under the control of the function sponsor;
 - b. A workplace smoking area as provided in section 3 of this Act;
 - c. An area, not commonly open to the public, of an owner-operated business having no employee other than the owner-operator;
 - d. A guest room in a hotel, motel, bed and breakfast facility, or other similar lodging facility, but smoking is prohibited under subsection 1 in the common areas of these facilities;
 - e. A establishment licensed primarily or exclusively to sell alcoholic beverages for consumption on the premises;
 - f. A private club;

- g. A separate enclosed smoking area located in the passenger terminal of an international airport or a food establishment;
 - h. An adult smoking in a designated smoking area in a private school or educational facility or on the grounds of a private school or facility during nonschool hours;
 - i. A tobacco retailer that primarily or exclusively sells tobacco products; and
 - j. A restaurant, food service establishment, dining room, cafe, cafeteria, or other room used primarily for the service of food, regardless of whether the establishment serves alcoholic beverages, if smoking is limited by the proprietor to an area clearly designated as a smoking area.
3. Except as otherwise provided, designated smoking areas in a place of public assembly access may not occupy more than fifty percent of the total area available to the public and must be situated to minimize smoke drift. The proprietor of a food establishment with the seating capacity for fifty or more persons may temporarily, during the course of daily business, expand the designated smoking area beyond fifty percent of the total available area if the smoking area becomes fully occupied and the additional space needed for the expansion is vacant or available.

SECTION 3. A new section to chapter 23-12 of the North Dakota Century Code is created and enacted as follows:

Nonpublic workplaces - Smoking restrictions.

- 1. a. An employer who operates a workplace that is not a place of public access or a publicly owned building or office shall establish a written smoking policy before September 1, 1997, or within thirty days after becoming an employer subject to this section.
- b. If the employer employs fewer than ten full-time employees on a regular basis, the policy need not be in writing.
- 2. The policy must:
 - a. Prohibit smoking in the workplace;
 - b. Restrict smoking to designated enclosed smoking areas; or
 - c. Permit smoking in designated unenclosed smoking areas if the layout of the workplace prevents smoke in the work areas of all nonsmoking employees in the workplace and two-thirds of the employees in the workplace agree.

SECTION 4. AMENDMENT. Section 23-12-10.1 of the North Dakota Century Code is amended and reenacted as follows:

23-12-10.1. Responsibility of proprietors.

- 1. The proprietor or other person with general supervisory responsibility over a place of public assembly shall post an appropriate sign in any designated smoking area where smoking is prohibited under sections 23-12-09 through 23-12-11 who observes a person smoking in apparent violation of this chapter shall request the person to extinguish the tobacco product or smoking equipment.
- 2. If the person fails to comply, the proprietor or other person with general supervisory responsibility shall ask the person to leave the premises.

SECTION 5. AMENDMENT. Section 23-12-11 of the North Dakota Century Code is amended and reenacted as follows:

23-12-11. Penalty. Any proprietor or other person with general supervisory responsibility over a place of public assembly who willfully fails to comply with sections

~~23-12-09 through 23-12-11~~ A person who violates section 23-12-10 or section 3 of this Act is subject to a fine not to exceed one hundred dollars per violation."

Renumber accordingly

The reports of the majority and the minority were placed on the Seventh order of business on the calendar for the succeeding legislative day.

REPORT OF STANDING COMMITTEE

HB 1262: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1262 was placed on the Sixth order on the calendar.

Page 4, line 29, remove the overstrike over "~~an arm~~" and insert immediately thereafter "proximal to the wrist", remove the overstrike over "~~or~~" and insert immediately thereafter "a", remove the overstrike over "~~leg~~", and remove "both arms"

Page 4, remove line 30

Page 4, line 31, remove "proximal to the wrist and one leg"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1263: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (10 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). HB 1263 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "12-60-16.9," and remove "65-02-24,"

Page 1, line 2, remove "criminal history record"

Page 1, remove line 3

Page 1, line 4, remove "bureau, rewards for reporting workers' compensation fraud,"

Page 1, remove lines 8 through 13

Page 2, remove lines 3 through 19

Page 3, line 15, after "including" insert "deceptive"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1264: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1264 was placed on the Sixth order on the calendar.

Page 2, line 9, after "seventy-two" insert "consecutive"

Page 3, line 10, after the underscored period insert "For purposes of this subsection, "work" does not include routine daily activities of self-care or family care, or routine maintenance of the home and yard, and "activities" does not include recreational gaming or passive investment endeavors."

Page 4, line 15, overstrike "temporary"

Page 4, line 16, overstrike "total", remove "and the extent of the injured worker's abilities and restrictions", and overstrike "upon"

Page 4, line 17, overstrike "request of the bureau" and insert immediately thereafter "and the extent of the injured worker's abilities and restrictions"

Page 5, line 5, after "reports" insert "for any period of disability"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1268: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (9 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). HB 1268 was placed on the Sixth order on the calendar.

Page 1, line 1, after "sections" insert "54-12-08," and after "65-02-08" insert a comma

Page 1, line 2, after "to" insert "revocation of an appointment of a special assistant attorney general and to"

Page 1, after line 4, insert:

"SECTION 1. AMENDMENT. Section 54-12-08 of the 1995 Supplement to the North Dakota Century Code is amended and reenacted as follows:

54-12-08. Assistant and special assistant attorneys general - Appointment - Revocation - Compensation. After consultation with the head of the state department or institution or with the state board, commission, committee, or agency affected, the attorney general may appoint assistant or special assistant attorneys general to represent the state board, commission, committee, or agency. A state officer, head of any state department, whether elected or appointed, or state department, board, commission, committee, or agency may not employ legal counsel, and no person may act as legal counsel in any matter, action, or proceeding in which the state or any state department, board, commission, committee, or agency is interested or is a party, except upon written appointment by the attorney general. The workers compensation bureau, the department of transportation, the state tax commissioner, the public service commission, the commissioner of insurance, the board of higher education, and the securities commissioner may employ attorneys to represent them. These entities shall pay the salaries and expenses of the attorneys they employ within the limits of legislative appropriations. The attorneys that represent these entities must be special assistant attorneys general appointed by the attorney general pursuant to this section. Absent good cause, the attorney general shall appoint as special assistant attorneys general licensed attorneys selected by these entities. The attorney general may revoke the appointment only for good cause or upon the request of the entity. Good cause ~~includes~~ means an inadequate level of experience, competence, or ethical standards. The powers conferred upon special assistant attorneys general are the same as are exercised by the regular assistant attorneys general, unless the powers are limited specifically by the terms of ~~such~~ the appointment. ~~As~~ Except as otherwise provided by this section, an appointment is revocable at the pleasure of the attorney general. The appointment may be made with or without compensation, and when compensation is allowed by the attorney general for services performed, the compensation must be paid out of the funds appropriated therefor. The attorney general may require payment for legal services rendered by any assistant or special assistant attorney general to any state official, board, department, agency, or commission and those entities shall make the required payment to the attorney general. Moneys received by the attorney general in payment for legal services rendered must be deposited into the attorney general's operating fund. General fund moneys may not be utilized for the payment of legal services provided by the attorneys employed by the attorney general, except for those payments required of the department of human services, state department of health, and the state hospital."

ReNUMBER accordingly

REPORT OF STANDING COMMITTEE

HB 1269: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1269 was placed on the Sixth order on the calendar.

Page 1, line 3, remove the first "and" and after the second comma insert "65-01-11,"

Page 1, line 4, replace the second "and" with a comma

Page 1, line 5, after "compensation" insert ", and the burden of proof in workers' compensation matters; and to provide for a study of wage-loss benefits structure"

Page 6, line 8, after the period insert "This paragraph does not apply to public safety employees, including law enforcement officers, or private security personnel who are

required to engage in altercations as part of their job duties if the altercation arises out of the performance of those job duties."

Page 14, after line 26, insert:

"SECTION 3. AMENDMENT. Section 65-01-11 of the 1995 Supplement to the North Dakota Century Code is amended and reenacted as follows:

65-01-11. Burden of proof in compensation matters - Death certificate. If the bureau or an employer claims that an employee is not entitled to the benefits of the North Dakota Workers' Compensation Law ~~by reason of the fact that~~ because the employee's injury was caused by the employee's willful intention to injure himself, or to injure another, or by reason of the voluntary impairment caused by use of alcohol or illegal use of a controlled substance by the employee, the burden of proving ~~such~~ the exemption or forfeiture is upon the bureau or upon the person alleging the same; however, an alcohol concentration level at or above the limit set by the United States secretary of transportation in 49 CFR 383.51 or a level of an illegally used controlled substance sufficient to cause impairment found by a test required by a physician, qualified technician, chemist, or registered nurse and performed as required by the United States secretary of transportation under 49 CFR part 40, at or above the cutoff level in part 40, creates a rebuttable presumption that the injury was due to impairment caused by the use of alcohol or the illegal use of a controlled substance. An employer who has a mandatory drug alcohol testing policy for work accidents, or an employer or a doctor who has reasonable grounds to suspect an employee's alleged work injury was caused by the employee's voluntary impairment caused by use of alcohol or illegal use of a controlled substance may request that the employee undergo testing to determine if the employee had alcohol or the controlled substance in the employee's system at levels greater than the limit set by the United States department of transportation at the time of the injury. If an employee refuses to submit to a reasonable request to undergo a test to determine if the employee was impaired; or if an employee refuses to submit to a test for drugs or alcohol after a work accident as mandated by company policy, the employee forfeits all entitlement to workers' compensation benefits arising out of that injury. Any claimant against the fund, however, has the burden of proving by a preponderance of the evidence that the claimant is entitled to ~~participate in the same~~ benefits. ~~In the event of~~ If a claim for death benefits is filed, the official death certificate must be considered as evidence of death and may not be used to establish the cause of death."

Page 15, line 4, replace "other cause" with "disease existing before that total or partial disability or death"

Page 16, line 2, replace "3" with "4"

Page 16, after line 17, insert:

"SECTION 7. BUREAU TO STUDY WAGE-LOSS BENEFITS STRUCTURE. During the 1997-1998 interim, the bureau shall conduct a study of its wage-loss benefits structure to determine if the current structure provides for equitable compensation for wage-loss resulting from a work-related injury. The results of the study must identify the advantages and disadvantages of the current system and of any proposed system. The results must include recommendations on how the bureau's benefits structure could be refined to provide an appropriate balance between adequate benefits and return-to-work incentives. The bureau shall report on the progress of the study to an interim committee designated by the legislative council to receive the report. If any legislation is expected to be proposed as a result of the study, the interim committee designated by the legislative council may review the proposed legislation before it is introduced."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1270: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). HB 1270 was placed on the Sixth order on the calendar.

Page 2, line 11, after "parties" insert "by regular mail a notice of decision reversing the previous decision or"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1289, as engrossed: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). Engrossed HB 1289 was placed on the Sixth order on the calendar.

Page 1, line 9, replace the first underscored comma with "or" and remove ", or improved"

Page 1, line 21, remove "or improved"

Page 1, line 22, remove "or improvement of an existing structure"

Page 1, line 23, remove "or improvement" and replace "fifty" with "five hundred"

Page 2, line 12, replace the first underscored comma with "or" and remove ", or improved"

Page 2, line 19, remove "or improved"

Page 2, line 20, remove "or improvement of an existing structure"

Page 2, line 21, remove "or improvement" and replace "fifty" with "five hundred"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1310: Transportation Committee (Rep. Skarphol, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1310 was placed on the Sixth order on the calendar.

Page 1, line 12, overstrike "warden of the state penitentiary" and insert immediately thereafter "director of the department of corrections and rehabilitation"

Page 1, line 13, replace "warden's" with "director's" and after "agents" insert "who have successfully completed training in the operation of class A authorized emergency vehicles"

Page 1, line 14, after "(3)" insert:

"Vehicles clearly identifiable as property of the department of corrections and rehabilitation when operated or under the control of the director of the department of corrections and rehabilitation.

(4)"

Page 1, line 15, overstrike "(4)" and insert immediately thereafter "(5)"

Page 1, line 18, overstrike "(5)" and insert immediately thereafter "(6)"

Page 1, line 20, overstrike "(6)" and insert immediately thereafter "(7)"

Page 1, line 22, overstrike "(7)" and insert immediately thereafter "(8)"

Page 2, line 1, replace "8" with "9"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1312: Education Committee (Rep. R. Kelsch, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (11 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). HB 1312 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "four" with "three"

Page 1, line 2, remove "higher education appropriations and budgets,"

Page 1, line 5, remove "15-10-12.1,"

Page 1, line 8, remove "acceptance of buildings and campus improvements,"

Page 3, remove lines 13 through 29

Page 4, line 19, remove "personnel actions by the board, including"

Page 4, line 20, after "employee" insert "of the institutions under its control"

Page 8, line 24, after "rules" insert "consistent with state or federal law"

Page 9, remove lines 8 through 31

Page 10, remove lines 1 through 11

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1330, as engrossed: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed HB 1330 was placed on the Sixth order on the calendar.

Page 1, line 17, after "processor" insert "other than a credit card processor"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1382: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1382 was placed on the Sixth order on the calendar.

Page 1, line 3, remove "26.1-40-01 and" and after "39-05-17.2" insert "and 39-05-20.2"

Page 1, line 4, remove "coverage for loss of value to insured motor vehicles and"

Page 1, line 5, after "disclosure" insert "and salvage certificate of title"

Page 1, line 9, replace "**Loss**" with "**Definitions - Loss**"

Page 1, line 10, after "1." insert "As used in this section:

- a. "Loss of value" means the loss of market value or residual diminution of value caused by a covered occurrence under a valid motor vehicle policy which remains after the physical damage to the vehicle is repaired.
- b. "Policy" means a motor vehicle policy providing coverage for collision or comprehensive damages.

2."

Page 1, line 10, replace "must" with "may" and after "provide" insert "optional"

Page 1, line 11, remove ", unless the policy"

Page 1, remove lines 12 through 14

Page 1, line 15, remove "policy"

Page 1, line 16, replace "2" with "3"

Page 1, line 17, remove "or the owner of the vehicle"

Page 1, line 18, remove "recognizes the loss of value in some other similar fashion"

Page 1, line 19, remove "or claimant"

Page 2, line 1, replace "3" with "4"

Page 2, remove lines 10 through 31

Page 3, remove lines 1 through 31

Page 4, remove lines 1 through 8

Page 4, line 28, replace "five thousand dollars or thirty" with "forty"

Page 4, line 30, remove ", whichever is greater"

Page 5, line 3, after "4." insert "Any person repairing, replacing parts, or performing body work on a motor vehicle that is less than five years old shall provide a statement to the owner of the motor vehicle when the motor vehicle has sustained motor vehicle damage requiring disclosure under this section. The owner shall disclose this damage when ownership of the motor vehicle is transferred.

5. The amount of damage to a motor vehicle is determined by adding the retail value of all labor, parts, and material used in repairing the damage. When the retail value of labor has not been determined by a purchase in the ordinary course of business, for example when the labor is performed by the owner of the vehicle, the retail value of the labor is presumed to be the product of the repair time, as provided in a generally accepted autobody repair flat rate manual, multiplied by thirty-five dollars.

6."

Page 5, after line 4, insert:

"SECTION 3. AMENDMENT. Section 39-05-20.2 of the 1995 Supplement to the North Dakota Century Code is amended and reenacted as follows:

39-05-20.2. Issuance of salvage certificate of title. ~~Any person or organization who completely destroys or completely dismantles a vehicle so as to cause that vehicle to lose its identity~~ The owner of a vehicle that is damaged in excess of seventy-five percent of its retail value shall forward the title for that vehicle to the department within ten days and the department shall issue a salvage certificate of title. If a vehicle for which a salvage certificate of title has been issued is reconstructed, a regular certificate of title may be obtained by completing an application for the certificate. The applicant shall include with the application a certificate of inspection in the form required by the department, the salvage certificate of title, and a five dollar fee. The department shall place on the regular certificate of title and on all subsequent certificates of title issued for the vehicle, a notation that damage disclosure information is available from the department. The department may not issue a new certificate unless the vehicle identification number of the vehicle has been inspected and found to conform to the description given in the application, or unless other proof of the identity of the vehicle has been provided to the satisfaction of the department."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1383: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). HB 1383 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 provide for a study by the workers compensation bureau of the feasibility of basing premium calculations on an employee's gross wages.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. BUREAU TO STUDY BASIS FOR PREMIUM CALCULATION.

The bureau shall study the feasibility and desirability of establishing a premium calculation system based on an employee's gross wages instead of on gross wages up to a maximum of seventy percent of the state's average annual wage. The bureau shall determine whether any maximum wage would be feasible. The bureau shall report the progress of its study to a designated legislative council interim committee and, if it determines appropriate, shall propose legislation to accomplish any changes it

determines necessary to the premium calculation system based on the results of the study."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1387: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (10 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). HB 1387 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "facilities for viewing certain motion pictures or other entertainment" with "partitions between rooms in commercial buildings"

Page 1, line 3, replace "**Requirements of facilities for viewing motion pictures**" with "**Partitions between rooms in commercial buildings**"

Page 1, line 4, remove "1." and remove "own, rent, lease, manage, or"

Page 1, line 5, remove the colon

Page 1, line 6, remove "a." and replace "Any" with "any"

Page 1, line 7, replace "is designed or construed" with "exists"

Page 1, remove lines 9 through 24

Page 2, remove lines 1 through 4

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1393: Education Committee (Rep. R. Kelsch, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1393 was placed on the Sixth order on the calendar.

Page 1, line 2, after "districts" insert "; and to amend and reenact sections 15-40.1-06, 15-40.1-07, 15-40.1-08, and 57-15-14 of the North Dakota Century Code, relating to per student payments, the school district equalization factor, and tax levy limitations in school districts"

Page 1, after line 3, insert:

"SECTION 1. AMENDMENT. Section 15-40.1-06 of the 1995 Supplement to the North Dakota Century Code is amended and reenacted as follows:

15-40.1-06. Declaration of legislative intent - Educational support per student - School district equalization factor - Limitations.

1. It is the intent of the legislative assembly, not considering any separate and supplemental payments as may be provided by law, to support elementary and secondary education in this state from state funds based on the educational cost per student. In determining the educational cost per student, the following criteria may not be used:
 - a. Expenditures for capital outlay for buildings and sites, or debt service.
 - b. Expenditures from school activities and school lunch programs.
 - c. Expenditures for the cost of transportation, including the cost of schoolbuses.
2. a. The educational support per student during the first year of the ~~1995-97~~ 1997-99 biennium must be one thousand ~~seven~~ nine hundred ~~fifty-seven~~ forty-six dollars and for the second year of the 1997-99 biennium the educational support per student must be ~~one thousand eight hundred sixty-two~~ forty-seven dollars and is the basis for calculating grants-in-aid on a per student basis as provided in sections 15-40.1-07 and 15-40.1-08.

- b. School districts operating high schools not meeting the minimum curriculum as provided in section 15-41-24 or the teacher qualifications in section 15-41-25 must be supported in the amount of two hundred twenty dollars, which is the basis for calculating grants-in-aid on a per student basis as provided in section 15-40.1-07.
 - c. School districts operating high schools that are not accredited pursuant to the accreditation standards adopted by the superintendent of public instruction on July 1, 1991, or that become unaccredited in any succeeding school year must be supported for the 1991-92 school year or for the first year that they become unaccredited in the amount of the educational support per student established in subdivision a, which is the basis for calculating grants-in-aid on a per student basis as provided in section 15-40.1-07, but those school districts are not entitled to the amounts resulting from applying the factors in that section. The amount of aid a school district is entitled to under this subsection for each high school that is not accredited must be reduced by two hundred dollars times the number of students in the school for the second school year that the high school is unaccredited, and an additional two hundred dollars per student in the unaccredited school for each additional year the school remains unaccredited. Any high school that becomes accredited is entitled to the per student payments provided for in section 15-40.1-07 for the entire school year in which the school becomes accredited.
 - d. School districts operating elementary schools that are not accredited pursuant to the accreditation standards adopted by the superintendent of public instruction on July 1, 1992, or that become unaccredited in any succeeding school year must be supported for the 1992-93 school year or for the first year that they become unaccredited in the amount of the educational support per student established in subdivision a, which is the basis for calculating grants-in-aid on a per student basis as provided in section 15-40.1-08, except that the amount of aid that a school district is entitled to under this subsection for each elementary school that is unaccredited must be reduced by two hundred dollars times the number of students in the school each year that the elementary school is unaccredited. Any elementary school that becomes accredited is entitled to the per student payments provided for in section 15-40.1-08 for the entire school year in which the school becomes accredited.
3. In determining the amount of payments due school districts for tuition apportionment provided in section 15-44-03, and per student aid under this section, the amount of tuition apportionment, foundation aid, special education aid, and transportation aid for which a school district is eligible must be added together, and from that total, the following amounts must be subtracted:
- a. The product of ~~twenty-eight~~ thirty-two mills for the ~~1995-96~~ 1997-98 school year and ~~thirty-two~~ thirty-two mills for the ~~1996-97~~ 1998-99 school year times the latest available net assessed and equalized valuation of property of the school district. ~~For succeeding school years, the number of mills to be used in the computation must be determined as follows:~~
 - (1) ~~The superintendent of public instruction shall determine the percentage resulting from dividing the number of mills used in the computation the previous year by the state average school district general fund mill levy.~~
 - (2) ~~The superintendent of public instruction shall determine the amount of foundation aid estimated to be distributed during the current year and subtract from that the amount of foundation aid that was distributed during the prior year, and divide the result by the amount of foundation aid distributed during the prior year.~~
 - (3) ~~The superintendent of public instruction shall multiply the quotient determined under paragraph 2 by forty percent and~~

~~shall add this product to the percentage obtained in paragraph 4. This sum shall be multiplied times the state average school district general fund mill levy to determine the number of mills to be used in the computation provided in subdivision a. However, the number of mills used may not fall below thirty two mills, nor rise above twenty five percent of the state average school district general fund mill levy.~~

- b. The amount that the unobligated general fund balance of a school district on the preceding June thirtieth is in excess of three-fourths of the actual expenditures, plus an additional twenty thousand dollars.
4. No school district may receive foundation payments beyond the October payment unless the following reports have been filed with the superintendent of public instruction:
 - a. Annual average daily membership report.
 - b. Annual school district financial report.
 - c. The September tenth fall enrollment report.
 - d. The personnel report forms for certified and noncertified employees.
5. No school district may receive the January foundation payment unless the taxable valuation and mill levy certifications are on file with the department of public instruction by December fifteenth.

SECTION 2. AMENDMENT. Section 15-40.1-07 of the 1995 Supplement to the North Dakota Century Code is amended and reenacted as follows:

15-40.1-07. High school per student payments - Amount - Proportionate payments. Payments must be made each year from state funds to each school district operating a high school and to each school district contracting to educate high school students in a federal school, subject to adjustment as provided in section 15-40.1-09, as follows:

1. For each high school district having under seventy-five students in average daily membership in grades nine through twelve, the amount of money resulting from multiplying the factor 1.625 adjusted by ~~fifty eight~~ percent of the difference between 1.625 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, times the number of high school students in grades nine through twelve registered in that school district, times the educational support per student as provided in section 15-40.1-06. Beginning July 1, ~~1996~~ 1998, the factor is ~~1.625 adjusted by sixty five percent of the difference between 1.625 and the factor representing that which represents~~ the five-year average cost of education per student for this category, as determined by the superintendent of public instruction.
2. For each high school district having seventy-five or more, but less than one hundred fifty students in average daily membership in grades nine through twelve, the amount of money resulting from multiplying the factor 1.335 adjusted by ~~fifty eight~~ percent of the difference between 1.335 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, times the number of high school students in grades nine through twelve registered in that school district, times the educational support per student provided in section 15-40.1-06. Beginning July 1, ~~1996~~ 1998, the factor is ~~1.335 adjusted by sixty five percent of the difference between 1.335 and the factor representing that which represents~~ the five-year average cost of education per student for this category, as determined by the superintendent of public instruction.
3. For each high school district having one hundred fifty or more, but less than five hundred fifty students in average daily membership in grades nine through twelve, the amount of money resulting from multiplying the factor 1.24 adjusted by ~~fifty eight~~ percent of the difference between 1.24 and the factor representing the five-year average cost of education per student for

this category, as determined by the superintendent of public instruction, times the number of high school students in grades nine through twelve registered in that school district, times the educational support per student provided in section 15-40.1-06. Beginning July 1, ~~1996~~ 1998, the factor is ~~1.24 adjusted by sixty five percent of the difference between 1.24 and the factor representing that which represents~~ the five-year average cost of education per student for this category, as determined by the superintendent of public instruction.

4. For each high school district having a total high school enrollment of five hundred fifty or more students in average daily membership in grades nine through twelve, the amount of money resulting from multiplying the factor 1.14 adjusted by ~~fifty eighty~~ percent of the difference between 1.14 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, times the number of high school students in grades nine through twelve registered in that school district, times the educational support per student provided in section 15-40.1-06. Beginning July 1, ~~1996~~ 1998, the factor is ~~1.14 adjusted by sixty five percent of the difference between 1.14 and the factor representing that which represents~~ the five-year average cost of education per student for this category, as determined by the superintendent of public instruction.
5. For high schools having an approved alternative education program, the amount of money resulting from multiplying the factor in:
 - a. Subsection 1 times the number of students registered in the alternative education program, times the educational support per student provided in section 15-40.1-06, if the alternative education program has less than seventy-five students in average daily membership.
 - b. Subsection 2 times the number of students registered in the alternative education program, times the educational support per student provided in section 15-40.1-06, if the alternative education program has seventy-five or more, but less than one hundred fifty students in average daily membership.
 - c. Subsection 3 times the number of students registered in the alternative education program, times the educational support per student provided in section 15-40.1-06, if the alternative education program has one hundred fifty or more, but less than five hundred fifty students in average daily membership.
 - d. Subsection 4 times the number of students registered in the alternative education program times the educational support per student as provided in section 15-40.1-06 if the alternative education program has five hundred fifty or more students in average daily membership.

Every high school district must receive at least as much in total payments as it would have received if it had the highest number of students in the next lower category. Payments may not be made unless four or more units of standard high school work approved by the superintendent of public instruction are offered during the current year, only certificated teachers have been employed, and the other standards prescribed by this chapter have been met. Payments must be made to the high school district in which the student is enrolled for graduation and units of approved vocational education in accordance with the provisions of chapter 15-20.1, and other courses approved by the superintendent of public instruction, earned in another high school district must be included to meet the minimum four required units. In the case of students enrolled in nonpublic schools for graduation or students enrolled in less than four units of standard high school work who are in their fourth year of high school coursework and who are enrolled in approved alternative high school curriculum programs, proportionate payments must be made to the public school district in which the student is enrolled for specific courses. School districts offering high school summer school programs are eligible for proportionate payments provided each course offered satisfies requirements for graduation, comprises at least as many clock hours as courses offered during the regular school term, and complies with rules adopted by the superintendent of public instruction. The superintendent may adopt rules regarding eligibility for school districts to receive proportionate payments for summer education programs. The proportionate

payment made under this section during the biennium for high school summer school programs may not exceed one and one-half percent of the total amount appropriated by the legislative assembly for foundation aid and transportation aid during the biennium."

Page 1, underscore lines 6 through 24

Page 1, after line 24, insert:

"SECTION 4. AMENDMENT. Section 15-40.1-08 of the 1995 Supplement to the North Dakota Century Code is amended and reenacted as follows:

15-40.1-08. Elementary per student payments - Amount. Payments must be made from state funds to each school district operating an elementary school and to each school district contracting to educate elementary students in a federal school, employing teachers holding valid certificates or permits in accordance with section 15-47-46 and chapter 15-36, adjusted as provided in section 15-40.1-09, as follows:

1. For each one-room rural school, the amount of money resulting from multiplying the factor 1.28 adjusted by ~~fifty eighty~~ percent of the difference between 1.28 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, times the number of students in that school in grades one through eight in average daily membership, up to a maximum of sixteen students, times the educational support per student provided in section 15-40.1-06. There must be paid .9 times each additional student in its school in grades one through eight in average daily membership times the educational support per student provided in section 15-40.1-06, except that no payment may be made for more than twenty students in average daily membership. If the one-room rural school is located in a school district with another elementary school, the weighting factor for the students in grades one through six must be based on the average daily membership in the district in grades one through six as provided in subsections 2 through 4. If the one-room rural school is located in a school district with another school that has students in grade seven or eight, the weighting factor for the students in grade seven or eight must be the same as that provided for in subsection 5. Beginning July 1, ~~1996~~ 1998, the factor is ~~1.28 adjusted by sixty five percent of the difference between 1.28 and that which represents~~ the five-year average cost of education per student for this category, as determined by the superintendent of public instruction.
2. For each elementary school in school districts having under one hundred students in average daily membership in grades one through six, the amount of money resulting from multiplying the factor 1.09 adjusted by ~~fifty eighty~~ percent of the difference between 1.09 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, times the number of students in that school in grades one through six in average daily membership in each classroom or for each teacher, times the educational support per student provided in section 15-40.1-06, except that no payment may be made for more than twenty-five students in average daily membership in each classroom or for each teacher. Beginning July 1, ~~1996~~ 1998, the factor is ~~1.09 adjusted by sixty five percent of the difference between 1.09 and that which represents~~ the five-year average cost of education per student for this category, as determined by the superintendent of public instruction.
3. For each elementary school in school districts having one hundred or more students in average daily membership in grades one through six, and provided the districts in which such schools are located have an average daily membership of less than one thousand elementary students in grades one through six, the amount of money resulting from multiplying the factor .905 adjusted by ~~fifty eighty~~ percent of the difference between .905 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, times the number of students in that school in grades one through six in average daily membership in each classroom or for each teacher times the educational support per student provided in section 15-40.1-06, except that no payment may be made for more than thirty students in average daily membership in each classroom or for each teacher. Beginning July 1,

~~1996 1998, the factor is .905 adjusted by sixty five percent of the difference between .905 and that which represents the five-year average cost of education per student for this category, as determined by the superintendent of public instruction.~~

4. For each elementary school in school districts having an average daily membership of one thousand or more elementary students in grades one through six, the amount of money resulting from multiplying the factor .95 adjusted by ~~fifty eighty~~ percent of the difference between .95 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, times the number of students in that school in grades one through six in average daily membership in each classroom or for each teacher times the educational support per student provided in section 15-40.1-06, except that no payment may be made for more than thirty students in average daily membership in each classroom or for each teacher. Beginning July 1, ~~1996 1998, the factor is .95 adjusted by sixty five percent of the difference between .95 and that which represents~~ the five-year average cost of education per student for this category, as determined by the superintendent of public instruction.
5. For each of the above classes of elementary schools, except for one-room rural schools that are not located in a district with another school having students in grade seven or eight, there must be paid to each school the amount of money resulting from multiplying the factor 1.01 adjusted by ~~fifty eighty~~ percent of the difference between 1.01 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, times the number of students in that school in grades seven and eight in average daily membership in each classroom or for each teacher times the educational support per student provided in section 15-40.1-06, except that no payment may be made for more than thirty students in average daily membership in each classroom or for each teacher. Beginning July 1, ~~1996 1998, the factor is 1.01 adjusted by sixty five percent of the difference between 1.01 and that which represents~~ the five-year average cost of education per student for this category, as determined by the superintendent of public instruction.
6. For each elementary school having students under the compulsory age for school attendance, but not less than three years of age, in a special education program approved by the director of special education, the amount of money resulting from multiplying the factor 1.01 adjusted by ~~fifty eighty~~ percent of the difference between 1.01 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, times the number of special education students in that school under the compulsory age for school attendance in average daily membership in each classroom or for each teacher times the educational support per student provided in section 15-40.1-06. Beginning July 1, ~~1996 1998, the factor is 1.01 adjusted by sixty five percent of the difference between 1.01 and that which represents~~ the five-year average cost of education per student for this category, as determined by the superintendent of public instruction.
7. For each elementary school providing a kindergarten that is established according to provisions of section 15-45-01, the amount of money resulting from multiplying the factor .50 adjusted by ~~fifty eighty~~ percent of the difference between .50 and the factor representing the five-year average cost of education per student for this category, as determined by the superintendent of public instruction, times the number of students in that school in average daily membership in each classroom or for each teacher times the educational support per student, as provided under section 15-40.1-06, except that no payment may be made for more than twenty-five students in average daily membership in each classroom or for each teacher. The full per student payment may be made only to those kindergarten programs providing the equivalent of ninety full days of classroom instruction during any twelve-month period. Programs providing shorter periods of instruction during the same time period must receive a proportionately smaller per student payment. Beginning July 1, ~~1996 1998, the factor is .50 adjusted by sixty five percent of the difference between .50 and that which represents~~ the five-year average cost of education per

student for this category, as determined by the superintendent of public instruction.

The superintendent of public instruction shall make proportionate payments to each public school district educating students who are also enrolled in nonpublic schools.

Every school district must receive at least as much in total payments for elementary students as it would have received if it had the highest number of students in the next lower category.

SECTION 5. AMENDMENT. Section 57-15-14 of the 1995 Supplement to the North Dakota Century Code is amended and reenacted as follows:

57-15-14. Tax levy limitations in school districts. The aggregate amount levied each year for the purposes listed in section 57-15-14.2 by any school district, except the Fargo school district, may not exceed the amount in dollars which the school district levied for the prior school year plus eighteen percent up to a general fund levy of one hundred ~~eighty-five~~ ninety-two mills on the dollar of the taxable valuation of the district, except that:

1. In any school district having a total population in excess of four thousand according to the last federal decennial census:
 - a. There may be levied any specific number of mills that upon resolution of the school board has been submitted to and approved by a majority of the qualified electors voting upon the question at any regular or special school district election.
 - b. There is no limitation upon the taxes which may be levied if upon resolution of the school board of any such district the removal of the mill levy limitation has been submitted to and approved by a majority of the qualified electors voting at any regular or special election upon such question.
2. In any school district having a total population of less than four thousand, there may be levied any specific number of mills that upon resolution of the school board has been approved by fifty-five percent of the qualified electors voting upon the question at any regular or special school election.
3. In any school district in which the total assessed valuation of property has increased twenty percent or more over the prior year and in which as a result of that increase the school district is entitled to less in state foundation aid payments provided in sections 15-40.1-06 through 15-40.1-08 because of the deduction required in subsection 3 of section 15-40.1-06, there may be levied any specific number of mills more in dollars than was levied in the prior year up to a general fund levy of one hundred ~~eighty-five~~ ninety-two mills on the dollar of the taxable valuation of the school district. The additional levy authorized by this subsection may be levied for not more than two years because of any twenty percent or greater annual increase in assessed valuation. The total amount of revenue generated in excess of the eighteen percent increase which is otherwise permitted by this section may not exceed the amount of state aid payments lost as a result of applying the deduction provided in subsection 3 of section 15-40.1-06 to the increased assessed valuation of the school district in a one-year period.

The question of authorizing or discontinuing such specific number of mills authority or unlimited taxing authority in any school district must be submitted to the qualified electors at the next regular election upon resolution of the school board or upon the filing with the school board of a petition containing the signatures of qualified electors of the district equal in number to twenty percent of the number of persons enumerated in the school census for that district for the most recent year such census was taken, unless such census is greater than four thousand in which case only fifteen percent of the number of persons enumerated in the school census is required. However, not fewer than twenty-five signatures are required unless the district has fewer than twenty-five qualified electors, in which case the petition must be signed by not less than twenty-five percent of the qualified electors of the district. In those districts with fewer than twenty-five qualified electors, the number of qualified electors in the district must be determined by the county superintendent for such county in which such school is

located. However, the approval of discontinuing either such authority does not affect the tax levy in the calendar year in which the election is held. The election must be held in the same manner and subject to the same conditions as provided in this section for the first election upon the question of authorizing the mill levy."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1424: Political Subdivisions Committee (Rep. Poolman, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). HB 1424 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact a new section to chapter 47-04 of the North Dakota Century Code, relating to modification of covenants running with the land.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new section to chapter 47-04 of the North Dakota Century Code is created and enacted as follows:

Modification of covenants running with the land. A covenant running with the land executed after the effective date of this Act must contain provisions addressing the modification of the covenant. If a covenant running with the land does not contain provisions relating to the modification of the covenant, eighty-five percent of all of the owners of the real property subject to the covenant may agree, in writing, to amend the covenant to include provisions relating to the modification of the covenant. Following approval of any modification, the modified covenant must be filed for recording with the register of deeds. This section does not apply to subdivisions that are not completed unless the subdivision has been in development for over fifteen years."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1440: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). HB 1440 was placed on the Sixth order on the calendar.

Page 2, line 4, replace "The appointments must be made so that" with "On and after September 1, 1997, the board must consist of seven members. The appointment and replacement of the members must ensure that"

Page 2, line 5, replace "are policyholders" with "represent employers in this state that maintain active accounts with the bureau" and replace "whom" with "which"

Page 2, line 6, replace "representative of the safety employment classification" with "participant in the risk management program" and replace "whom" with "which"

Page 2, line 7, replace "from rate classes of" with "employers with annual premiums greater than" and remove "or more"

Page 2, line 8, replace "whom" with "which", replace "from a rate class" with "an employer with an annual premium", and remove "to twenty-four"

Page 2, line 9, replace "thousand nine hundred ninety-nine" with "but less than twenty-five thousand" and remove "and ninety-nine cents"

Page 2, line 10, replace "whom" with "which" and replace "from a rate class" with "an employer with an annual premium"

Page 2, line 12, replace "representative from" with "member of" and replace "state" with "North Dakota"

Page 2, line 13, after "except" insert "five of"

Page 2, line 14, replace "may" with "shall", after "shorter" insert "initial", and after "terms" insert "as determined by lot"

Page 2, line 15, after "one" insert ", but not more than two," replace "term" with "terms", and remove ", as"

Page 2, line 16, remove "determine by lot"

Page 2, line 17, replace "If any policyholder representative member serves two consecutive terms," with "A departing member representing an employer must be replaced by a member representing an employer, most of whose employees are in a different rate classification than those of the employer represented by the departing member."

Page 2, remove lines 18 and 19

Page 3, line 4, remove the first "estimate" and remove "and submit the estimate to the office of"

Page 3, line 5, remove "the budget" and replace "54-44.1-04" with "7 of this Act"

Page 3, remove lines 6 through 8

Page 3, line 9, replace "7" with "6"

Page 3, line 12, remove "and review of" and after "services" insert ", and ensuring impartiality and freedom from political influence"

Page 3, remove lines 13 through 16

Page 3, line 17, replace "9" with "7"

Page 3, line 19, replace "10" with "8" and after "Adopt" insert "internal management"

Page 3, line 26, replace "divisions" with "functions and operations"

Page 3, line 27, replace "divisions" with "primary functions and operations" and replace "they are" with "the bureau is"

Page 3, line 28, after the underscored period insert "The scope of the performance audit must be determined by the state auditor in conjunction with the independent audit firm." and after "for" insert "departmental"

Page 3, line 29, after "improvement" insert "or an explanation of why no recommendations are being made", replace "and" with an underscored comma, and after "director" insert ", and if requested by the committee, the audit firm"

Page 4, line 2, after the underscored period insert "The director, the chairman of the board of directors, and, if requested by the committees, the audit firm shall present the audit, and report on any action taken as a result of the audit to the house and senate industry, business and labor standing committees during the next regular session of the legislative session following the audit. The chairman of the board of directors shall provide a copy of the audit report to the state auditor."

Page 4, line 8, after the second underscored comma insert "and each fiscal year thereafter" and replace "formulated" with "determined"

Page 4, line 9, replace "formulated" with "determined"

Page 4, line 11, after "budgeting" insert "and adopts the target achievement budget proposed by the board"

Page 4, line 13, remove "proposed" and replace "and develop a program" with an underscored comma

Page 4, line 14, replace "based on various" with "for" and replace ". The target" with ", and to incorporate"

Page 4, line 15, remove "achievement budget must include"

Page 4, line 21, remove "purpose, objectives, and"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1448: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1448 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "section" with "sections 52-04-05 and"

Page 1, line 2, after "to" insert "the determination of rates and"

Page 1, after line 3, insert:

"SECTION 1. AMENDMENT. Section 52-04-05 of the 1995 Supplement to the North Dakota Century Code is amended and reenacted as follows:

52-04-05. Determination of rates.

1. For each calendar year, the bureau shall estimate the amount of income needed to pay benefits and maintain a balance in the unemployment compensation fund, that as of October 1, 1989, is equal to twenty-five percent of the average annual amount of benefits paid. On each October first after October 1, 1989, the amount of the trust fund reserve must be sixty percent of the average annual amount of benefits paid. The average annual amount of benefits paid must be computed by dividing the total amount of benefits paid and projected to be paid during the previous thirty-six months by three.
2. Rates must be determined as follows:
 - a. The income required for the calendar year must be divided by the estimated taxable wages for the calendar year. The result rounded to the next higher one one-hundredth of one percent is the average required rate.
 - b. The minimum rate for each calendar year is the average required rate, multiplied by one-fourth, rounded to the nearest one-tenth of one percent.
 - c. The maximum rate for each calendar year is the average required rate, multiplied by three, rounded to the nearest one-tenth of one percent. However, the maximum rate must be at least five and four-tenths percent.
3.
 - a. Except as otherwise provided in this subsection, an employer's rate may not be less than the maximum rate for a calendar year unless the employer's account has been chargeable with benefits throughout the thirty-six-consecutive-calendar-month period ending on September thirtieth of the preceding calendar year. If an employer in construction services has not been subject to the law as required, that employer qualifies for a reduced rate if the account has been chargeable with benefits throughout the twenty-four-consecutive-calendar-month period ending September thirtieth of the preceding calendar year. However, an employer in construction services must be assigned the maximum rate or seven percent, whichever is greater, for any year if, as of the computation date, the cumulative benefits charged to the employer's account equal or exceed the cumulative contributions paid on or before October thirty-first with respect to wages paid by that employer before October first of that year. An employer identified as belonging to industry group number 161, highway and street construction, except elevated highways, provided in the standard industrial classification manual, must be assigned a maximum rate or eight and one-fourth percent, whichever is greater, for any year if, as of the computation date, the cumulative benefits charged to the employer's account equal or exceed the cumulative contributions paid on or before October thirty-first of that year. If an employer in nonconstruction services has not been subject to the law as required, the employer in nonconstruction services qualifies for a reduced rate if the account has been chargeable with benefits throughout the

twelve-consecutive-calendar-month period ending September thirtieth of the preceding calendar year.

- b. An employer that does not qualify under subdivision a is subject to a rate determined as follows:
 - (1) For each calendar year new employers must be assigned a rate of two and two-tenths percent unless the employer is classified in construction services. However, an employer must be assigned the maximum rate for any year if, as of the computation date, the cumulative benefits charged to that employer's account equal or exceed the cumulative contributions paid on or before October thirty-first with respect to wages paid by that employer before October first of that year.
 - (2) New employers in construction services must be assigned a rate of seven percent or the maximum rate, whichever is greater.
 - (3) Assignment by the bureau of an employer's industrial classification for the purposes of this section must be the two digit major group provided in the standard industrial classification manual, in accordance with established classification practices found in the standard industrial classification manual issued by the executive office of the president, office of management and budget.
4. An employer who has ceased to be liable for contributions shall continue its established experience rating account if it again becomes liable within three years from the date that it ceased to be liable. Such employer's rate, however, must be determined in accordance with subsection 3."

Page 1, line 22, replace "major" with "entire" and replace "employer is classified as" with "earnings were paid by an employer belonging to industry group number 161, highway and street construction, except elevated highways, pursuant to the standard industrial classification manual"

Page 1, line 23, remove "a highway and construction employer under the standard industrial code"

Page 2, line 8, replace "2.11" with "2.21"

Page 2, line 9, replace "2.12" with "2.22" and replace "2.35" with "2.45"

Page 2, line 10, replace "2.36" with "2.46" and replace "2.59" with "2.69"

Page 2, line 11, replace "2.60" with "2.70" and replace "2.83" with "2.93"

Page 2, line 12, replace "2.84" with "2.94"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1471: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). HB 1471 was placed on the Sixth order on the calendar.

Page 1, line 17, after the period insert "a."

Page 1, line 18, after the first "services" insert ", companionship services"

Page 1, line 22, replace "a." with "(1)"

Page 2, line 1, replace "b." with "(2)"

Page 2, line 3, replace "c." with "(3)"

Page 2, after line 3, insert:

- "b. For purposes of this subsection, "companionship services" means services that provide fellowship, care, and protection for individuals who, because of advanced age or physical or mental disabilities, cannot care for their own needs. Those services may include household work related to the care of the aged or disabled person, including meal preparation, bed making, washing of clothes, and other similar services, and may include the performance of general household work if that work does not exceed twenty percent of the total weekly hours worked. "Companionship services" does not include services relating to the care and protection of the aged or disabled which require and are performed by trained personnel, including a registered or practical nurse, and does not include services of individuals who provide care and protection for infants and young children who are not physically or mentally disabled."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1476: Education Committee (Rep. R. Kelsch, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (9 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). HB 1476 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 relating to the Myrdal fund for technology in curriculum and staff development; and to provide an expiration date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. Myrdal fund for technology - Board of directors - Compensation.

1. The lieutenant governor shall serve as the chairman of the Myrdal fund for technology in curriculum and staff development. The governor shall appoint the other members of the board of directors of the Myrdal fund for technology in curriculum and staff development to consist of the following:
 - a. A classroom teacher familiar with technology and its use in education;
 - b. A school district superintendent familiar with technology and its use in education;
 - c. A school board member familiar with technology and its use in education;
 - d. A representative of the private sector familiar with technology and its use in education;
 - e. A representative of the superintendent of public instruction;
 - f. The director of information technology management; and
 - g. A representative of the education standards and practices board.
2. The chairman shall set the time and place of all board meetings. Each member of the board is entitled to receive the same per diem compensation as provided for members of the legislative council under section 54-35-10 and reimbursement of expenses as provided by law for state officers, while attending meetings or performing duties directed by the council, except that no compensation under this section may be paid to any member who receives compensation or salary as a regular state employee or official.

SECTION 2. Myrdal fund for technology - Purpose. The board of directors of the Myrdal fund for technology in curriculum and staff development shall solicit applications from school districts and shall award grants to school districts for the purpose of expanding the use of technology in the elementary and secondary schools of this state through:

1. The promotion of computer-technology standards in the elementary and secondary curriculum;
2. Encouraging the development of information management skills for high school students in word processing, data base, spreadsheets, and network navigation, including the internet; and
3. The development of teacher training and inservice programs designed to improve curriculum, to develop computer skills, and to improve on-site technical support for technology in the classroom.

SECTION 3. EXPIRATION DATE. This Act is effective through June 30, 1999, and after that date is ineffective."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1036: Appropriations Committee (Rep. Dalrymple, Chairman) recommends **DO PASS** (21 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1036 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1208: Natural Resources Committee (Rep. Olson, Chairman) recommends **DO NOT PASS** (12 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). HB 1208 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1243: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends **DO NOT PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1243 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1245: Political Subdivisions Committee (Rep. Poolman, Chairman) recommends **DO NOT PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1245 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1252: Natural Resources Committee (Rep. Olson, Chairman) recommends **DO NOT PASS** (13 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1252 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1253: Education Committee (Rep. R. Kelsch, Chairman) recommends **DO NOT PASS** (11 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). HB 1253 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1302: Natural Resources Committee (Rep. Olson, Chairman) recommends **DO NOT PASS** (9 YEAS, 4 NAYS, 3 ABSENT AND NOT VOTING). HB 1302 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1321: Education Committee (Rep. R. Kelsch, Chairman) recommends **DO NOT PASS** (11 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). HB 1321 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1336: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1336 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1354: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends **DO NOT PASS** (10 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). HB 1354 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1375: Natural Resources Committee (Rep. Olson, Chairman) recommends **DO NOT PASS** (9 YEAS, 4 NAYS, 3 ABSENT AND NOT VOTING). HB 1375 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1378: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends **DO NOT PASS** (10 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). HB 1378 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1391: Natural Resources Committee (Rep. Olson, Chairman) recommends **DO NOT PASS** (8 YEAS, 5 NAYS, 3 ABSENT AND NOT VOTING). HB 1391 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1402: Education Committee (Rep. R. Kelsch, Chairman) recommends **DO PASS** (12 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1402 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1415: Education Committee (Rep. R. Kelsch, Chairman) recommends **DO NOT PASS** (11 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). HB 1415 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1429: Education Committee (Rep. R. Kelsch, Chairman) recommends **DO NOT PASS** (11 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). HB 1429 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1432: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends **DO NOT PASS** (12 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1432 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1455: Natural Resources Committee (Rep. Olson, Chairman) recommends **DO NOT PASS** (9 YEAS, 5 NAYS, 2 ABSENT AND NOT VOTING). HB 1455 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1458: Education Committee (Rep. R. Kelsch, Chairman) recommends **DO NOT PASS** (13 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1458 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3028: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3028 was placed on the Tenth order on the calendar.

FIRST READING OF HOUSE CONCURRENT RESOLUTION

Reps. Jensen, Dorso, Boucher and Sen. Nalewaja introduced:

HCR 3042: A concurrent resolution directing the Legislative Council to study the department of human services.

Was read the first time and referred to the **Human Services Committee**.

FIRST READING OF SENATE BILLS

SB 2152: A BILL for an Act to amend and reenact sections 11-08-05, 11-08-07, 11-08-08, 11-08-09, 11-08-10, 11-08-13, 11-08-15, 11-09-18, 11-09-19, subsection 3 of section 11-09.1-05, section 11-10-02, subsection 3 of section 11-10.2-01, and section 11-15-01.1 of the North Dakota Century Code, relating to the election of sheriffs and state's attorneys.

Was read the first time and referred to the **Political Subdivisions Committee**.

SB 2213: A BILL for an Act to create and enact a new section to chapter 54-03 of the North Dakota Century Code, relating to fees for the use of computer equipment and associated software by legislators.

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

SB 2232: A BILL for an Act to amend and reenact subsection 1 of section 11-17-04, sections 11-26-04, 26.1-02-19, 28-20.1-05, 35-18-04, 35-21-05, 43-01-19, and 57-22-32 of the North Dakota Century Code, relating to the fees to be charged by the clerk of the district court.

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

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

ROY GILBREATH, Chief Clerk