

## JOURNAL OF THE HOUSE

## Fifty-fifth Legislative Assembly

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Bismarck, February 17, 1997

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

The prayer was offered by the Rev. David M. Sealy, First Baptist Church, Mandan.

The roll was called and all members were present except Representatives Gunter, Keiser, Koppelman, Mahoney, Maragos, Monson, and Nicholas.

A quorum was declared by the Speaker.

**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 2020, SB 2034, SB 2127, SB 2202, SB 2261, SB 2262, SB 2337, SB 2355, SB 2356.

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

**MADAM PRESIDENT:** The House has passed and your favorable consideration is requested on: HB 1046, HB 1111, HB 1142, HB 1159, HB 1162, HB 1176, HB 1185, HB 1249, HB 1281, HB 1282, HB 1306, HB 1314, HB 1346.

**HOUSE ENGROSSING REPORT**

The following bill was engrossed: HB 1340.

**SIXTH ORDER OF BUSINESS**

**REP. DORSO MOVED** that the amendments on the Sixth order of business to HB 1014, HB 1017, HB 1021, HB 1026, HB 1047, HB 1050, HB 1193, HB 1262, HB 1263, HB 1264, HB 1268, HB 1269, HB 1270, Engrossed HB 1289, HB 1310, HB 1312, Engrossed HB 1330, HB 1382, HB 1383, HB 1387, HB 1393, HB 1424, HB 1440, HB 1448, HB 1471, and HB 1476 be adopted, which motion prevailed.

HB 1047, HB 1050, HB 1312, and HB 1393, as amended, were rereferred to the **Appropriations Committee**.

HB 1014, HB 1017, HB 1021, HB 1026, HB 1193, HB 1262, HB 1263, HB 1264, HB 1268, HB 1269, HB 1270, Engrossed HB 1289, HB 1310, Engrossed HB 1330, HB 1382, HB 1383, HB 1387, HB 1424, HB 1440, HB 1448, HB 1471, and HB 1476, as amended, were placed on the Eleventh order of business on the calendar.

**SECOND READING OF HOUSE BILL**

**HB 1267:** A BILL for an Act to amend and reenact section 39-06-13 of the North Dakota Century Code, relating to motor vehicle operator's license examinations.

**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 48 YEAS, 46 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Belter; Boucher; Brandenburg; Callahan; Carlisle; Carlson; Christenson; Coats; Dalrymple; Delmore; Fairfield; Froseth; Glassheim; Grande; Grumbo; Guleson; Gunter; Hanson; Hawken; Huether; Jensen; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kilzer; Kliniske; Kretschmar; Kroepflin; Maragos; Nicholas; Nichols; Niemeier; Oban; Poolman; Price; Rose; Schmidt; Skarphol; Stenehjem; Sveen; Thoreson; Thorpe; Warner; Wentz; Wilkie

**NAYS:** Axtman; Berg; Bernstein; Boehm; Brown; Brusegaard; Byerly; Christopherson; Clark; DeKrey; Delzer; Devlin; Dorso; Drovdal; Freier; Galvin; Gerntholz; Gorder; Grosz; Hausauer; Henegar; Jacobs; Johnsen, C.; Johnson, D.; Klein; Kunkel; Lloyd; Martinson; Mickelson; Murphy; Nelson; Nottestad; Olson; Renner; Rennerfeldt; Sabby; Sandvig; Soukup; Svedjan; Thompson; Tollefson; Torgerson; Wald; Wardner; Weisz; Speaker Timm

**ABSENT AND NOT VOTING:** Koppelman; Mahoney; Monson

Engrossed HB 1267 was declared lost for want of a Constitutional majority.

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### SECOND READING OF HOUSE BILL

**HB 1036:** A BILL for an Act to amend and reenact section 50-06-06.13 of the North Dakota Century Code, relating to an out-of-home treatment program for children with serious emotional disorders.

### 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; Dorso; Drovdal; Fairfield; Freier; Froseth; Galvin; Gerntholz; Gorder; 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; Kretschmar; Kroeplin; Kunkel; Lloyd; Maragos; Martinson; Mickelson; 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:** Glassheim; Koppelman; Mahoney; Monson

Engrossed HB 1036 passed and the title was agreed to.

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### SECOND READING OF HOUSE BILL

**HB 1068:** A BILL for an Act to amend and reenact sections 57-06-01, 57-06-02, 57-06-05, 57-06-07, 57-06-14, 57-06-18, 57-34-01, 57-34-02, 57-34-03, 57-34-05, 57-34-06, 57-34-10, 57-34-11, and 57-34-12 of the North Dakota Century Code, relating to property tax exemptions and gross receipts taxes for telecommunications carriers and services; to repeal sections 57-06-01.1, 57-34-04, and 57-34-08 of the North Dakota Century Code, relating to assessment of property and gross receipts taxes for telecommunications carriers; to provide a continuing appropriation; 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 87 YEAS, 5 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Axtman; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brown; Brusegaard; Byerly; Carlisle; Carlson; Christenson; Christopherson; Clark; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Dorso; Drovdal; Fairfield; Freier; Froseth; Galvin; Gerntholz; Gorder; 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; Kretschmar; Kunkel; Lloyd; Maragos; Martinson; Mickelson; Murphy; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Oban; Olson; Poolman; Price; Renner; Rennerfeldt; Rose; Sabby; Schmidt; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wilkie; Speaker Timm

**NAYS:** Callahan; Coats; Kroeplin; Sandvig; Thoreson

**ABSENT AND NOT VOTING:** Glassheim; Koppelman; Mahoney; Monson; Wentz

Engrossed HB 1068 passed and the title was agreed to.

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### SECOND READING OF HOUSE BILL

**HB 1223:** A BILL for an Act to create and enact a new section to chapter 6-08 of the North Dakota Century Code, relating to the return of instruments issued without sufficient

funds; and to amend and reenact sections 6-08-16 and 6-08-16.2 of the North Dakota Century Code, relating to collection on instruments issued without sufficient funds.

#### 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, 4 NAYS, 0 EXCUSED, 5 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; Drovda; Freier; Froseth; Galvin; Gerntholz; Gorder; Grande; Grosz; Grumbo; Gullerson; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kilzer; Klein; Kliniske; Kretschmar; Kroeplin; Kunkel; Lloyd; Maragos; Martinson; Mickelson; 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; Wilkie; Speaker Timm

**NAYS:** Delzer; Fairfield; Jacobs; Murphy

**ABSENT AND NOT VOTING:** Glassheim; Koppelman; Mahoney; Monson; Wentz

Engrossed HB 1223 passed and the title was agreed to.

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#### SECOND READING OF HOUSE BILL

**HB 1266:** A BILL for an Act to amend and reenact section 65-05-01 of the North Dakota Century Code, relating to the filing of workers' compensation claims; 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 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; Dorso; Drovda; Fairfield; Freier; Froseth; Galvin; Gerntholz; Gorder; 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; Kretschmar; Kroeplin; Kunkel; Lloyd; Maragos; Martinson; Mickelson; 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:** Glassheim; Koppelman; Mahoney; Monson

Engrossed HB 1266 passed and the title was agreed to.

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#### SECOND READING OF HOUSE BILL

**HB 1364:** A BILL for an Act to create and enact a new section to chapter 39-04 of the North Dakota Century Code, relating to park model trailer fees; to amend and reenact subsection 2 of section 57-55-10 of the North Dakota Century Code, relating to a mobile home tax exemption for a park model trailer; to provide an effective date; and to provide an expiration 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 66 YEAS, 27 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Axtman; Belter; Boucher; Brandenburg; Brusegaard; Byerly; Callahan; Carlisle; Christenson; Christopherson; Clark; Coats; Dalrymple; DeKrey; Delmore; Devlin; Drovda; Fairfield; Froseth; Gerntholz; Glassheim; Grumbo; Gullerson; Hanson;

Hausauer; Hawken; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kliniske; Kretschmar; Kroepflin; Kunkel; Maragos; Martinson; Murphy; Nelson; Nicholas; Niemeier; Nottestad; Oban; Poolman; Price; Rose; Sabby; Sandvig; Schmidt; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Torgerson; Wald; Wardner; Weisz; Wentz; Wilkie

**NAYS:** Berg; Bernstein; Boehm; Brown; Carlson; Delzer; Dorso; Freier; Galvin; Gorder; Grande; Grosz; Gunter; Henegar; Keiser; Kilzer; Klein; Lloyd; Mickelson; Nichols; Renner; Rennerfeldt; Skarphol; Soukup; Tollefson; Warner; Speaker Timm

**ABSENT AND NOT VOTING:** Koppelman; Mahoney; Monson; Olson

Engrossed HB 1364 passed and the title was agreed to.

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### SECOND READING OF HOUSE BILL

**HB 1392:** A BILL for an Act to create and enact a new chapter to title 10 of the North Dakota Century Code, relating to real estate investment trusts.

### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 94 YEAS, 0 NAYS, 0 EXCUSED, 3 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; Gertholz; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleston; Gunter; Hanson; Hausauer; Hawken; Huether; Henegar; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kilzer; Klein; Kliniske; Kretschmar; Kroepflin; Kunkel; Lloyd; Maragos; Martinson; Mickelson; 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:** Koppelman; Mahoney; Monson

Engrossed HB 1392 passed and the title was agreed to.

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### SECOND READING OF HOUSE BILL

**HB 1411:** A BILL for an Act to create and enact two new sections to chapter 15-10 of the North Dakota Century Code, relating to tuition waivers for dependents of employees at institutions of higher education.

### 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 33 YEAS, 61 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Bernstein; Boucher; Callahan; Christenson; Christopherson; Coats; Delmore; Fairfield; Glassheim; Hawken; Jensen; Johnsen, C.; Keiser; Kelsh, S.; Kerzman; Kliniske; Kretschmar; Kunkel; Maragos; Martinson; Mickelson; Murphy; Nicholas; Niemeier; Nottestad; Oban; Poolman; Rose; Sandvig; Sveen; Thoreson; Wentz

**NAYS:** Axtman; Belter; Berg; Boehm; Brandenburg; Brown; Brusegaard; Byerly; Carlisle; Carlson; Clark; Dalrymple; DeKrey; Delzer; Devlin; Dorso; Drovdal; Freier; Froseth; Galvin; Gertholz; Gorder; Grande; Grosz; Grumbo; Gulleston; Gunter; Hanson; Hausauer; Henegar; Huether; Jacobs; Johnson, D.; Kelsch, R.; Kempenich; Kilzer; Klein; Kroepflin; Lloyd; Nelson; Nichols; Olson; Price; Renner; Rennerfeldt; Sabby; Schmidt; Skarphol; Soukup; Stenehjem; Svedjan; Thompson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wilkie; Speaker Timm

**ABSENT AND NOT VOTING:** Koppelman; Mahoney; Monson

Engrossed HB 1411 was declared lost.

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**SECOND READING OF HOUSE BILL**

**HB 1467:** A BILL for an Act to amend and reenact section 57-60-06 of the North Dakota Century Code, relating to elimination of the property tax exemption for coal conversion facilities burning or using coal upon which coal severance taxes have not been paid; 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 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; Dorso; Drovdal; Fairfield; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Grande; Grosz; Grumbo; Gullerson; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kilzer; Klein; Kliniske; Kretschmar; Kroeplin; Kunkel; Lloyd; Maragos; Martinson; Mickelson; 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:** Keiser; Koppelman; Mahoney; Monson

Engrossed HB 1467 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1339:** A BILL for an Act to amend and reenact sections 4-09-08, 4-09-10, 4-09-14.3, 4-10.3-01, 4-10.3-02, 4-10.3-03, 4-10.3-04, 4-10.3-05, 4-10.3-08, 4-10.3-09, 4-24-09, and 4-24-10 of the North Dakota Century Code, relating to the North Dakota dry bean council and the assessment on dry beans; to provide an effective date; 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 86 YEAS, 6 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Axtman; Belter; Berg; Bernstein; 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; Grumbo; Gunter; Hanson; Hausauer; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kilzer; Klein; Kliniske; Kretschmar; Kroeplin; Kunkel; Lloyd; Maragos; Martinson; Mickelson; 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; Wald; Wardner; Warner; Weisz; Wentz; Wilkie; Speaker Timm

**NAYS:** Boehm; Brown; Delzer; Grosz; Gullerson; Renner

**ABSENT AND NOT VOTING:** Hawken; Keiser; Koppelman; Mahoney; Monson

HB 1339 passed, the title was agreed to, and the emergency clause was declared carried.

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**SECOND READING OF HOUSE BILL**

**HB 1373:** A BILL for an Act to create and enact a new section to chapter 12.1-08 of the North Dakota Century Code, relating to the penalty for fleeing a peace officer; and to amend and reenact section 12.1-23-06 of the North Dakota Century Code, relating to the unauthorized use of a motor vehicle.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 93 YEAS, 0 NAYS, 0 EXCUSED, 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; Dorso; Drovdal; Fairfield; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Grande; Grosz; Grumbo; Gullerson; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kilzer; Klein; Kliniske; Kretschmar; Kroeplin; Kunkel; Lloyd; Maragos; Martinson; Mickelson; 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:** Keiser; Koppelman; Mahoney; Monson

HB 1373 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1376:** A BILL for an Act to amend and reenact section 15-44-03 of the North Dakota Century Code, relating to the distribution of moneys from the state tuition fund.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 40 YEAS, 54 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Berg; Boehm; Boucher; Brandenburg; Brown; Brusegaard; Christenson; Coats; Dalrymple; DeKrey; Delmore; Delzer; Glassheim; Grosz; Grumbo; Gullerson; Kelsh, S.; Klein; Kliniske; Kretschmar; Kroeplin; Lloyd; Murphy; Nichols; Niemeier; Nottestad; Oban; Olson; Poolman; Renner; Rose; Sabby; Schmidt; Thoreson; Thorpe; Torgerson; Warner; Weisz; Speaker Timm

**NAYS:** Axtman; Belter; Bernstein; Byerly; Callahan; Carlisle; Carlson; Christopherson; Clark; Devlin; Dorso; Drovdal; Fairfield; Freier; Froseth; Galvin; Gerntholz; Gorder; Grande; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kempenich; Kerzman; Kilzer; Kunkel; Maragos; Martinson; Mickelson; Nelson; Nicholas; Price; Rennerfeldt; Sandvig; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Tollefson; Wald; Wardner; Wentz; Wilkie

**ABSENT AND NOT VOTING:** Koppelman; Mahoney; Monson

HB 1376 was declared lost.

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**SECOND READING OF HOUSE BILL**

**HB 1459:** A BILL for an Act to create and enact a new section to chapter 15-47 of the North Dakota Century Code, relating to school accreditation standards; to amend and reenact subsection 2 of section 15-40.1-06 of the North Dakota Century Code, relating to educational support per student; and to repeal sections 15-21-04.1 and 15-45-03 of the North Dakota Century Code, relating to the adoption of accreditation standards by the superintendent of public instruction.

**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, 87 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Brusegaard; Gorder; Grosz; Kretschmar; Lloyd; Skarphol; Tollefson

**NAYS:** Aarsvold; Axtman; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brown; Byerly; Callahan; Carlisle; Carlson; Christenson; Christopherson; Clark; Coats; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Dorso; Drovdal; Fairfield; Freier; Froseth; Galvin; Gerntholz; Glassheim; Grande; Grumbo; Gullerson; Gunter; Hanson; Hausauer;

Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kilzer; Klein; Kliniske; Kroepelin; Kunkel; Maragos; Martinson; Mickelson; Murphy; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Oban; Olson; Poolman; Price; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Wilkie; Speaker Timm

**ABSENT AND NOT VOTING:** Koppelman; Mahoney; Monson

HB 1459 was declared lost.

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### SECOND READING OF HOUSE BILL

**HB 1463:** A BILL for an Act to create and enact a new subsection to section 6-08.1-02 of the North Dakota Century Code, relating to the exchange of customer information between affiliated financial institutions.

### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 91 YEAS, 2 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Axtman; Belter; Berg; Bernstein; Brandenburg; Brown; Brusegaard; Byerly; Callahan; Carlisle; Carlson; Christenson; Christopherson; Clark; Coats; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Dorso; Drovda; Fairfield; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleon; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kilzer; Klein; Kliniske; Kretschmar; Kroepelin; Kunkel; Lloyd; Maragos; Martinson; Mickelson; 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; Wardner; Warner; Weisz; Wentz; Wilkie; Speaker Timm

**NAYS:** Boehm; Wald

**ABSENT AND NOT VOTING:** Boucher; Koppelman; Mahoney; Monson

HB 1463 passed and the title was agreed to.

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### SECOND READING OF HOUSE BILL

**HB 1465:** A BILL for an Act relating to a child care services trust fund; and to amend and reenact subsection 3 of section 23-02.1-29 of the North Dakota Century Code, relating to the certified birth certificate fee.

### 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 27 YEAS, 67 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Boucher; Brandenburg; Callahan; Christenson; Coats; Delmore; Fairfield; Glassheim; Grumbo; Gulleon; Hanson; Huether; Kelsh, S.; Kerzman; Kretschmar; Kroepelin; Nichols; Niemeier; Oban; Rose; Sandvig; Schmidt; Sveen; Thorpe; Warner; Wilkie

**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; Hausauer; Hawken; Henegar; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kempenich; Kilzer; Klein; Kliniske; Kunkel; Lloyd; Maragos; Martinson; Mickelson; Murphy; Nelson; Nicholas; Nottestad; Olson; Poolman; Price; Renner; Rennerfeldt; Sabby; Skarphol; Soukup; Stenehjem; Svedjan; Thompson; Thoreson; Tollefson; Torgerson; Wald; Wardner; Weisz; Wentz; Speaker Timm

**ABSENT AND NOT VOTING:** Koppelman; Mahoney; Monson

HB 1465 was declared lost.

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**SECOND READING OF HOUSE BILL**

**HB 1466:** A BILL for an Act to amend and reenact sections 34-14-05 and 34-14-09 of the North Dakota Century Code, relating to investigation and enforcement of wage claims by the labor commissioner.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 94 YEAS, 0 NAYS, 0 EXCUSED, 3 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; Gullerson; 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; Maragos; Martinson; Mickelson; 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:** Koppelman; Mahoney; Monson

HB 1466 passed and the title was agreed to.

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**MOTION**

**REP. DORSO MOVED** that HB 1468, HB 1479, and HCR 3010 be moved to the bottom of the calendar, which motion prevailed.

**SECOND READING OF HOUSE BILL**

**HB 1470:** A BILL for an Act to create and enact a new section to chapter 50-06 of the North Dakota Century Code, relating to an exemption to the premium tax for premium or capitated fees paid 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 PASS, the roll was called and there were 94 YEAS, 0 NAYS, 0 EXCUSED, 3 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; Gullerson; 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; Maragos; Martinson; Mickelson; 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:** Koppelman; Mahoney; Monson

HB 1470 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1473:** A BILL for an Act to provide for the establishment of a public utilities consumer advocacy division to review certain public utility rates and to advocate on the behalf of residential and small business public utilities consumers.

**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 25 YEAS, 67 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Boucher; Brandenburg; Callahan; Christenson; Coats; Delmore; Fairfield; Glassheim; Grumbo; Guleson; Hanson; Kelsh, S.; Kerzman; Kroepflin; Murphy; Nichols; Niemeier; Oban; Rose; Sandvig; Schmidt; Thorpe; Warner; Wilkie

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

**ABSENT AND NOT VOTING:** Gorder; Koppelman; Mahoney; Monson; Wardner

HB 1473 was declared lost.

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**SECOND READING OF HOUSE BILL**

**HB 1478:** A BILL for an Act to amend and reenact subdivision b of subsection 1 of section 14-02.1-02.1 of the North Dakota Century Code, relating to information to be provided to expectant mothers.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 88 YEAS, 5 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Axtman; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brown; Brusegaard; Byerly; Callahan; Carlisle; Carlson; Christopherson; Clark; Coats; Dalrymple; DeKrey; Delzer; Devlin; Dorso; Drovdal; Fairfield; Freier; Froseth; Galvin; Gerntholz; Grande; Grosz; Grumbo; Guleson; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kilzer; Klein; Kliniske; Kretschmar; Kroepflin; Kunkel; Lloyd; Maragos; Martinson; Mickelson; 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; Wilkie; Speaker Timm

**NAYS:** Christenson; Delmore; Glassheim; Jensen; Wentz

**ABSENT AND NOT VOTING:** Gorder; Koppelman; Mahoney; Monson

HB 1478 passed and the title was agreed to.

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**SECOND READING OF HOUSE CONCURRENT RESOLUTION**

**HCR 3017:** A concurrent resolution urging the Congress of the United States to consider an amendment to the United States Constitution to require a balanced federal budget.

**REQUEST**

**REP. BELTER REQUESTED** a recorded roll call vote on the adoption of HCR 3017, which request was granted.

**ROLL CALL**

The question being on the final adoption of the resolution, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 72 YEAS, 22 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Axtman; Belter; Berg; Bernstein; Boehm; Brown; Brusegaard; Byerly; Carlisle; Carlson; Christopherson; Clark; Dalrymple; DeKrey; Delzer; Devlin; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Gorder; Grande; Grosz; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.;

Keiser; Kelsch, R.; Kempenich; Kilzer; Klein; Kliniske; Kretschmar; Kunkel; Lloyd; Martinson; Mickelson; Murphy; Nelson; Nicholas; Nichols; Nottestad; Olson; Poolman; Price; Renner; Rennerfeldt; Sabby; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Tollefson; Torgerson; Wald; Wardner; Weisz; Wilkie; Speaker Timm

**NAYS:** Boucher; Brandenburg; Callahan; Christenson; Coats; Delmore; Fairfield; Glasheim; Grumbo; Gulleson; Kelsh, S.; Kerzman; Kroepflin; Maragos; Niemeier; Oban; Rose; Sandvig; Schmidt; Thorpe; Warner; Wentz

**ABSENT AND NOT VOTING:** Koppelman; Mahoney; Monson

HCR 3017 was declared adopted on a roll call vote.

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### SECOND READING OF HOUSE BILL

**HB 1208:** A BILL for an Act to create and enact a new section to chapter 20.1-01 of the North Dakota Century Code, relating to roadside hunting.

### 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 25 YEAS, 69 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Axtman; Berg; Bernstein; Byerly; Carlson; Christopherson; Clark; Dorso; Fairfield; Gunter; Hanson; Hausauer; Keiser; Kelsh, S.; Klein; Maragos; Mickelson; Nelson; Oban; Rose; Skarphol; Stenehjem; Tollefson; Wald; Speaker Timm

**NAYS:** Aarsvold; Belter; Boehm; Boucher; Brandenburg; Brown; Brusegaard; Callahan; Carlisle; Christenson; Coats; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Drovdal; Freier; Froseth; Galvin; Gerntholz; Glasheim; Gorder; Grande; Grosz; Grumbo; Gulleson; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Kelsch, R.; Kempenich; Kerzman; Kilzer; Kliniske; Kretschmar; Kroepflin; Kunkel; Lloyd; Martinson; Murphy; Nicholas; Nichols; Niemeier; Nottestad; Olson; Poolman; Price; Renner; Rennerfeldt; Sabby; Sandvig; Schmidt; Soukup; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Torgerson; Wardner; Warner; Weisz; Wentz; Wilkie

**ABSENT AND NOT VOTING:** Koppelman; Mahoney; Monson

HB 1208 was declared lost.

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### SECOND READING OF HOUSE BILL

**HB 1243:** A BILL for an Act to amend and reenact section 39-05-17.2 of the North Dakota Century Code, relating to motor vehicle body damage disclosure; and to provide a penalty.

### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 76 YEAS, 18 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Axtman; Bernstein; Boehm; Boucher; Brandenburg; Brown; Brusegaard; Byerly; Callahan; Carlisle; Christenson; Christopherson; Clark; Coats; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Fairfield; Froseth; Galvin; Gerntholz; Glasheim; Gorder; Grande; Grosz; Grumbo; Gulleson; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jensen; Johnson, D.; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kretschmar; Kroepflin; Kunkel; Lloyd; Maragos; Martinson; Mickelson; Murphy; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Oban; Olson; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Stenehjem; Svedjan; Sveen; Thompson; Thorpe; Tollefson; Wald; Wardner; Warner; Weisz; Wentz; Wilkie; Speaker Timm

**NAYS:** Belter; Berg; Carlson; Dorso; Drovdal; Freier; Jacobs; Johnsen, C.; Keiser; Kilzer; Klein; Kliniske; Poolman; Price; Skarphol; Soukup; Thoreson; Torgerson

**ABSENT AND NOT VOTING:** Koppelman; Mahoney; Monson

HB 1243 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1245:** A BILL for an Act to amend and reenact sections 40-47-01.1 and 40-48-18 of the North Dakota Century Code, relating to extraterritorial zoning and planning authority of cities.

**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:** 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; Gullerson; 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; Maragos; Martinson; Mickelson; 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:** Koppelman; Mahoney; Monson

HB 1245 was declared lost.

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**SECOND READING OF HOUSE BILL**

**HB 1252:** A BILL for an Act to create and enact a new section to chapter 20.1-03 and a new subsection to section 20.1-03-12 of the North Dakota Century Code, relating to fee hunting.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 18 YEAS, 74 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

**YEAS:** Bernstein; Carlson; Clark; Delmore; Gerntholz; Grande; Hanson; Hausauer; Johnsen, C.; Kelsh, S.; Maragos; Martinson; Mickelson; Sabby; Sandvig; Skarphol; Soukup; Tollefson

**NAYS:** Aarsvold; Axtman; Belter; Berg; Boehm; Boucher; Brandenburg; Brown; Brusegaard; Byerly; Callahan; Carlisle; Christenson; Christopherson; Coats; Dalrymple; DeKrey; Delzer; Devlin; Dorso; Drovdal; Fairfield; Freier; Froseth; Galvin; Glassheim; Gorder; Grosz; Grumbo; Gullerson; Gunter; Hawken; Henegar; Huether; Jacobs; Jensen; Johnson, D.; Keiser; Kelsch, R.; Kempenich; Kerzman; Kilzer; Klein; Kliniske; Kretschmar; Kroeplin; Kunkel; Lloyd; Murphy; Nelson; Nichols; Niemeier; Nottestad; Oban; Olson; Poolman; Renner; Rennerfeldt; Rose; Schmidt; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Wilkie; Speaker Timm

**ABSENT AND NOT VOTING:** Koppelman; Mahoney; Monson; Nicholas; Price

HB 1252 was declared lost.

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**MOTION**

**REP. FREIER MOVED** that the House stand in recess until 1:30 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 President has signed and your signature is respectfully requested on: SB 2347.

**SIGNING OF BILLS AND RESOLUTIONS**

The Speaker signed the following enrolled bills: HB 1020, HB 1070, HB 1105, HB 1107, HB 1120.

**SIGNING OF BILLS AND RESOLUTIONS**

The Speaker signed the following enrolled bill: SB 2347.

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

**MADAM PRESIDENT:** The Speaker has signed: SB 2347.

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

**MADAM PRESIDENT:** The Speaker has signed and your signature is respectfully requested on: HB 1020, HB 1070, HB 1105, HB 1107, HB 1120.

**HOUSE ENGROSSING REPORT**

The following bills were engrossed: HB 1047, HB 1050, HB 1312, and HB 1393.

**SEVENTH ORDER OF BUSINESS**

**REP. GLASSHEIM MOVED** that the report of the Minority be substituted for the report of the Majority on HB 1198.

**REQUEST**

**REP. GLASSHEIM 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 1198, 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 on HB 1198, the roll was called and there were 43 YEAS, 51 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Axtman; Boucher; Brandenburg; Callahan; Christenson; Coats; Delmore; Drovdal; Fairfield; Gerntholz; Glassheim; Gorder; Grumbo; Gulleson; Hanson; Huether; Jensen; Johnsen, C.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Klein; Kretschmar; Kroeplin; Maragos; Nichols; Niemeier; Nottestad; Oban; Rose; Sabby; Sandvig; Schmidt; Stenehjem; Thompson; Thoreson; Thorpe; Warner; Wentz; Wilkie

**NAYS:** Belter; Berg; Bernstein; Boehm; Brown; Brusegaard; Byerly; Carlisle; Carlson; Christopherson; Clark; Dalrymple; DeKrey; Delzer; Devlin; Dorso; Freier; Froseth; Galvin; Grande; Grosz; Gunter; Hausauer; Hawken; Henegar; Jacobs; Johnson, D.; Kilzer; Kliniske; Kunkel; Lloyd; Martinson; Mickelson; Murphy; Nelson; Nicholas; Olson; Poolman; Price; Renner; Rennerfeldt; Skarphol; Soukup; Svedjan; Sveen; Tollefson; Torgerson; Wald; Wardner; Weisz; Speaker Timm

**ABSENT AND NOT VOTING:** Koppelman; Mahoney; Monson

The motion that the report of the Minority be substituted for the report of the Majority on HB 1198 failed.

**MOTION**

**REP. BERG MOVED** that the report of the Majority on HB 1198 be adopted, which motion prevailed.

HB 1198 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

**MOTION**

**REP. DORSO MOVED** that the rules be suspended and that HB 1198 be placed on the Eleventh order of business on today's calendar, which motion prevailed.

**SECOND READING OF HOUSE BILL**

**HB 1198:** A BILL 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.

**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 48 YEAS, 46 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Boucher; Brandenburg; Callahan; Christenson; Coats; DeKrey; Devlin; Fairfield; Galvin; Gerntholz; Glassheim; Gorder; Grumbo; Gullerson; Hanson; Hausauer; Jensen; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Kerzman; Kilzer; Kroeplin; Kunkel; Lloyd; Maragos; Nicholas; Nichols; Niemeier; Nottestad; Oban; Price; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Warner; Weisz; Wentz; Wilkie

**NAYS:** Axtman; Belter; Berg; Bernstein; Boehm; Brown; Brusegaard; Byerly; Carlisle; Carlson; Christopherson; Clark; Dalrymple; Delmore; Delzer; Dorso; Drovdal; Freier; Froseth; Grande; Grosz; Gunter; Hawken; Henegar; Huether; Jacobs; Johnsen, C.; Kempenich; Klein; Kliniske; Kretschmar; Martinson; Mickelson; Murphy; Nelson; Olson; Poolman; Schmidt; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Wald; Wardner; Speaker Timm

**ABSENT AND NOT VOTING:** Koppelman; Mahoney; Monson

HB 1198 was declared lost for want of a Constitutional majority.

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### SECOND READING OF HOUSE BILL

**HB 1253:** A BILL for an Act to amend and reenact section 15-10-13.1 of the North Dakota Century Code, relating to the English language proficiency of higher education faculty members.

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

**YEAS:** Axtman; Belter; Berg; Bernstein; Boehm; Brown; Brusegaard; Byerly; Carlson; Christopherson; Clark; DeKrey; Delzer; Devlin; Dorso; Freier; Froseth; Gorder; Grande; Grosz; Hausauer; Hawken; Henegar; Jacobs; Jensen; Johnsen, C.; Kempenich; Klein; Kroeplin; Lloyd; Martinson; Mickelson; Olson; Renner; Rennerfeldt; Sabby; Sandvig; Schmidt; Skarphol; Thompson; Tollefson; Wald; Weisz; Wilkie; Speaker Timm

**NAYS:** Aarsvold; Boucher; Brandenburg; Callahan; Carlisle; Christenson; Coats; Dalrymple; Delmore; Drovdal; Fairfield; Galvin; Glassheim; Grumbo; Gunter; Hanson; Huether; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Kerzman; Kilzer; Kliniske; Kretschmar; Kunkel; Maragos; Murphy; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Oban; Poolman; Price; Rose; Soukup; Stenehjem; Svedjan; Sveen; Thoreson; Thorpe; Torgerson; Wardner; Warner; Wentz

**ABSENT AND NOT VOTING:** Gerntholz; Gullerson; Koppelman; Mahoney; Monson

HB 1253 was declared lost.

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### SECOND READING OF HOUSE BILL

**HB 1302:** A BILL for an Act to amend and reenact section 20.1-03-17 of the North Dakota Century Code, relating to appointment of agents and use of out-of-state vendors by county auditors to sell game and fish licenses.

### 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 54 YEAS, 40 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Axtman; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brown; Brusegaard; Byerly; Carlson; Christenson; Christopherson; Clark; Devlin; Dorso; Fairfield; Freier; Froseth; Galvin; Grande; Grosz; Gullerson; Gunter; Hanson; Hausauer; Hawken; Jacobs; Jensen; Keiser; Kelsch, R.; Kerzman; Kilzer; Kretschmar; Kroeplin; Lloyd; Maragos; Mickelson; Nelson; Nicholas; Renner; Rennerfeldt; Sandvig; Schmidt; Skarphol; Soukup; Stenehjem; Svedjan; Thompson; Tollefson; Wald; Wardner; Wilkie; Speaker Timm

**NAYS:** Aarsvold; Callahan; Carlisle; Coats; Dalrymple; DeKrey; Delmore; Delzer; Drovdal; Gerntholz; Glassheim; Gorder; Grumbo; Henegar; Huether; Johnsen, C.; Johnson, D.;

Kelsh, S.; Kempenich; Klein; Kliniske; Kunkel; Martinson; Murphy; Nichols; Niemeier; Nottestad; Oban; Olson; Poolman; Price; Rose; Sabby; Sveen; Thoreson; Thorpe; Torgerson; Warner; Weisz; Wentz

**ABSENT AND NOT VOTING:** Koppelman; Mahoney; Monson

HB 1302 passed and the title was agreed to.

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### SECOND READING OF HOUSE BILL

**HB 1321:** A BILL for an Act to amend and reenact section 15-40.2-03 of the North Dakota Century Code, relating to the rate of school district tuition payments.

### 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:** Byerly; Callahan; Clark; Dalrymple; Grande; Hanson; Hawken; Keiser; Kelsh, S.; Lloyd; Rennerfeldt; Sandvig; Skarphol

**NAYS:** Aarsvold; Axtman; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brown; Brusegaard; Carlisle; Carlson; Christenson; Christopherson; Coats; DeKrey; Delmore; Delzer; Devlin; Dorso; Drovdal; Fairfield; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Grosz; Grumbo; Gullerson; Gunter; Hausauer; Henegar; Huether; Jacobs; Jensen; Johnson, D.; Kelsch, R.; Kempenich; Kerzman; Kilzer; Klein; Kliniske; Kretschmar; Kroeplin; Kunkel; Maragos; Martinson; Mickelson; Murphy; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Oban; Olson; Poolman; Price; Renner; Rose; Sabby; Schmidt; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Wilkie; Speaker Timm

**ABSENT AND NOT VOTING:** Johnsen, C.; Koppelman; Mahoney; Monson

HB 1321 was declared lost.

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### MOTION

**REP. AARSVOLD MOVED** that the House reconsider its action whereby HB 1338 failed to pass, which motion lost on a verification vote.

### SECOND READING OF HOUSE BILL

**HB 1336:** A BILL for an Act to amend and reenact section 6-06-20 of the North Dakota Century Code, relating to the amount that may be borrowed by a director or member of a credit union.

### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 94 YEAS, 0 NAYS, 0 EXCUSED, 3 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; Gullerson; 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; Maragos; Martinson; Mickelson; 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:** Koppelman; Mahoney; Monson

HB 1336 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1354:** A BILL for an Act to amend and reenact subsection 1 of section 10-30.1-01 of the North Dakota Century Code, relating to the definition of a qualified entity for purposes of venture capital corporations.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 18 YEAS, 76 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Boucher; Brandenburg; Brusegaard; Christenson; Delmore; Glassheim; Kerzman; Kliniske; Kroeplin; Kunkel; Maragos; Mickelson; Niemeier; Oban; Poolman; Svedjan; Wilkie

**NAYS:** Axtman; Belter; Berg; Bernstein; Boehm; Brown; Byerly; Callahan; Carlisle; Carlson; Christopherson; Clark; Coats; Dalrymple; DeKrey; Delzer; Devlin; Dorso; Drovdal; Fairfield; Freier; Froseth; Galvin; Gerntholz; Gorder; Grande; Grosz; Grumbo; Gullerson; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kilzer; Klein; Kretschmar; Lloyd; Martinson; Murphy; Nelson; Nicholas; Nichols; Nottestad; Olson; Price; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Skarphol; Soukup; Stenehjem; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Speaker Timm

**ABSENT AND NOT VOTING:** Koppelman; Mahoney; Monson

HB 1354 was declared lost.

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**SECOND READING OF HOUSE BILL**

**HB 1375:** A BILL for an Act to create and enact a new subdivision to subsection 19 of section 20.1-02-05, a new subsection to section 20.1-03-12, a new section to chapter 20.1-03, and a new section to chapter 20.1-05 of the North Dakota Century Code, relating to group deer hunting.

**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 26 YEAS, 67 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Bernstein; Boehm; Brandenburg; Coats; DeKrey; Delmore; Devlin; Grumbo; Gullerson; Jacobs; Johnson, D.; Kelsh, S.; Kempenich; Kerzman; Kroeplin; Kunkel; Maragos; Murphy; Nicholas; Nichols; Niemeier; Renner; Schmidt; Warner; Weisz; Speaker Timm

**NAYS:** Aarsvold; Axtman; Belter; Berg; Boucher; Brown; Brusegaard; Byerly; Callahan; Carlisle; Carlson; Christenson; Christopherson; Clark; Dalrymple; Delzer; Dorso; Drovdal; Fairfield; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Grande; Grosz; Gunter; Hanson; Hausauer; Hawken; Henegar; Jensen; Johnsen, C.; Keiser; Kelsch, R.; Kilzer; Klein; Kliniske; Kretschmar; Lloyd; Martinson; Mickelson; Nelson; Nottestad; Oban; Olson; Poolman; Price; Rennerfeldt; Rose; Sabby; Sandvig; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Wentz; Wilkie

**ABSENT AND NOT VOTING:** Huether; Koppelman; Mahoney; Monson

HB 1375 was declared lost.

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**THE HOUSE RECOGNIZED THE PRESENCE OF:**

Former Representative Dan Austin.

**SECOND READING OF HOUSE BILL**

**HB 1378:** A BILL for an Act to provide for an independent personnel systems board and a procedure for state agencies to opt out of the central personnel system; and to provide an appropriation.

**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 27 YEAS, 67 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Axtman; Belter; Bernstein; Boehm; Brown; Brusegaard; Byerly; Carlson; Clark; DeKrey; Dorso; Drovdal; Freier; Galvin; Grande; Johnsen, C.; Kempenich; Klein; Lloyd; Olson; Renner; Rennerfeldt; Skarphol; Svedjan; Wald; Weisz; Speaker Timm

**NAYS:** Aarsvold; Berg; Boucher; Brandenburg; Callahan; Carlisle; Christenson; Christopherson; Coats; Dalrymple; Delmore; Delzer; Devlin; Fairfield; Froseth; Gerntholz; Glassheim; Gorder; Grosz; Grumbo; Gulleeson; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Kerzman; Kilzer; Kliniske; Kretschmar; Kroepelin; Kunkel; Maragos; Martinson; Mickelson; Murphy; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Oban; Poolman; Price; Rose; Sabby; Sandvig; Schmidt; Soukup; Stenehjem; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wardner; Warner; Wentz; Wilkie

**ABSENT AND NOT VOTING:** Koppelman; Mahoney; Monson

HB 1378 was declared lost.

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**SECOND READING OF HOUSE BILL**

**HB 1391:** A BILL for an Act to amend and reenact subsection 7 of section 38-14.1-17 of the North Dakota Century Code, relating to release of bonds for surface mining and reclamation operations.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 14 YEAS, 79 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Boucher; Brandenburg; Callahan; Christenson; Coats; Galvin; Gulleeson; Kelsh, S.; Kerzman; Lloyd; Maragos; Niemeier; Wilkie

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

**ABSENT AND NOT VOTING:** Koppelman; Mahoney; Monson; Sabby

HB 1391 was declared lost.

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**SECOND READING OF HOUSE BILL**

**HB 1402:** A BILL for an Act to amend and reenact subsection 4 of section 15-47-46 of the North Dakota Century Code, relating to the qualifications of persons teaching kindergarten through grade eight.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 94 YEAS, 0 NAYS, 0 EXCUSED, 3 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; Gulleeson; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kilzer; Klein; Kliniske; Kretschmar; Kroepelin; Kunkel; Lloyd; Maragos; Martinson; Mickelson; 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:** Koppelman; Mahoney; Monson

HB 1402 passed and the title was agreed to.

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### SECOND READING OF HOUSE BILL

**HB 1415:** A BILL for an Act to amend and reenact section 15-40.1-18 of the North Dakota Century Code, relating to state transportation payments to school districts.

### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 8 YEAS, 84 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Boucher; Clark; Dalrymple; DeKrey; Murphy; Niemeier; Weisz

**NAYS:** Axtman; Belter; Berg; Bernstein; Boehm; Brandenburg; Brown; Brusegaard; Byerly; Carlisle; Carlson; Christenson; Christopherson; Coats; 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; Kretschmar; Kroeplin; Kunkel; Lloyd; Martinson; Mickelson; 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; Wentz; Wilkie; Speaker Timm

**ABSENT AND NOT VOTING:** Callahan; Koppelman; Mahoney; Maragos; Monson

HB 1415 was declared lost.

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### SECOND READING OF HOUSE BILL

**HB 1429:** A BILL for an Act relating to the appointment of a commission for the purpose of studying the state's role in the delivery of a seamless and a uniform system of education, as referenced in section 2 of article VIII of the Constitution of North Dakota; and to provide an expiration date.

### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 21 YEAS, 73 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Boucher; Brandenburg; Callahan; Christenson; Coats; Fairfield; Grumbo; Gulleston; Hanson; Kelsh, S.; Kerzman; Nichols; Niemeier; Oban; Rose; Sandvig; Schmidt; Thorpe; Warner; Wilkie

**NAYS:** Axtman; Belter; Berg; Bernstein; Boehm; Brown; Brusegaard; Byerly; Carlisle; Carlson; Christopherson; Clark; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Grande; Grosz; Gunter; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kempenich; Kilzer; Klein; Kliniske; Kretschmar; Kroeplin; Kunkel; Lloyd; Maragos; Martinson; Mickelson; Murphy; Nelson; Nicholas; 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:** Koppelman; Mahoney; Monson

HB 1429 was declared lost.

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**MOTION**

**REP. FREIER MOVED** that the House be on the Fifth order of business, which motion prevailed.

**REPORT OF STANDING COMMITTEE**

**HB 1041: Human Services Committee (Rep. Price, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1041 was placed on the Sixth order on the calendar.

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

Page 1, line 2, after the first comma insert "a new subsection to section 50-06-05.1,"

Page 1, line 5, after the third comma insert "50-09-20.2," and after the fourth comma insert "50-09-22,"

Page 1, line 13, after the third comma insert "computer software, costs associated with achieving caseload ratios of sixty-five cases to one worker,"

Page 1, line 15, after "include" insert "initial acquisition of computers and related hardware approved by the department for the training, education, employment, and management program, custom" and after the comma insert "custom"

Page 2, line 4, replace "Aid to families with dependent children" with "Temporary assistance for needy families"

Page 2, line 5, replace "Aid to families with dependent children - unemployed parent" with "Child support enforcement programs"

Page 2, line 7, replace "Job opportunities and basic skills program" with "Employment and training programs"

Page 2, line 8, replace "Transitional child" with "Child" and after "care" insert "assistance programs"

Page 4, line 21, replace "and any other county fund otherwise at the disposal of the board of county" with a period

Page 4, remove line 22

Page 6, line 16, after the semicolon insert "and"

Page 6, remove lines 17 through 19

Page 6, line 20, replace "3" with "2" and replace "twenty-five" with "fifteen"

Page 6, line 21, replace "aid to dependent" with "medical assistance in the form of payments for care furnished to recipients of therapeutic foster care services; and

3. That county's share of the cost of other family preservation services, including intensive in-home services, provided under title VI-B, subpart 2, of the Social Security Act [Pub. L. 103-66, title XIII, 13711(a)(2); 107 Stat. 649, et seq.; 42 U.S.C. 629, et seq.], as amended, as may be agreed to by the department and the county social board."

Page 6, remove line 22

Page 6, line 27, replace "3" with "2" and after the period insert:

**"SECTION 8.** A new section to chapter 50-03 of the North Dakota Century Code is created and enacted as follows:

**County commissions to make recommendations.** Before August first of each year, the boards of county commissioners of the counties shall make a collective recommendation to the department concerning the distribution between counties, of the social service block grant funds, general fund equivalents of social service block grant funds, and child support incentive funds available to the department for distribution to county social service boards. The department shall consider the recommendation of the county commissioners in determining the distribution to the county social service

boards, in the following calendar year, of the social service block grant funds, general fund equivalents of social service block grant funds, and child support incentive funds available to the department for that purpose.

**SECTION 9.** A new subsection to section 50-06-05.1 of the North Dakota Century Code is created and enacted as follows:

For purposes of administration of programs, and subject to legislative appropriation, funds are obligated at the time a written commitment is made to pay a vendor or contractor for services or supplies either delivered or to be delivered. This subsection applies to payments and commitments made on or after January 1, 1997."

Page 7, line 3, replace "Services" with "Except as provided in section 11 of this Act, services"

Page 7, line 8, replace "job opportunities and basic skills" with "employment and training programs;"

Page 7, remove line 9

Page 7, line 10, replace the period with ";

- g. Temporary assistance for needy families; and
- h. Special projects approved by the department and agreed to by any affected county social service board."

Page 7, line 16, after "**expenditures**" insert "**- Exceptions**" and after the period insert:

"1."

Page 7, line 16, after "in" insert "subsection 2 and"

Page 7, after line 18, insert:

- "2. Each county shall reimburse the department of human services the amount required to be appropriated under subsection 3 of section 6 of this Act."

Page 7, line 24, after the fifth comma insert "50-09-22,"

Page 7, line 25, after the second comma insert "50-09-20.2,"

Page 8, line 4, replace "\$1,220,000" with "\$1,059,000"

Page 8, line 6, remove "Dunn,"

Page 8, remove line 7

Page 8, line 8, replace "Williams" with "Rolette, and Sioux"

Renumber accordingly

#### **REPORT OF STANDING COMMITTEE**

**HB 1053: Education Committee (Rep. R. Kelsch, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (8 YEAS, 7 NAYS, 0 ABSENT AND NOT VOTING). HB 1053 was placed on the Sixth order on the calendar.

Page 1, line 7, replace "delivering appropriate" with "assisting small and rural districts with the delivery of"

Page 1, line 9, after the period insert "To be eligible for funds under this section, a school district shall designate a coordinator to assist classroom teachers in providing educational services to gifted and talented students and, at the discretion of the school board, to provide educational services to gifted and talented students. The coordinator must be credentialed in gifted education or have a minimum of five years classroom teaching experience and special talents and abilities which, in the opinion of the school board, may be beneficial to other classroom teachers and gifted students. The coordinator must have an elementary, middle school, or high school credential; but for purposes of providing educational services to gifted students, the coordinator may,

notwithstanding any other statutory or regulatory provisions, provide services to students in kindergarten through grade twelve, as determined necessary by the school board."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1076: Appropriations Committee (Rep. Dalrymple, Chairman)** recommends **DO NOT PASS** (12 YEAS, 10 NAYS, 0 ABSENT AND NOT VOTING). HB 1076 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1078: Natural Resources Committee (Rep. Olson, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (8 YEAS, 7 NAYS, 1 ABSENT AND NOT VOTING). HB 1078 was placed on the Sixth order on the calendar.

Page 1, line 2, replace "goose" with "waterfowl" and after "nonresidents" insert "; and to provide a expiration date"

Page 1, line 9, after the second "waterfowl" insert " except geese."

Page 1, line 16, remove the overstrike over "~~A nonresident is entitled to purchase only~~"

Page 1, remove the overstrike over line 17

Page 1, after line 17, insert:

**"SECTION 2. EXPIRATION DATE.** This act is effective through December 31, 1998, and after the date is ineffective."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1138: Government and Veterans Affairs Committee (Rep. Wardner, Chairman)** recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1138 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1151: Agriculture Committee (Rep. Nicholas, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (10 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1151 was placed on the Sixth order on the calendar.

Page 1, line 6, replace "legal" with "permitted"

Page 1, line 7, replace "legal" with "permitted"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1153: Government and Veterans Affairs Committee (Rep. Wardner, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1153 was placed on the Sixth order on the calendar.

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

Page 1, line 3, remove the first "and" and after "committees" insert ", and contracts between the state and political subdivisions"

Page 3, line 13, after "liable" insert "under this chapter"

Page 3, line 22, remove "plan or"

Page 3, line 23, after "device" insert "but do not include the drafting of plans and specifications that are provided to a contractor to construct a public project"

Page 4, line 6, after "owned" insert "or leased"

Page 4, line 31, overstrike "18" and insert immediately thereafter "22"

Page 5, line 26, after "demand" insert "and if the employee has given written notice of the claim or demand to the head of the state entity that employs the state employee and to the attorney general within ten days after being served with a summons, complaint, or other legal pleading asserting that claim or demand against the state employee"

Page 6, line 3, replace "notified" with "served with a summons, complaint, or other legal pleading asserting a cause of action against the state employee arising out"

Page 6, line 4, replace "any" with "a"

Page 6, after line 16, insert:

"7. For any claim brought under this chapter, a state employee may choose to hire the employee's own separate defense counsel to represent the state employee in the litigation. If the state employee chooses to hire separate defense counsel, subsections 4 and 6 do not apply to the state employee in that litigation and the state will not indemnify, save harmless, or defend the state employee nor pay for the state employee's defense or any judgment against the state employee."

Page 7, line 4, overstrike "other"

Page 7, after line 20, insert:

"5. A person bringing a legal action against the state or a state employee for a claim shall deliver a copy of the summons, complaint, or other legal pleading in which the claim is first asserted in the action to the director of the office of management and budget at the time the summons, complaint, or other legal pleading is served in the action. This provision is in addition to any applicable rule of civil procedure."

Page 9, line 18, replace "Records" with "Incident reports, investigation reports, or other risk management fund records"

Page 9, line 19, replace ", including an incident report, investigative report, or other" with an underscored period

Page 9, remove line 20

Page 9, line 30, after "The" insert "portions of the"

Page 9, line 31, after "committee" insert "dealing with confidential records"

Page 10, after line 11, insert:

**"SECTION 10.** A new section to chapter 32-12.2 of the North Dakota Century Code is created and enacted as follows:

**Contract between the state and a political subdivision.** A contract between the state and a political subdivision may not contain any provision that shifts one entity's risk of liability and associated costs to the other."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1187: Government and Veterans Affairs Committee (Rep. Wardner, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (9 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). HB 1187 was placed on the Sixth order on the calendar.

Page 1, line 7, replace "an" with "real estate, equipment, or another" and after "asset" insert "with a total value of fifty thousand dollars or more"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1188: Agriculture Committee (Rep. Nicholas, Chairman)** recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1188 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1191: Government and Veterans Affairs Committee (Rep. Wardner, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING). HB 1191 was placed on the Sixth order on the calendar.

Page 3, line 5, after the underscored period insert "An administrative rule may be called up for review under this section only upon initiation of the question by the committee or the adopting agency on the grounds that the rule is obsolete, archaic, no longer effective, or adopted under statutory law that has been changed and the rule is no longer in harmony with statutory law."

ReNUMBER accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1215: Agriculture Committee (Rep. Nicholas, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (10 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1215 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 four new sections to chapter 19-20.2 of the North Dakota Century Code, relating to the use and testing of anhydrous ammonia storage containers and the bulk delivery of anhydrous ammonia; and to amend and reenact sections 19-20.2-01 and 19-20.2-08.2 of the North Dakota Century Code, relating to safety requirements for the handling and storage of anhydrous ammonia.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

**SECTION 1. AMENDMENT.** Section 19-20.2-01 of the 1995 Supplement to the North Dakota Century Code is amended and reenacted as follows:

**19-20.2-01. Anhydrous ammonia safety rules.** The commissioner of agriculture shall adopt rules necessary to implement this chapter and adopt the 1989 American national standard safety requirements for the storage and handling of anhydrous ammonia, except sections 2.5, 5.2.1, 5.2.2.1, and 5.2.2.2. Sections 2.5, 5.2.1, 5.2.2.1, and 5.2.2.2 of the 1989 American national standard safety requirements are adopted as follows:

1. (2.5) Refers to paragraphs U-68, U-69, U-200, or U-201 of section VIII of the boiler and pressure vessel code of the American society of mechanical engineers, 1949 edition, or to section VIII division I of the boiler and pressure vessel code of the American society of mechanical engineers, 1950 edition, through the current edition including addenda and applicable code case interpretations.

Where referenced in this standard only section VIII division I of the American society of mechanical engineers code applies except that paragraphs UG-125 through UG-135 and paragraph UW-2 do not apply.

2. (5.2.1) Containers used with systems covered in sections 6, 9, 11, and 12 must be made of steel or other material compatible with ammonia and tested in accordance with the current American society of mechanical engineers code. An exception to the American society of mechanical engineers code requirements is that construction under table UW-12 at a basic joint efficiency of under eighty percent is not authorized.
3. (5.2.2.1) For new ~~tanks~~ containers installed or purchased after January 1, 1996, the entire container must be post-weld heat treated after completion of all welds in or to the shells and heads. The method employed must be as prescribed in the American society of mechanical engineers code. It is recommended that post-weld heat treatment be performed in a furnace of a size sufficient to accommodate the entire container. Welded attachments

to pads may be made after post-weld heat treatment. An implement of husbandry does not require post-weld heat treatment if the implement is fabricated with hot formed heads or with cold formed heads that have been stress relieved.

4. (5.2.2.2) Steels used in fabricating pressure containing parts of a container may not exceed a specified tensile strength of ~~seventy five~~ seventy thousand pounds per square inch [~~517110~~ 482636 kilopascals], as noted in the American society of mechanical engineers code, section II, part D, except that this does not apply to sections 8, 9, and 10. ~~Allowances for tensile strength of up to twenty thousand pounds per square inch [137900 kilopascals] above those given in the American society of mechanical engineers code, section II, part D, are permitted.~~ An implement of husbandry may be fabricated from steel having a specified tensile strength of seventy-five thousand pounds per square inch [517110 kilopascals].

**SECTION 2.** A new section to chapter 19-20.2 of the North Dakota Century Code is created and enacted as follows:

**Reinstalled and secondhand anhydrous ammonia storage containers - Requirement.**

1. Before anhydrous ammonia may be stored in a reinstalled or secondhand container, including a nurse tank, the person intending to store the anhydrous ammonia shall furnish the chief boiler inspector with:
  - a. Evidence that the container is registered with the national board of boiler and pressure vessel inspectors; or
  - b. The manufacturer's data report for the container.
2. Subsection 1 is not applicable to the owner of an anhydrous ammonia storage container installed in this state before November 1, 1987, unless the storage container is reinstalled at another location.

**SECTION 3. AMENDMENT.** Section 19-20.2-08.2 of the 1995 Supplement to the North Dakota Century Code is amended and reenacted as follows:

**19-20.2-08.2. Prohibitions.** The following action is prohibited:

1. Filling a nurse tank directly from a rail car.
2. Filling or using a nurse tank that has an outdated hose.
3. Filling or using a nurse tank that has outdated relief valves.
4. Towing more than two nurse tanks on a public road.
5. Filling department of transportation transport containers not ~~currently certified by~~ meeting the requirements of the department of transportation.
6. Filling anhydrous ammonia storage ~~tanks~~ containers not meeting the requirements of this chapter.

**SECTION 4.** A new section to chapter 19-20.2 of the North Dakota Century Code is created and enacted as follows:

**Anhydrous ammonia - Bulk delivery.** Upon obtaining a commercial driver's license with an endorsement for hazardous materials, a person licensed to own or operate an anhydrous ammonia storage facility may transport anhydrous ammonia in a bulk delivery vehicle and may fill, from the bulk delivery vehicle, nurse tanks with anhydrous ammonia.

**SECTION 5.** A new section to chapter 19-20.2 of the North Dakota Century Code is created and enacted as follows:

**Hydrostatic test procedures.** Any hydrostatic test conducted under section 19-20.2-05 must comply with the requirements of the national board inspection code (ANSI-NB 23) and be conducted in a manner approved by the chief boiler inspector.

**SECTION 6.** A new section to chapter 19-20.2 of the North Dakota Century Code is created and enacted as follows:

**Wet fluorescent magnetic particle test procedures.** Any wet fluorescent magnetic particle test of a pressure vessel weld conducted under section 19-20.2-05 must comply with the requirements of the society for nondestructive testing SNT-TC-1A standard and must be conducted by a person certified as a level II technician by the society."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1216: Education Committee (Rep. R. Kelsch, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (10 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). HB 1216 was placed on the Sixth order on the calendar.

Page 1, line 10, after the comma insert "and all other information necessary to complete a state and nationwide criminal history check" and after "and" insert "filing"

Page 1, line 13, after the period insert "Criminal history records provided to the board pursuant to this section are confidential and closed to the public and may only be used by the board for determining an applicant's eligibility for licensure and obtaining documentation to support a denial of licensure."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1241: Human Services Committee (Rep. Price, Chairman)** recommends **DO NOT PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1241 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1255: Agriculture Committee (Rep. Nicholas, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (8 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). HB 1255 was placed on the Sixth order on the calendar.

Page 1, line 8, replace "An" with "Unless otherwise provided by law, an"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1293: Judiciary Committee (Rep. Kretschmar, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (10 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). HB 1293 was placed on the Sixth order on the calendar.

Page 1, line 5, replace "seventy" with "seven"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1299: Judiciary Committee (Rep. Kretschmar, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1299 was placed on the Sixth order on the calendar.

Page 1, line 1, after "11-09.1-06" insert ", 11-10.2-02, 11-10.3-01, 15-27.3-19, 15-27.3-21"

Page 1, line 2, after "15-28-01" insert ", section 15-48-05"

Page 1, line 3, after the first "sections" insert "23-14-01, 23-14-13, 23-14-13.1," after "23-29-07" insert ", 27-19-02, 38-02-02, 40-02-10, 40-02-11, 40-04-04, 40-04-11", and after "40-05.1-07" insert ", 40-10-02, 40-10-08, 40-33-12, 40-38-01, 40-49-07.2, 40-49.1-02, 40-53.1-04, 40-53.2-03"

Page 1, line 4, after "54-40.4-06" insert ", 57-15-08, 57-15-12", after "57-15-12.1" insert ", 57-15-12.3", and after "57-15-14.5" insert ", 57-15-44"

Page 1, line 5, remove "and" and after "57-15-60" insert ", sections 61-04.1-29, 61-04.1-30, and 61-04.1-31"

Page 2, after line 30, insert:

**"SECTION 4. AMENDMENT.** Section 11-10.2-02 of the North Dakota Century Code is amended and reenacted as follows:

**11-10.2-02. Methods of accomplishing office combination, separation, or redesignation of elective or appointive status.** The combination or separation of elective county offices, or redesignation of a county office as elective or appointive, may be accomplished:

1. By resolution of the board of county commissioners, subject to the right of referendum in the county electors. The board of county commissioners may by a majority vote adopt a preliminary resolution incorporating a proposed plan for combining or separating county offices, or redesignating a county office as elective or appointive. The board shall cause the complete text of the proposed plan to be published in the official newspaper of the county, at least once during two different weeks within the thirty-day period immediately following the adoption of the preliminary resolution. The board of county commissioners shall hold public hearings and community forums or use other suitable means to disseminate information, receive suggestions and comments, and encourage public discussion of the purpose, conclusions, and recommendations of the plan. Within two years after the adoption of the preliminary resolution, the board of county commissioners may by final resolution approve the plan or amend the plan and approve it for implementation according to its terms. The final resolution may be referred to the qualified electors of the county by a petition protesting the plan. The petition must be signed by ten percent or more of the total number of qualified electors of the county voting for governor at the most recent gubernatorial election, and filed with the county auditor, or functional equivalent of that office, before four p.m. on the thirtieth day after the final resolution is adopted. Within ten days after the filing of the petition, the county auditor shall examine the petition and ascertain from the voter list whether the petition contains the signatures of a sufficient number of qualified electors. Any insufficiencies may be cured by the filing of an amended petition within ten days after the county auditor declares the insufficiency. The final resolution is suspended upon a determination by the county auditor that the petition was timely filed and contains the signatures of a sufficient number of qualified electors. The board of county commissioners shall reconsider the referred resolution, and if it does not repeal the resolution in its entirety, shall submit the resolution to a vote of the qualified electors of the county at the next regular election. The county auditor shall cause the complete text of the resolution to be published in the official newspaper of the county, not less than two weeks nor more than thirty days, before the date of the election. If a majority of the qualified electors voting on the question approves the resolution, the plan incorporated in the resolution is effective and becomes operative according to its terms as if it had not been suspended.
2. By initiative of county electors. A petition signed by ten percent or more of the total number of qualified electors of the county voting for governor at the most recent gubernatorial election may be submitted to the board of county commissioners, calling upon the board to submit to the electors the question of adopting a plan described in, or annexed to, the petition. The county auditor, or the functional equivalent of that officer, shall examine the petition and ascertain from the voter list whether or not the petition contains the signatures of a sufficient number of qualified electors. Any insufficiencies may be cured by the filing of an amended petition within thirty days after the county auditor declares the insufficiency. When a plan for the combination or separation of county offices or redesignation of county offices as elective or appointive is proposed pursuant to this subsection, the board of county commissioners shall submit the proposed plan to a vote of the qualified electors of the county at a primary or general election not less than sixty days nor more than two years, as specified in the petition, after determining that the petition is sufficient. The question on the ballot at the election must be framed in a manner that fairly and accurately describes the substance of the proposed plan. The board shall cause the complete text of the proposed plan to be published in the official

newspaper of the county, at least once during two different weeks within the thirty-day period immediately preceding the date of the election. The board of county commissioners may, prior to the election, hold public hearings and community forums and use other suitable means to disseminate information, receive suggestions and comments, and encourage public discussion of the purpose, conclusions, and recommendations of the plan. If a majority of the qualified electors voting on the ~~proposed plan approves~~ the question approves of its adoption, the plan is effective according to its terms.

**SECTION 5. AMENDMENT.** Section 11-10.3-01 of the North Dakota Century Code is amended and reenacted as follows:

**11-10.3-01. Multicounty combination of elective officers.**

1. A county may combine any county elective office with one or more elective offices of one or more other counties for the purpose of sharing that combined office for the performance of functions and the provision of services among those counties. The procedures set forth in this chapter apply to the combination, unless a specific procedure for combining particular elective county offices is otherwise provided by law.
2. A proposal for combining county elective offices may be accomplished:
  - a. By the boards of county commissioners of each affected county by entering into a joint powers agreement incorporating a plan for the office combination, subject to the right of referendum in the electors of each of the counties; or
  - b. By initiative of the electors of each affected county. A petition signed by ten percent or more of the total number of qualified electors of each county voting for governor at the most recent gubernatorial election may be submitted to the boards of county commissioners of each county, calling upon the boards to submit to the electors the question of adopting a plan described in, or annexed to, the petition.
3. A joint powers agreement entered into between counties for combining the functions of any county elective office pursuant to subdivision a of subsection 2 may be referred to the qualified electors of an affected county by a petition protesting the agreement. The petition must be signed by ten percent or more of the total number of qualified electors of the county voting for governor at the most recent gubernatorial election, and filed with the county auditor, or functional equivalent of that office, before four p.m. on the thirtieth day after the agreement is adopted. Within ten days after the filing of the petition, the county auditor shall examine the petition and ascertain from the voter list whether the petition contains the signatures of a sufficient number of qualified electors. Any insufficiencies may be cured by the filing of an amended petition within ten days after the county auditor declares the insufficiency. The implementation of the terms of the joint powers agreement is suspended upon a determination by the county auditor that the petition was timely filed and contains the signatures of a sufficient number of qualified electors. The board of county commissioners shall reconsider the referred agreement and, if the board does not terminate the agreement in its entirety, shall submit the question to a vote of the qualified electors of the county at the next regular election. The county auditor shall cause the complete text of the agreement to be published in the official newspaper of the county, not less than two weeks nor more than thirty days, before the date of the election. The boards of county commissioners may, prior to the election, hold public hearings and community forums and use other suitable means to disseminate information, receive suggestions and comments, and encourage public discussion of the purpose and provisions of the plan. If a majority of the qualified electors voting on the question in the county approve the question, the plan incorporated in the agreement is effective and becomes operative according to the terms of the agreement as if the agreement had not been suspended. If the electors of either county ~~disapprove~~ do not approve the question, the plan does not become effective.
4. The question of combination of the functions of elective county offices brought by petition pursuant to subdivision b of subsection 2 must be

submitted by the boards of county commissioners to the electors in each of the affected counties at a primary or general election not less than sixty days nor more than two years, as specified in the petition, after the petition is determined sufficient by each board. The question on the ballot at the election must be framed in a manner that fairly and accurately describes the substance of the proposed office-sharing arrangement. The board of county commissioners in each affected county shall cause the complete text of the proposed plan for combining offices to be published in the official newspaper of the county, at least once during two different weeks within the thirty-day period immediately preceding the date of the election. The boards of county commissioners may, prior to the election, hold public hearings and community forums and use other suitable means to disseminate information, receive suggestions and comments, and encourage public discussion of the purpose and provisions of the plan. If a majority of the qualified electors of each county voting on the ~~proposed plan approves~~ the question approves of its adoption, the plan is effective according to its terms.

5. One copy of the plan as approved must be filed with the district court for each county and one with each county auditor or functional equivalent to remain as a part of each county's permanent records. The boards of county commissioners may take any action necessary to bring about an orderly transition in implementation of the plan.
6. A plan, or part of a plan, adopted pursuant to this chapter may be revised or terminated through another joint powers agreement or petition submitted pursuant to the procedure set forth in this chapter for adopting a plan, or pursuant to provisions for termination or revision provided in the original joint powers agreement.

**SECTION 6. AMENDMENT.** Section 15-27.3-19 of the 1995 Supplement to the North Dakota Century Code is amended and reenacted as follows:

**15-27.3-19. Changes in reorganization proposal.** At any time after the reorganization proposal has become effective, any provision of the reorganization proposal, including provisions affecting the adjustment of assets and liabilities but excepting provisions defining the boundaries of the district, may be changed by a majority vote of the qualified electors voting on the question without approval of the state board or the county committee. The school board in the reorganized district may, upon its own motion, or shall, upon the filing with it of a petition signed by qualified electors equal in number to twenty percent or more of the persons enumerated in the most recent school district census, unless the census is greater than four thousand, in which case only fifteen percent or more of the number of persons enumerated in the school census is required, submit the question of authorizing a change in the school district's adopted reorganization proposal at the next regular or special election. However, not fewer than twenty-five signatures of qualified electors is 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 districts with fewer than twenty-five qualified electors, the county superintendent for the county in which the school is located shall determine the number of qualified electors in the district. If a majority of all votes cast on the question by the electors residing in the district is in favor of the proposed change, then the proposed change is effected. If a reorganization plan has been in effect for at least ten years, any proposed change to geographic voting areas is effective upon a majority vote in an election at large by the qualified electors of the district voting on the question. A school board in a reorganized school district may change, by resolution, to at large voting for school board candidates if there is a variance of more than ten percent in the population between any of the district's established geographic areas with resident candidates.

**SECTION 7. AMENDMENT.** Section 15-27.3-21 of the North Dakota Century Code is amended and reenacted as follows:

**15-27.3-21. Proportionate tax rate on agricultural property.** Any school district which imposed a proportionate tax rate for school purposes levied on agricultural property different from the school district levy on other taxable property as permitted by sections 15-53.1-37 and 15-53.1-38, as they existed on December 31, 1984, must continue to levy that proportionate tax rate unless it is discontinued by the school board upon a majority of the ~~voters~~ qualified electors of the school district voting on the question. No other school district may impose such a proportionate tax rate for different classes of property within the school district."

Page 4, after line 11, insert:

**"SECTION 10. AMENDMENT.** Section 15-48-05 of the North Dakota Century Code is amended and reenacted as follows:

**15-48-05. Record of proceedings - Certificate filed with county auditor.** A record of the proceedings connected with the submission of the question of increasing the debt limit, the result of the election, and the number of votes cast for and against the proposition, respectively, must be made and preserved in the records of the school district. If a majority of votes cast on the question are in favor of increasing the debt limit, a certificate, signed by the president of the school board and attested by the business manager of the school district, reciting the result of the election and the fact that the limit of indebtedness of said school district has been increased to ten percent of the assessed valuation of the taxable property of said district, and stating the number of votes cast for and against such increase, respectively, must be filed with the county auditor of the county in which said school district is situated, where the said certificates must be preserved and kept on file."

Page 4, after line 16, insert:

**"SECTION 12. AMENDMENT.** Section 23-14-01 of the North Dakota Century Code is amended and reenacted as follows:

**23-14-01. Formation of health districts.** When in the opinion of the state health officer, on information obtained in cooperation with local health officers and local boards of health, the health needs of any given area may be better served by the formation of a health district, as hereinafter provided, the state health officer shall so notify the county auditor of each county involved and the city auditor of each city having a population in excess of fifteen thousand persons. Each county auditor and city auditor shall place the matter before the governing board of the county or city at its next regular meeting, and the governing board by resolution either shall adopt or reject the plan at the same or the first subsequent meeting. If resolutions are adopted by the governing boards of the cities and counties as hereinbefore provided, adopting the health district plan, all laws and parts of laws in conflict therewith automatically become inoperative throughout the territory embraced within the district, and particularly the laws relative to city, township, and county boards of health. If the board of county commissioners of any county or the city council or city commission of any city, rejects the plan, it may submit the question of adoption of the provisions of this chapter to the qualified electors of the county or city at the next ensuing general or special election to be held in said county or city. In all elections held under this chapter, the votes cast in the cities having a population in excess of fifteen thousand inhabitants must be considered separate and apart from the votes cast elsewhere in the county, and the participation in the health district by any city must be governed by the votes cast in the city as distinguished from the vote cast elsewhere in the county. If a majority of the qualified electors voting on the question vote in favor of the adoption of the provisions of this chapter, the board of county commissioners, within ten days after the canvass of said election, shall adopt such resolution, and, upon the adoption of such resolution such county or counties, together with the cities voting in favor of the plan, must be considered a district health unit or health district. On a petition filed with the county auditor containing names of qualified electors of the county equal to ten percent or more of the votes cast for the office of governor at the last general election, an election on the question of forming a health district must be held as heretofore provided. The health districts must follow county lines, and in case the district as outlined by the state health officer includes more than one county, and the plan is adopted in any of said counties or cities, and rejected in any one or more of the other counties or cities, it becomes effective in the county or counties and city or cities adopting the plan, if ~~in the exercise of his discretion~~ the state health officer deems the same operative.

**SECTION 13. AMENDMENT.** Section 23-14-13 of the North Dakota Century Code is amended and reenacted as follows:

**23-14-13. Dissolution.** After a district health unit organized as provided in this chapter has been in operation for two years, the same may be dissolved in the following manner: On a petition filed with the county auditor of each county of a health district containing names of qualified electors of the county equal to ten percent or more of the votes cast for governor at the last general election in each county, an election on the question of dissolution must be presented to the qualified electors in each county in the district at the next general or special election held in each county in the district. If a majority of the votes cast on the question in a majority of the counties favor dissolution,

the health unit must be dissolved on January first following the election. If a majority of the votes cast on the question in a majority of the counties are against dissolution, no other election may be held until a period of two years has again expired.

**SECTION 14. AMENDMENT.** Section 23-14-13.1 of the North Dakota Century Code is amended and reenacted as follows:

**23-14-13.1. Withdrawal.** After a district health unit organized as provided in this chapter has been in operation for two years, any county may withdraw from the district in the following manner: On a petition filed with the county auditor containing names of qualified electors of the county equal to ten percent or more of the votes cast for governor at the last general election in that county, an election on the question of withdrawal must be presented to the qualified electors in the county at the next general or special election held in the county. If a majority of the votes cast on the question favor withdrawing from the district, the county will be considered withdrawn from the unit on January first following the election. If a majority of the votes cast on the question are against withdrawal, no other election may be held until a period of two years has again expired."

Page 6, after line 2, insert:

**"SECTION 16. AMENDMENT.** Section 27-19-02 of the North Dakota Century Code is amended and reenacted as follows:

**27-19-02. Method of acceptance.** Acceptance of jurisdiction may be by either of the following methods:

1. Upon petition of a majority of the enrolled residents of a reservation who are eighteen years of age or older; or
2. The affirmative vote of the majority of the enrolled residents voting on the question who are eighteen years of age or older, at an election called and supervised by the North Dakota Indian affairs commission upon petition of fifteen percent or more of those eligible to vote at such an election.

**SECTION 17. AMENDMENT.** Section 38-02-02 of the North Dakota Century Code is amended and reenacted as follows:

**38-02-02. Width of lode claims - Extension - Reduction.** The width of lode claims is one hundred fifty feet [45.72 meters] on each side of the center of the vein or crevice, except that any county, at any general election by a majority of the votes cast on the question at such election, may determine upon a greater width not exceeding three hundred feet [91.44 meters] on each side of the center of the vein or lode. By a like vote, any county may determine upon a width less than that specified in this section, except that a width of less than twenty-five feet [7.62 meters] on each side of the vein or lode is prohibited.

**SECTION 18. AMENDMENT.** Section 40-02-10 of the North Dakota Century Code is amended and reenacted as follows:

**40-02-10. Election returns - To whom made - Duty of board of county commissioners.** The election officials acting in each place in which votes are cast in an election held under this chapter shall return to the board of county commissioners which ordered the election a verified statement of the results of the election showing the number of votes cast for and against incorporation at their voting place. The returns shall be verified by the affidavit of the election officials. The returns shall be canvassed by the board of county commissioners, and the results of the canvass and of the election shall be entered upon the minutes of the proceedings of such board. If a majority of the votes cast on the question at the election favored incorporation, the board shall make an order declaring that the territory described in the petition has been incorporated as a city under the council form of government or as a city under the commission system of government, as the case may be, by the name described in the petition, stating that name, and shall cause the order to be entered in the minutes of its proceedings. If the territory is located in more than one county, a certified copy of such order shall be submitted immediately to each of the other counties within which a portion of the territory described in the order is situated. The auditor of each county to which a certified copy of the order is submitted shall make a record thereof in the minutes of the board of county commissioners of such county.

**SECTION 19. AMENDMENT.** Section 40-02-11 of the 1995 Supplement to the North Dakota Century Code is amended and reenacted as follows:

**40-02-11. Division into wards.** If a majority of the votes cast on the question at the election provided for in this chapter favored incorporation as a city, the board of county commissioners that ordered the election shall, if the territory has been incorporated as a city under the council form of government, divide the city into wards. The city may not be divided into wards unless it has more than six hundred inhabitants. If the city has more than six hundred inhabitants, one ward must be formed for each two council members to which the city is entitled. In cities of more than fifteen thousand inhabitants, however, the number of wards is limited to seven originally, and that number may be increased thereafter as provided in this title. Each ward must be formed from contiguous territory, and all wards must be numbered consecutively and must have, as nearly as practicable, the same number of inhabitants. After the election of council members, the governing body of the city shall form or establish wards pursuant to law.

**SECTION 20. AMENDMENT.** Section 40-04-04 of the North Dakota Century Code is amended and reenacted as follows:

**40-04-04. Returns and canvass of election - Certificate to secretary of state - Officers to continue until election.** The officials of an election held under the provisions of this chapter shall make a return of such election to the governing body of the city and such governing body shall canvass such returns and cause the result of the canvass to be entered upon the records of the city. If a majority of the votes cast on the question at such election shall be for city organization under the commission system, the auditor shall certify the adoption of such form of government and a copy of the proceedings concerning the same to the secretary of state together with the result of any special census taken in such city. The city officers then in office shall exercise the powers conferred upon like officers of a city operating under the commission system of government until their successors are elected and qualified.

**SECTION 21. AMENDMENT.** Section 40-04-11 of the North Dakota Century Code is amended and reenacted as follows:

**40-04-11. Procedure when election favors changing from commission system of government.** If a majority of the votes cast on the question at the election provided for in section 40-04-10 favor the proposition submitted at such election, the officers elected at the next biennial election shall be those prescribed by the provisions of this title relating to cities organized under the city council form of government. Upon the qualification of such officers, the city shall become a city under the council form of government."

Page 6, after line 13, insert:

**"SECTION 23. AMENDMENT.** Section 40-10-02 of the 1995 Supplement to the North Dakota Century Code is amended and reenacted as follows:

**40-10-02. Vote required to adopt plan - Effective date.** If a majority of the votes cast on the question at the election favors the adoption of the city manager plan, the governing body shall declare the plan adopted, and shall fix the date when the plan becomes effective. The date must be after the first regular meeting of the governing body in the month of July following the election.

**SECTION 24. AMENDMENT.** Section 40-10-08 of the 1995 Supplement to the North Dakota Century Code is amended and reenacted as follows:

**40-10-08. Election to determine question of retention of city manager plan - Procedure thereafter.** At any time after the city manager plan has been in force in any city for a period of five years or more, the governing body of the city may submit at any regular election the question of whether or not such plan shall be retained. If a petition signed by forty percent or more of the qualified electors of the city as shown by the votes cast for the executive officer at the preceding city election, requesting the submission of such question is filed with the city auditor, the governing body shall submit such proposal to the qualified electors of the city at an election to be held within ninety days after the filing of such petition. The signatures to such petition need not be appended to a single paper, but each single paper so used shall clearly state the purpose of the petition at the top of the paper, and each signature shall have been placed thereon not more than ninety days prior to the date on which the petition is filed in the office of the city auditor. Upon each paper one of the qualified electors signing

such petition shall, under oath before an officer competent to administer oaths, swear that ~~he~~ that person witnessed the signing of each signature appearing on such paper and that each signature appearing upon such paper is the genuine signature of the person whose name it purports to be. Each petition, in addition to the names of the signers, shall contain the name of the street and the number of the house in which each petitioner resides, the length of ~~his~~ the petitioner's residence in the state of North Dakota, ~~the length of his residence~~ and in the city, and the date on which the petitioner signed the petition. Any petitioner shall be permitted to withdraw ~~his~~ the petitioner's name from a petition at any time prior to action by the governing body calling the election as provided herein. Such question shall not be submitted more than once in every five years. If a majority of the votes cast on the question at the election shall be against retaining the city manager plan, the city shall revert to the plan in force previous to the adoption of the city manager plan, and the provisions of this chapter shall not be applicable to such city except after another compliance with its terms. The governing body shall fix the date, not less than three months nor more than six months after an election at which the majority vote on the question is against the retention of the city manager plan, when such plan shall cease to be operative in the municipality.

**SECTION 25. AMENDMENT.** Section 40-33-12 of the North Dakota Century Code is amended and reenacted as follows:

**40-33-12. Surplus in municipal utilities fund - How expended.** When the governing body of the municipality ~~shall determine~~ determines that there is a cash surplus in the municipal utilities fund over and above any amount necessary to provide adequately for the operation, maintenance, repair, enlargement, alteration, improvement, and extension of the plant or plants, it, ~~in its discretion,~~ may invest the surplus or transfer it or a portion thereof as follows:

1. All or any part of the surplus may be invested by the governing body in interest-bearing bonds of the United States government, the state of North Dakota, or any bonds or special improvement district warrants of the municipality in which the municipal plant is located, and all the principal and interest on the warrants and bonds, when repaid, shall be placed back in the municipal utilities fund; or
2. The governing body may transfer from the surplus in the fund to the general fund of the municipality or to any other fund of the municipality a total sum of not more than twenty percent of the gross receipts of the municipal utilities for the fiscal year of the municipality during which the transfer or transfers are made. In addition the governing body, upon adoption of a resolution declaring it necessary and upon approval of a majority of the votes cast on the question at a regular city election, may transfer to the general fund of the municipality or to any other fund of the municipality from the surplus in the municipal utilities fund at the end of any fiscal year. The resolution and ballot shall state the specific amount or percentage to be transferred as hereinbefore provided.

**SECTION 26. AMENDMENT.** Section 40-38-01 of the 1995 Supplement to the North Dakota Century Code is amended and reenacted as follows:

**40-38-01. Public library and reading room - Establishment - Election.** The governing body of any city or county upon petition of not less than fifty-one percent of the qualified electors of the city or county as determined by the total number of votes cast at the last general election or upon a majority vote of the qualified electors thereof voting on the question shall establish and maintain public library service within its geographic limits by means of a public library and reading room or other public library service, either singly or in cooperation with the state library, or with one or more cities or counties, or by participation in an approved state plan for rendering public library service under the Library Services and Construction Act [20 U.S.C. 351-358], and acts amendatory thereof. Such question shall be submitted to the qualified electors upon resolution of the governing body or upon the petition of not less than twenty-five percent of that number of qualified electors of the city or county that voted at the last general election, filed with the governing body not less than sixty days before the next regular election. Library service may be discontinued within any city or county by any of the methods by which library services may be established, except that once established, such service shall not be discontinued until after it has been in operation for at least five years from the date of establishment.

**SECTION 27. AMENDMENT.** Section 40-49-07.2 of the 1995 Supplement to the North Dakota Century Code is amended and reenacted as follows:

**40-49-07.2. Dissolution of city park district - Election.**

1. A city park district may be dissolved pursuant to a plan adopted pursuant to this section. A proposal for dissolving a city park district may be initiated:
  - a. By resolution incorporating a dissolution plan, approved by a majority vote of the board of park commissioners and submitted to the governing body of the city; or
  - b. By a petition incorporating a dissolution plan, signed by twenty-five percent or more of the total number of qualified electors of the city park district voting at the last regular city election and submitted to the governing body of the city.
2. The governing body of the city shall submit the question of dissolution to the electors of the park district at any regular city election or primary or general election as specified in the resolution or petition submitted pursuant to subsection 1. The plan incorporated in the resolution or petition is effective and becomes operative according to its terms if a majority of the qualified electors voting on the question approves the plan.
3. A plan for dissolving a city park district may specify:
  - a. The disposition and maintenance of land and other property acquired by the board of park commissioners of the dissolved park district;
  - b. The manner for payment of any current indebtedness, evidences of indebtedness in anticipation of user fee revenues, bonded indebtedness, and other obligations of the dissolved park district;
  - c. The disposition of any outstanding special assessments or other anticipated revenues;
  - d. The transition in implementing the plan, including elements that consider the reasonable expectations of current officeholders and personnel such as delayed effective dates for implementation; and
  - e. Other considerations and provisions that are consistent with state law.
4. The governing body of the city shall cause the complete text, or a fair and accurate summary, of the plan to be published in the official newspaper of the city, not less than two weeks nor more than thirty days, before the date of the election. The governing body may, prior to the election, hold public hearings and community forums and use other suitable means to disseminate information, receive suggestions and comments, and encourage public discussion of the purpose and provisions of the plan.

**SECTION 28. AMENDMENT.** Section 40-49.1-02 of the 1995 Supplement to the North Dakota Century Code is amended and reenacted as follows:

**40-49.1-02. Election on combination plan.** If a plan for combining boards of park commissioners is proposed by agreement or petition, the participating or affected boards shall immediately submit the proposed plan to the governing bodies of the affected cities and, if applicable, to the board of county commissioners of any affected county. Those boards shall jointly submit the question of combination to the qualified electors of the affected cities and counties at a primary or general election as specified in the agreement or petition within two years of the initial submission of the agreement or petition, and shall cause the complete text, or a fair and accurate summary, of the plan to be published in the official newspapers of the affected cities and counties, not less than two weeks nor more than thirty days, before the date of the election. The boards of park commissioners may, prior to the election, hold public hearings and community forums and use other suitable means to disseminate information, receive suggestions and comments, and encourage public discussion of the purpose and provisions of the plan. The plan incorporated in the agreement or petition is effective and becomes operative according to its terms if a majority of the qualified electors voting on the question in each affected city or county approves the plan.

**SECTION 29. AMENDMENT.** Section 40-53.1-04 of the North Dakota Century Code is amended and reenacted as follows:

**40-53.1-04. Dissolution - Vote required - Effect on debts and contracts.** If a majority of the votes cast on the question are in favor of dissolution the county commissioners shall, by motion and proclamation, set a date upon which dissolution will become effective and the city shall be dissolved, provided provision has been made for payment of its current indebtedness, contracts, and obligations, and for levying the requisite tax to do so. The current indebtedness, contracts, and obligations do not include funded or bonded indebtedness nor any contract whose termination date is more than one year beyond the date the election was held.

**SECTION 30. AMENDMENT.** Section 40-53.2-03 of the North Dakota Century Code is amended and reenacted as follows:

**40-53.2-03. Municipal consolidation review commission.** Upon passage by a simple majority of the votes cast on the question in each of the cities seeking consolidation in the manner provided by section 40-53.2-02, the governing body of each of the cities seeking consolidation shall appoint an equal number of the members of each governing body who shall convene as the municipal consolidation review commission to make a finding as to whether or not there is sufficient reason to further consider consolidation of the cities seeking consolidation. If the commission finds insufficient reason, no further consideration shall be given to the matter of consolidation of the cities. If the commission finds sufficient reason for consolidation, it shall develop a recommended plan of consolidation, holding such hearings on the plan as it deems appropriate. The commission shall submit its recommended plan to the voters of both cities. Upon receiving a majority affirmative vote of the electors of each city, voting on the question at a special election or any regular election, the review commission's recommended plan shall become effective on July first of the next year."

Page 7, after line 17, insert:

**"SECTION 34. AMENDMENT.** Section 57-15-08 of the North Dakota Century Code is amended and reenacted as follows:

**57-15-08. Tax levy limitations in cities.** The aggregate amount levied for general city purposes may not exceed ~~such~~ an amount ~~as will be~~ produced by a levy of thirty-eight mills on the taxable valuation of property in the city; provided, that in cities with a population of over five thousand they be permitted to levy an additional one-half of one mill for each additional one thousand population in excess of five thousand, and provided, further, that the maximum levy for general city purposes may not exceed forty mills, except that ~~cities~~ a city, when authorized by a majority vote of the electors of ~~such~~ ~~cities~~ the city voting on the question upon the submission of such question at a regularly scheduled or special election called for such purpose pursuant to a resolution approved by the governing body of such ~~cities~~ city, may increase the maximum mill levy for general city purposes by not more than ten mills, and that in a city supporting a band or public library an additional levy, not to exceed one mill on the taxable valuation of property in such city, may be made for a band, and an additional levy not to exceed four mills on the taxable valuation of property in such city may be made for a public library.

**SECTION 35. AMENDMENT.** Section 57-15-12 of the North Dakota Century Code is amended and reenacted as follows:

**57-15-12. Tax levy limitations in park districts.** In park districts tax levies have the following limitations:

1. The aggregate amount levied for park district purposes, exclusive of levies to pay interest on bonded debt and levies to pay and discharge the principal thereof, and levies to pay the principal and interest on special assessments assessed and levied against park board properties by other municipalities, may not exceed ~~such~~ an amount ~~as will be~~ produced by a levy of four mills on the dollar of the taxable valuation of the district for the current year.
2. Any park district owning and operating an airport for which no city levy is made, may levy an additional tax, ~~regardless of the foregoing limitations and in addition to the levies hereinbefore provided for,~~ of not to exceed four mills on the dollar of the taxable valuation of the district for the current year, such additional tax to be used solely for the purpose of purchasing or acquiring lands necessary for said airport, paying for land previously acquired for said airport, and for operating and maintaining the same.

3. Whenever the board of park commissioners deems it advisable to raise moneys by taxes in excess of the levy herein provided, for any purpose for which the park district is authorized to expend moneys raised by taxes, the board of park commissioners shall submit to the voters of the district the question of increasing the levy by a certain number of mills, but not to exceed fifteen mills, on the dollar of the taxable valuation of the district. When authorized by a majority of the qualified electors of the park district voting on the question at an election in which the question has been submitted, the board may increase the levy in the amount so authorized. This excess levy may be continued from year to year by action of the park board except that if a petition containing the signatures of not less than ten percent of the qualified electors of the park district, as determined by the city auditor of the municipality in which the park district is situated, is presented to the park board requesting an election on the question of continuing the excess levy, that question must be submitted to the qualified electors of the park district at the next regular park district election. If the majority of the qualified electors voting on the question at that election determine not to continue the excess levy, no further excess levy may be made except that the election does not affect the tax levy in the calendar year in which the election is held."

Page 8, after line 13, insert:

**"SECTION 37. AMENDMENT.** Section 57-15-12.3 of the North Dakota Century Code is amended and reenacted as follows:

**57-15-12.3. Tax levy for parks and recreational facilities.** A board of park commissioners established pursuant to chapter 40-49, may levy taxes annually not exceeding the limitation in subsection 5 of section 57-15-12.2 for a fund for the purpose of acquiring real estate as a site for public parks, construction of recreational facilities, renovation and repair of recreational facilities, and the furnishing of recreational facilities. The tax is to be levied, spread, and collected in the same manner as are other taxes in the park district. The question of whether the levy is to be discontinued must be submitted to the qualified electors at the next regular election upon petition of twenty-five percent or more of the qualified electors voting in the last regular park district election, if the petition is filed not less than sixty days before the election. If the majority of the qualified electors voting on the question vote to discontinue the levy, it may not again be levied without a majority vote of the qualified electors voting on the question at a later regular election on the question of relevying the tax, which question may be submitted upon petition as above provided or by decision of the governing board."

Page 8, after line 29, insert:

**"SECTION 39. AMENDMENT.** Section 57-15-44 of the North Dakota Century Code is amended and reenacted as follows:

**57-15-44. City tax levy for acquiring real estate for public building.** The governing body of any city may levy taxes annually, not exceeding the limitation in subsection 22 of section 57-15-10 for a fund which must be used for the purpose of acquiring real estate as a site for public buildings, construction of public buildings, renovation and repair of public buildings, and the furnishing of public buildings, or for a city's participating share in urban renewal programs. The tax is to be levied, spread, and collected in the same manner as are other taxes in the city. Whether the levy shall be discontinued must be submitted to the qualified electors at the next regular election upon petition of twenty-five percent or more of the qualified electors voting in the last regular city election, the petition to be filed not less than sixty days before the election. If the majority of the qualified electors voting on the question vote to discontinue the levy, it may not again be levied without a majority vote of the qualified electors voting on the question at a later regular election on the question of relevying the tax, which question may be submitted upon petition as above provided or by decision of the governing board."

Page 11, after line 9, insert:

**"SECTION 46. AMENDMENT.** Section 61-04.1-29 of the North Dakota Century Code is amended and reenacted as follows:

**61-04.1-29. Creation of weather modification authority by election.** When a petition signed by not less than twenty percent of the qualified electors of the county, as

determined by the vote cast for the office of governor at the last preceding gubernatorial election, requesting an election upon the establishment of a weather modification authority is presented to the board of county commissioners, not later than forty-five days prior to the next countywide election, the board of county commissioners shall submit the question to the qualified electors of the county at the next countywide election. Upon approval by a majority of the votes cast on the question, the board of county commissioners shall, by resolution, establish a weather modification authority as described in section 61-04.1-23 with all powers set out in this chapter, including the power to certify a tax levy as provided by section 61-04.1-26.

**SECTION 47. AMENDMENT.** Section 61-04.1-30 of the North Dakota Century Code is amended and reenacted as follows:

**61-04.1-30. Abolishment of weather modification authority by election.**

When a petition signed by not less than twenty percent of the qualified electors of the county, as determined by the vote cast for governor in the last preceding gubernatorial election, requesting an election upon the abolishment of a weather modification authority as created in sections 61-04.1-27 and 61-04.1-29 is presented to the board of county commissioners, not later than forty-five days prior to the next countywide election, the board of county commissioners shall submit the question to the qualified electors of the county at the next countywide election. Upon approval by a majority of the votes cast on the question, the board of county commissioners shall abolish the weather modification authority as of December thirty-first following the election. All unexpended funds remaining in the name of the weather modification authority, after all proper bills and expenses have been paid, shall be deposited in the general fund of the county.

**SECTION 48. AMENDMENT.** Section 61-04.1-31 of the North Dakota Century Code is amended and reenacted as follows:

**61-04.1-31. Creation of weather modification authority by vote after resolution of county commissioners.** The board of county commissioners of any county may, by resolution after a public hearing, submit the question of the creation of a weather modification authority to the electors of the county at the next countywide election. Upon approval by a majority of the votes cast on the question, the board of county commissioners shall pass a resolution creating a weather modification authority, as described in section 61-04.1-23. Such an authority shall have all powers provided by this chapter, including the authority to levy a tax as provided by section 61-04.1-26."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1317: Human Services Committee (Rep. Price, Chairman)** recommends **DO NOT PASS** (9 YEAS, 3 NAYS, 2 ABSENT AND NOT VOTING). HB 1317 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1333: Education Committee (Rep. R. Kelsch, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (10 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). HB 1333 was placed on the Sixth order on the calendar.

Page 1, line 2, after "year" insert "; and to provide an effective date"

Page 1, line 6, after the second boldfaced period insert:

"1."

Page 1, line 8, remove "The school term may begin no earlier than the first"

Page 1, line 9, remove "Tuesday after the first Monday in September."

Page 1, after line 15, insert:

"2. If Labor Day falls on the first, second, or third of September, the school term must begin after Labor Day. If Labor Day falls on the fourth through the seventh of September, the school term may begin within the week preceding Labor Day, but not earlier.

**SECTION 2. EFFECTIVE DATE.** This Act becomes effective on August 1, 1998."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1337: Education Committee (Rep. R. Kelsch, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (9 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING). HB 1337 was placed on the Sixth order on the calendar.

Page 1, line 6, replace "an" with "a regionally or nationally"

Page 1, line 7, after the first "in" insert "school" and replace "or in some other program that meets the" with ". A person without a school counseling degree may be certified by the superintendent of public instruction through an alternate procedure if the person meets specific academic and training standards adopted by the superintendent of public instruction. The determination of the specific standards must be made by the superintendent of public instruction in consultation with the academic departments offering school counseling graduate programs in this state. The absence of a teaching certificate or teaching experience may not be used as cause for denial of an applicant's certificate. Hiring a counselor under this section may not be cause for loss of a school's accreditation."

Page 1, remove line 8

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1340: Appropriations Committee (Rep. Dalrymple, Chairman)** recommends **DO PASS** (16 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). HB 1340 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1347: Judiciary Committee (Rep. Kretschmar, Chairman)** recommends **DO NOT PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1347 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1348: Judiciary Committee (Rep. Kretschmar, Chairman)** recommends **DO NOT PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1348 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1368: Education Committee (Rep. R. Kelsch, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1368 was placed on the Sixth order on the calendar.

Page 1, line 2, after "15-34.1-09" insert a comma

Page 1, line 3, replace "schools" with "education"

Page 1, line 7, replace "school" with "education"

Page 1, line 14, remove the overstrike over "~~receiving~~" and remove "being"

Page 1, line 15, remove "educated in a" and replace "school" with "education"

Page 1, line 18, overstrike "**Home-based instruction**" and insert immediately thereafter "**Home education**"

Page 1, line 19, replace "A home school" with "Home education"

Page 1, line 23, remove the overstrike over "~~program of~~"

Page 1, line 24, replace "school" with "education"

Page 2, line 5, remove "a" and replace "school" with "education"

Page 2, line 7, remove the first "the" and replace "school" with "education"

Page 2, line 10, remove the overstrike over "~~fiftieth~~" and remove "twenty-third"

Page 2, line 12, remove the overstrike over "~~fiftieth~~" and remove "twenty-third"

Page 2, line 17, replace "in the" with "at" and remove "school"

Page 2, line 18, replace "A home school" with "Home education"

Page 2, line 22, remove "a" and replace "school" with "education"

Page 2, line 27, remove "a" and replace "school" with "education"

Page 3, line 1, overstrike "the", remove "home", and overstrike "school"

Page 3, line 4, after the second "of" insert "home education"

Page 3, line 7, remove the overstrike over "~~receive~~", remove "attend the", and replace "school" with "education"

Page 3, line 8, replace "attending the" with "receiving" and replace "school" with "education"

Page 3, line 9, remove "the"

Page 3, line 10, replace "school" with "education"

Page 3, line 11, overstrike the second "the"

Page 3, line 12, replace "school" with "education"

Page 3, line 20, replace "**schools**" with "**education**"

Page 3, line 27, remove the overstrike over "~~receiving~~" and after "~~instruction~~" insert "home education"

Page 3, line 28, remove "in a home school"

Page 4, line 14, remove the overstrike over "~~thirtieth~~" and remove "twenty-third"

Page 4, line 20, remove "the"

Page 4, line 21, replace "school" with "education", after "of" insert "the", and overstrike "instruction" and insert immediately thereafter "school district"

Page 5, line 4, replace "twenty-third" with "thirtieth"

Page 5, line 18, remove the overstrike over "~~provide~~"

Page 5, line 19, remove "conduct the", replace "school" with "education", and after "of" insert "the"

Page 5, line 20, overstrike "instruction" and insert immediately thereafter "school district"

Page 5, line 29, replace "twenty-third" with "thirtieth"

Page 5, line 31, after "services" insert ". That child no longer qualifies for home education"

Page 6, line 1, remove "a" and replace "school" with "education"

Page 6, line 5, remove the overstrike over "~~who is receiving~~"

Page 6, line 6, remove "in the" and replace "school" with "education"

Page 6, line 31, remove the overstrike over "~~receiving~~" and remove "in a"

Page 7, line 1, replace "school" with "education"

Page 7, line 5, remove "a" and replace "school" with "education"

Page 7, line 12, replace "in a" with "receiving" and replace "school" with "education"

Page 7, line 14, replace "in a" with "receiving" and replace "school" with "education"

Page 7, line 16, replace "in a" with "receiving" and replace "school" with "education"

Page 7, line 21, replace "school" with "education"

Page 7, line 27, replace "school" with "education"

Page 7, line 29, remove "a" and replace "school" with "education"

Page 8, line 1, remove "a" and replace "school" with "education"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1371: Judiciary Committee (Rep. Kretschmar, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). HB 1371 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 section 5-02-09 of the North Dakota Century Code, relating to the establishment of local regulations.

#### BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

**SECTION 1. AMENDMENT.** Section 5-02-09 of the North Dakota Century Code is amended and reenacted as follows:

**5-02-09. Local regulations.** The local governing body by ordinance or resolution may regulate or restrict the operation of licensees including among other things determining the number of licenses to be granted, establishing health and safety standards for licensed premises, setting of hours and prohibition of open door policies by fraternal organizations or private clubs, and prohibition of dancing or various forms of entertainment on the premises."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1372: Judiciary Committee (Rep. Kretschmar, Chairman)** recommends **DO NOT PASS** (13 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1372 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1385: Government and Veterans Affairs Committee (Rep. Wardner, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1385 was placed on the Sixth order on the calendar.

Page 1, line 13, remove "each of the following standing committees or divisions"

Page 1, line 14, replace "Senate appropriations; education; finance and taxation; human services; industry," with "Each of the standing committees of both the house of representatives and the senate; and"

Page 1, remove lines 15 through 17

Page 1, line 18, replace "3" with "2"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1388: Government and Veterans Affairs Committee (Rep. Wardner, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). HB 1388 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 section 54-17-03 of the North Dakota Century Code, relating to the legal counsel for the industrial commission.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

**SECTION 1. AMENDMENT.** Section 54-17-03 of the North Dakota Century Code is amended and reenacted as follows:

**54-17-03. Chairman and attorney - Secretary - Employees - Compensation - Bonds.** The governor is the chairman of the industrial commission, and its attorney is the attorney general. However, with regard to matters in which the attorney general has, or may have, the right to vote as a member of the industrial commission the attorney general may not serve as attorney for the commission and the commission must retain independent legal counsel. In the transaction of its general business, the commission shall appoint a secretary and may employ other subordinate officers, employees, and agents, on such terms as it may deem proper and as, in its judgment, the public interests may require. The commission may require suitable bonds of its secretary or other subordinate officers, employees, or agents. It shall fix the amount of the compensation of each person so engaged. The compensation, together with other expenditures for operation and maintenance of the general business of the commission, must remain within the appropriation available in each year for such purpose."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1399: Judiciary Committee (Rep. Kretschmar, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1399 was placed on the Sixth order on the calendar.

Page 1, line 11, after "4." insert "A surviving grandparent.

5."

Page 1, remove lines 12 and 13

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1403: Government and Veterans Affairs Committee (Rep. Wardner, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1403 was placed on the Sixth order on the calendar.

Page 2, line 9, overstrike "No candidate may be required to file any statement required by this chapter" and insert immediately thereafter "Even"

Page 2, line 11, after "year" insert ", the candidate shall file a statement as required by this chapter"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1409: Appropriations Committee (Rep. Dalrymple, Chairman)** recommends **DO NOT PASS** (18 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). HB 1409 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1413: Government and Veterans Affairs Committee (Rep. Wardner, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (9 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). HB 1413 was placed on the Sixth order on the calendar.

Page 2, line 23, remove "The governor shall appoint the members of the board."

Page 2, line 25, after "counties" insert "appointed by the association of counties"

Page 2, line 26, after the second "cities" insert "appointed by the league of cities"

Page 2, line 27, after "association" insert "appointed by the school boards association"

Page 2, line 28, after "association" insert "appointed by the township officers association", replace "two members" with "one member", replace "from a category consisting of" with "a member of the", and replace ", fire" with "association appointed by the park districts association"

Page 2, line 29, remove "districts, ambulance districts, and water districts" and remove the second "and"

Page 2, line 30, replace "independent insurance agents" with "water resource district" and replace "and be a licensed insurance broker" with "appointed by the water resource district association; and one member who is not required to represent any organization or interest must be appointed by the other members of the board"

Page 3, line 4, remove "governor shall appoint the"

Page 3, line 5, replace the first "to" with "of" and after "board" insert "must be appointed"

Page 3, line 6, replace "governor" with "appointing entity", replace "any" with "a", and after "vacancy" insert "in the entity's representative"

Page 3, line 12, after "pool" insert "formed before the effective date of this Act and"

Page 3, line 16, remove "or"

Page 3, line 17, remove "after" and replace "With respect to a government self-insurance pool formed" with "The"

Page 3, line 18, remove "before the effective date of this Act, the"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1416: Government and Veterans Affairs Committee (Rep. Wardner, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (11 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). HB 1416 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 16.1-08.1 of the North Dakota Century Code, relating to the imposition of a fee on campaign contributions and the creation of a special campaign contribution assessment account; and to provide a continuing appropriation.

#### BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

**SECTION 1.** A new section to chapter 16.1-08.1 of the North Dakota Century Code is created and enacted as follows:

#### **Campaign contributions - Imposition of fee - Public financing - Continuing appropriation.**

1. A candidate who accepts contributions in a calendar year in an amount exceeding five thousand dollars in the aggregate shall pay to the state tax commissioner a fee of twenty percent on the amount of contributions accepted in excess of five thousand dollars but less than ten thousand dollars, and a fee of thirty percent on the amount of contributions accepted which totals ten thousand dollars or more during that calendar year.
2. Fees collected under subsection 1 must be placed in a special campaign assessment account to be administered by the secretary of state. The funds in the account are hereby appropriated on a continuing basis for the purposes of providing matching funds to any candidate that has qualified to have the candidate's name placed on the general election ballot for the next general election and who meets the requirements of subsection 3.

3. A candidate for the legislative assembly may apply to the secretary of state to receive funds from the special campaign assessment account if the candidate signs a statement verifying that the candidate will expend for political purposes no more than fifteen thousand dollars during that calendar year. A candidate for a statewide office may apply to the secretary of state to receive funds from the special campaign assessment account if the candidate signs a statement verifying that the candidate will expend for political purposes no more than two hundred fifty thousand dollars during that calendar year. The secretary of state may distribute funds from the special campaign assessment account to qualified candidates on a matching basis up to a maximum of five thousand dollars for a legislative candidate and fifty thousand dollars for a statewide candidate upon certification that the candidate has received contributions during that calendar year in the amount requested. If the special campaign assessment account does not contain adequate funding to fund all qualified applicants, the secretary of state shall distribute the funds to applicants based upon the order in which the applications were received.
4. The tax commissioner shall adopt rules to administer the reporting and collection of fees under this section. The secretary of state may adopt rules to administer the distribution of funds and a candidate's return of unexpended funds for deposit in the special campaign assessment account under this section."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1417: Government and Veterans Affairs Committee (Rep. Wardner, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (8 YEAS, 5 NAYS, 2 ABSENT AND NOT VOTING). HB 1417 was placed on the Sixth order on the calendar.

Page 1, line 7, remove the overstrike over "~~Penalty~~"

Page 1, line 8, remove "~~Civil penalty~~"

Page 1, line 9, remove "~~1.~~" and remove "~~or~~"

Page 1, line 10, remove "~~publish~~"

Page 1, line 12, remove "~~or publisher~~"

Page 1, line 17, remove the overstrike over "~~Any~~" and remove "~~With respect to~~"

Page 1, remove lines 18 through 23

Page 2, line 1, remove "~~3. A~~"

Page 2, line 2, remove the overstrike over "~~guilty of a class A misdemeanor~~" and remove "~~subject to a civil penalty of up to two~~"

Page 2, line 3, remove "~~thousand five hundred dollars for each publication~~"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1422: Human Services Committee (Rep. Price, Chairman)** recommends **DO NOT PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1422 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1445: Government and Veterans Affairs Committee (Rep. Wardner, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (10 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). HB 1445 was placed on the Sixth order on the calendar.

Page 1, line 3, after "projects" insert "; and to amend and reenact section 48-01.1-01 of the North Dakota Century Code, relating to definitions regarding public improvement contracts"

Page 1, after line 4, insert:

**"SECTION 1. AMENDMENT.** Section 48-01.1-01 of the 1995 Supplement to the North Dakota Century Code is amended and reenacted as follows:

**48-01.1-01. Definitions.** In this chapter, unless the context otherwise requires:

1. "Construction" includes repair and alteration.
2. "Construction administration" means administrative services provided on behalf of the governing body, either by the governing body or a registered design professional, and includes providing clarifications, submittal review, recommendations for payment, preparation of change orders, and other administrative services included in the agreement with the registered design professional. The term does not include supervision of the construction activities for the construction contracts.
3. "Construction management" means the management and supervision of the construction of a public improvement, including the management and supervision of multiple prime contracts. The term does not include construction administration performed by a design professional under the terms of a professional services agreement with the governing body.
4. "Contractor" means any person, duly licensed, that undertakes or enters into a contract with a governing body ~~of~~ for the construction or construction management of any public improvement, including multiple prime contracts.
- ~~3.~~ 5. "Governing body" means the governing officer or board of any state entity or of any political subdivision.
4. 6. "Public improvement" means any improvement the cost of which is payable from taxes or other funds under the control of a governing body including improvements for which special assessments are levied. The term does not include any county road construction and maintenance, state highway, or public service commission project governed by titles 11, 24, or 38.
- ~~5.~~ 7. "Surety" means a bond or undertaking executed by a surety company authorized to do business in this state which is countersigned by an agent of that company."

Page 1, underscore lines 7 through 15

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1456: Education Committee (Rep. R. Kelsch, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). HB 1456 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 15-34.1 of the North Dakota Century Code, relating to the issuance of high school diplomas to home school students; and to repeal section 15-34.1-11 of the North Dakota Century Code, relating to the issuance of high school diplomas by the superintendent of public instruction.

#### BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

**SECTION 1.** A new section to chapter 15-34.1 of the North Dakota Century Code is created and enacted as follows:

##### High school diplomas - Issuance to home school students.

1. A high school diploma may be issued to a student by the student's school district of residence, a state-approved nonpublic high school, or the North Dakota division of independent study if:

- a. The student, through a home school, has completed a minimum of twenty semester credits and met the requirements for high school graduation as provided in sections 15-38-07, 15-41-06, and 15-41-24; and
- b. The student's parent or legal guardian provides the entity issuing the diploma with:
  - (1) A description of the course material covered in each high school subject;
  - (2) A description of the course objectives and how the objectives were met; and
  - (3) A transcript of the student's performance in grades nine through twelve.
2. If for any reason the documentation required in subsection 1 is unavailable, the entity issuing the diploma may accept any other reasonable proof that the student has met the requirements for high school graduation.

**SECTION 2. REPEAL.** Section 15-34.1-11 of the North Dakota Century Code is repealed."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1461: Government and Veterans Affairs Committee (Rep. Wardner, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1461 was placed on the Sixth order on the calendar.

Page 1, line 9, after "required" insert "to adopt rules" and after "state" insert "law"

Page 1, line 10, replace "to adopt" with ", regulations, or"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1462: Judiciary Committee (Rep. Kretschmar, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (11 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1462 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "create and enact a new section to chapter 54-06 of the North Dakota"

Page 1, remove line 2

Page 1, line 3, remove "meetings by state employees; and to"

Page 1, remove lines 7 through 13

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1480: Government and Veterans Affairs Committee (Rep. Wardner, Chairman)** recommends **DO NOT PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1480 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1481: Political Subdivisions Committee (Rep. Poolman, Chairman)** recommends **DO NOT PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1481 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2077, as engrossed: Political Subdivisions Committee (Rep. Poolman, Chairman)** recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2077 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HCR 3011: Government and Veterans Affairs Committee (Rep. Wardner, Chairman)** recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (13 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HCR 3011 was placed on the Tenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HCR 3015: Government and Veterans Affairs Committee (Rep. Wardner, Chairman)** recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3015 was placed on the Tenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HCR 3026: Government and Veterans Affairs Committee (Rep. Wardner, Chairman)** recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3026 was placed on the Tenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HCR 3029: Government and Veterans Affairs Committee (Rep. Wardner, Chairman)** recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3029 was placed on the Tenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HCR 3033: Human Services Committee (Rep. Price, Chairman)** recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (11 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). HCR 3033 was placed on the Tenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HCR 3034: Human Services Committee (Rep. Price, Chairman)** recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (11 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). HCR 3034 was placed on the Tenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HCR 3037: Finance and Taxation Committee (Rep. Belter, Chairman)** recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3037 was placed on the Tenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HCR 3038: Finance and Taxation Committee (Rep. Belter, Chairman)** recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3038 was placed on the Tenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HCR 3039: Finance and Taxation Committee (Rep. Belter, Chairman)** recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3039 was placed on the Tenth order on the calendar.

**MOTION**

**REP. FREIER MOVED** that the House stand in recess until 4:30 p.m., which motion prevailed.

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

**HOUSE REENGROSSING REPORT**

The following bills were reengrossed: HB 1289 and HB 1330.

**HOUSE ENGROSSING REPORT**

The following bill was engrossed: HB 1041.

**SECOND READING OF HOUSE BILL**

**HB 1432:** A BILL for an Act to amend and reenact subdivision a of subsection 4 of section 21-03-07, sections 40-22-01, 40-22-15, 40-22-17, 40-23-06, 40-23-07, 40-23-08, and 40-23.1-06 of the North Dakota Century Code, relating to financing of business improvement districts by special assessments.

**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, 82 NAYS, 0 EXCUSED, 13 ABSENT AND NOT VOTING.

**YEAS:** Berg; Maragos

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

**ABSENT AND NOT VOTING:** Fairfield; Galvin; Henegar; Johnsen, C.; Kerzman; Kliniske; Koppelman; Mahoney; Monson; Niemeier; Price; Sveen; Thompson

HB 1432 was declared lost.

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**SECOND READING OF HOUSE BILL**

**HB 1455:** A BILL for an Act to create and enact a new subsection to section 23-01-04.1 of the North Dakota Century Code, relating to rulemaking authority and procedure of the department of health.

**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, 66 NAYS, 0 EXCUSED, 8 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Boucher; Brandenburg; Callahan; Christenson; Coats; Delmore; Glassheim; Grumbo; Gulleon; Hanson; Henegar; Kelsh, S.; Kerzman; Nicholas; Nichols; Niemeier; Oban; Rose; Schmidt; Thorpe; Warner; Wilkie

**NAYS:** Axtman; Belter; Berg; Bernstein; Boehm; Brusegaard; Byerly; Carlisle; Carlson; Christopherson; Clark; Dalrymple; DeKrey; Devlin; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Gorder; Grande; Grosz; Gunter; Hausauer; Hawken; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kempenich; Kilzer; Klein; Kliniske; Kretschmar; Kroepelin; Kunkel; Lloyd; Maragos; Martinson; Mickelson; Murphy; Nelson; Nottestad; Olson; Poolman; Renner; Rennerfeldt; Sabby; Sandvig; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thoreson; Tollefson; Torgerson; Wald; Wardner; Weisz; Wentz; Speaker Timm

**ABSENT AND NOT VOTING:** Brown; Delzer; Fairfield; Koppelman; Mahoney; Monson; Price; Thompson

HB 1455 was declared lost.

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**HOUSE ENGROSSING REPORT**

The following bills were engrossed: HB 1014, HB 1017, HB 1021, HB 1026, HB 1193, HB 1262, HB 1263, HB 1264, HB 1268, HB 1269, HB 1270, HB 1310, HB 1382, HB 1383, HB 1387, HB 1424, HB 1440, HB 1448, HB 1471, and HB 1476.

**SECOND READING OF HOUSE BILL**

**HB 1458:** A BILL for an Act relating to state participation in the provisions of goals 2000 and the school-to-work program.

**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 29 YEAS, 63 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

**YEAS:** Belter; Bernstein; Boehm; Brown; Brusegaard; Carlisle; Carlson; DeKrey; Delzer; Freier; Galvin; Gorder; Grande; Grosz; Henegar; Jacobs; Kempenich; Kerzman; Kilzer; Klein; Lloyd; Murphy; Renner; Rennerfeldt; Sandvig; Skarphol; Tollefson; Wald; Weisz

**NAYS:** Aarsvold; Axtman; Berg; Boucher; Brandenburg; Byerly; Callahan; Christenson; Christopherson; Clark; Coats; Dalrymple; Delmore; Devlin; Dorso; Drovdal; Fairfield; Froseth; Gerntholz; Glassheim; Grumbo; Gulleson; Gunter; Hanson; Hausauer; Hawken; Huether; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Kliniske; Kretschmar; Kroeplin; Kunkel; Maragos; Martinson; Mickelson; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Oban; Olson; Poolman; Rose; Sabby; Schmidt; Soukup; Stenehjem; Svedjan; Sveen; Thoreson; Thorpe; Torgerson; Wardner; Warner; Wentz; Wilkie; Speaker Timm

**ABSENT AND NOT VOTING:** Koppelman; Mahoney; Monson; Price; Thompson

HB 1458 was declared lost.

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#### SIXTH ORDER OF BUSINESS

**REP. DEVLIN MOVED** that the amendments on the Sixth order of business to HB 1041 be adopted, which motion prevailed.

HB 1041, as amended, was rereferred to the **Appropriations Committee**.

#### MOTION

**REP. DORSO MOVED** that HB 1289, HB 1330, and HB 1014 be placed at the top of the Eleventh order, which motion prevailed.

#### SECOND READING OF HOUSE BILL

**HB 1289:** A BILL for an Act to amend and reenact subsections 2 and 8 of section 57-02-08 of the North Dakota Century Code, relating to property tax exemptions for property of the state and institutions of public charity; 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 49 YEAS, 44 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Belter; Berg; Bernstein; Boehm; Brandenburg; Brown; Brusegaard; Byerly; Carlson; Clark; Dalrymple; Delmore; Delzer; Dorso; Drovdal; Freier; Galvin; Glassheim; Gorder; Grande; Grosz; Gulleson; Hausauer; Jacobs; Jensen; Johnson, D.; Keiser; Kempenich; Kilzer; Kretschmar; Kroeplin; Kunkel; Lloyd; Nicholas; Nichols; Oban; Renner; Schmidt; Skarphol; Soukup; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Wentz; Wilkie

**NAYS:** Aarsvold; Axtman; Boucher; Callahan; Carlisle; Christenson; Christopherson; Coats; DeKrey; Devlin; Fairfield; Froseth; Gerntholz; Grumbo; Gunter; Hanson; Hawken; Henegar; Huether; Johnsen, C.; Kelsch, R.; Kelsh, S.; Kerzman; Klein; Kliniske; Maragos; Martinson; Mickelson; Murphy; Nelson; Niemeier; Nottestad; Olson; Poolman; Price; Rennerfeldt; Rose; Sabby; Sandvig; Stenehjem; Svedjan; Sveen; Weisz; Speaker Timm

**ABSENT AND NOT VOTING:** Koppelman; Mahoney; Monson; Thompson

Reengrossed HB 1289 passed and the title was agreed to.

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#### SECOND READING OF HOUSE BILL

**HB 1330:** A BILL for an Act to amend and reenact section 54-06-08.2 of the North Dakota Century Code, relating to payments by credit card to state agencies, boards, commissions, the judicial branch, and political subdivisions.

#### 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; Dorso; Drovdal; Fairfield; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; 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; Kretschmar; Kroepflin; Kunkel; Lloyd; Maragos; Martinson; Mickelson; Murphy; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Oban; Olson; Poolman; Price; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Wilkie; Speaker Timm

**ABSENT AND NOT VOTING:** Koppelman; Mahoney; Monson; Thompson

Reengrossed HB 1330 passed and the title was agreed to.

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### SECOND READING OF HOUSE BILL

**HB 1014:** A BILL for an Act to provide an appropriation for defraying the expenses of the committee on protection and advocacy.

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

**YEAS:** Axtman; Belter; Berg; Bernstein; Brandenburg; Brown; Brusegaard; Byerly; Carlisle; Christopherson; Clark; Coats; Dalrymple; DeKrey; Delmore; Devlin; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Gorder; Grumbo; Gunter; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kempenich; Kilzer; Klein; Kliniske; Kretschmar; Kroepflin; Kunkel; Lloyd; Maragos; Martinson; Mickelson; Murphy; Nelson; Nicholas; Nichols; Nottestad; Olson; Poolman; Price; Rennerfeldt; Sabby; Sandvig; Schmidt; Soukup; Stenehjem; Svedjan; Sveen; Thoreson; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Speaker Timm

**NAYS:** Aarsvold; Boehm; Boucher; Callahan; Carlson; Christenson; Delzer; Fairfield; Glassheim; Grande; Grosz; Gullerson; Hanson; Kelsh, S.; Kerzman; Niemeier; Oban; Renner; Rose; Skarphol; Thorpe; Wilkie

**ABSENT AND NOT VOTING:** Koppelman; Mahoney; Monson; Thompson

Engrossed HB 1014 passed and the title was agreed to.

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### MOTION

**REP. DORSO MOVED** that House Rule 507, with reference to bills being reported out of committee, be suspended until February 18, 1997, which motion prevailed.

### MOTION

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

### MOTION

**REP. FREIER MOVED** that the House be on the Ninth and Thirteenth orders of business and at the conclusion of those orders, the House stand adjourned until 8:00 a.m., Tuesday, February 18, 1997, which motion prevailed.

### FIRST READING OF HOUSE CONCURRENT RESOLUTIONS

Reps. Wald, Carlson, Gerntholz, Keiser, Tollefson introduced:

**HCR 3043:** A concurrent resolution directing the Legislative Council to study the feasibility and desirability of implementing hail suppression programs for the reduction of property damage in urban areas and funding the programs through property and casualty line insurance premium taxes.

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

Rep. Freier and Sen. Freborg introduced:

**HCR 3044:** A concurrent resolution directing the Legislative Council to study the impact of tax-exempt property on school districts.

Was read the first time and referred to the **Finance and Taxation Committee**.

Reps. Berg, Dorso and Sen. G. Nelson introduced:

**HCR 3045:** A concurrent resolution directing the Legislative Council to study alternative budgeting methods that use performance reviews to evaluate proposed agency budgets.

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

Reps. Berg, Belter introduced:

**HCR 3046:** A concurrent resolution directing the Legislative Council to study the barriers to affordable housing for middle income households, for the elderly, and in rural areas of this state.

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

Reps. Torgerson, Drovdal, R. Kelsch introduced:

**HCR 3047:** A concurrent resolution directing the Legislative Council to study the current standards for the accreditation of elementary and secondary schools in this state, the method by which accreditation standards are adopted, the fiscal impact of accreditation standards, and the feasibility and desirability of waiving standards if student performance levels exceed a designated score.

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

Reps. Kretschmar, Carlson introduced:

**HCR 3048:** A concurrent resolution directing the Legislative Council to study fee hunting and the qualifications for guides and outfitters.

Was read the first time and referred to the **Natural Resources Committee**.

Reps. Kretschmar, Dorso, Oban introduced:

**HCR 3049:** A concurrent resolution directing the Legislative Council to study additional improvements to the legislative process that ensure an accessible, productive citizen legislature.

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

Reps. Kretschmar, Oban, Glassheim introduced:

**HCR 3050:** A concurrent resolution directing the Legislative Council to study options and transition plans for scheduling the regular legislative session in even-numbered years.

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

Reps. Kretschmar, Oban introduced:

**HCR 3051:** A concurrent resolution directing the Legislative Council to study the feasibility and desirability of scheduling a recess during the early part of the regular legislative session to provide uninterrupted, productive time for standing committee work.

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

Reps. Tollefson, Soukup, Brown, Grosz and Sens. Mutch, Naaden introduced:

**HCR 3052:** A concurrent resolution directing the Legislative Council to study the property tax exemption for charitable organizations.

Was read the first time and referred to the **Finance and Taxation Committee**.

Reps. Rose, Christenson, Jensen and Sens. DeMers, Lee, Robinson introduced:

**HCR 3053:** A concurrent resolution directing the Legislative Council to study the feasibility and desirability of providing nursing services in the public schools of this state.

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

#### FIRST READING OF SENATE BILLS

**SB 2020:** A BILL for an Act to provide an appropriation for defraying the expenses of the state board for vocational and technical education; to create and enact a new subsection to section 15-20.1-03 of the North Dakota Century Code, relating to the powers and duties of the state board for vocational and technical education; to amend and reenact section 6-09.10-02.1, subsection 1 of section 6-09.10-06, sections 15-20.1-01, and 15-20.1-02 of the North Dakota Century Code, relating to the duties of the credit review board and the state board for vocational and technical education; and to provide statements of legislative intent.

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

**SB 2034:** A BILL for an Act to amend and reenact sections 54-52.1-04 and 54-52.1-04.9 of the North Dakota Century Code, relating to employee assistance program benefits coverage under the uniform group insurance program; to provide for transition; to provide an effective date; to provide an expiration date; and to declare an emergency.

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

**SB 2127:** A BILL for an Act to amend and reenact sections 12-44.1-01, 12-44.1-02, 12-44.1-03, 12-4.1-04, 12-44.1-05, 12-44.1-06, 12-44.1-06.1, 12-44.1-07, 12-44.1-08, 12-44.1-09, 12-44.1-10, 12-44.1-11, 12-44.1-12, 12-44.1-13, 12-44.1-14, 12-44.1-15, 12-44.1-17, 12-44.1-18, 12-44.1-18.1, 12-44.1-18.2, 12-44.1-19, 12-44.1-20, 12-44.1-21, 12-44.1-22, 12-44.1-24, 12-44.1-25, 12-44.1-26, and 12-44.1-27, relating to correctional facilities; and to repeal sections 12-44.1-16 and 12-44.1-23, relating to jails and regional corrections centers; and to provide a penalty.

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

**SB 2202:** A BILL for an Act to amend and reenact subsection 6 of section 23-07.5-02 of the North Dakota Century Code, relating to testing for the human immunodeficiency virus.

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

**SB 2261:** A BILL for an Act to amend and reenact sections 6-08.3-02.1 and 6-08.3-13 of the North Dakota Century Code, relating to the acquisition of a North Dakota state-chartered or national bank by an out-of-state bank holding company and interstate banking authorization; and to repeal section 6-08.3-04 of the North Dakota Century Code, relating to the formation of a state-chartered bank by an out-of-state bank holding company.

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

**SB 2262:** A BILL for an Act to create and enact a new section to chapter 62.1-04 of the North Dakota Century Code, relating to reciprocity for concealed weapons licenses; and to amend and reenact subsection 3 of section 62.1-02-10, subdivision a of subsection 2 of section 62.1-03-01, and section 62.1-04-04 of the North Dakota Century Code, relating to concealed weapons licenses.

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

**SB 2337:** A BILL for an Act to amend and reenact section 39-04-10.6 of the North Dakota Century Code, relating to collector license plates.

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

**SB 2355:** A BILL for an Act to create and enact two new sections to chapter 43-29 of the North Dakota Century Code, relating to examination, licensing, and continuing education requirements of veterinarians; to amend and reenact sections 43-29-01.1, 43-29-03, 43-29-06, 43-29-07, 43-29-09, 43-29-13, 43-29-14, 43-29-15, and 43-29-16 of the North Dakota Century Code, relating to veterinarians; and to repeal sections 43-28-09 and 43-29-12 of the North Dakota Century Code, relating to veterinary certificates of registration and definition of veterinary medicine.

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

**SB 2356:** A BILL for an Act to create and enact a new section to chapter 23-25 of the North Dakota Century Code, relating to the adoption of state ambient air quality rules and standards for sulfur dioxide that are more strict than federal standards; and to provide for retroactive application.

Was read the first time and referred to the **Natural Resources Committee**.

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

**ROY GILBREATH, Chief Clerk**