

JOURNAL OF THE HOUSE

Fifty-fifth Legislative Assembly

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Bismarck, February 19, 1997

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

The prayer was offered by Pastor Dale Nabben, Heart River Lutheran Church, Mandan.

The roll was called and all members were present except Representatives Mickelson and Rennerfeldt.

A quorum was declared by the Speaker.

MOTION

REP. FREIER MOVED that the House waive the reading of the titles to HB 1067, HB 1229, HB 1368, and HB 1403, which motion prevailed.

REQUEST

REP. DORSO REQUESTED that the amendments to HB 1067, HB 1167, and HB 1396 be voted on as separate items, which request was granted.

SIXTH ORDER OF BUSINESS

REP. DORSO MOVED that the amendments on the Sixth order of business to HB 1027, HB 1101, HB 1116, HB 1164, HB 1172, HB 1180, HB 1182, HB 1202, HB 1222, HB 1257, HB 1334, HB 1351, HB 1353, HB 1394, HB 1395, HB 1397, HB 1401, HB 1475, and HCR 3035 be adopted, which motion prevailed.

HCR 3035, as amended, was placed on the Tenth order of business on the calendar.

HB 1027, HB 1101, HB 1116, HB 1164, HB 1172, HB 1180, HB 1182, HB 1202, HB 1222, HB 1257, HB 1334, HB 1351, HB 1353, HB 1394, HB 1395, HB 1397, HB 1401, and HB 1475, as amended, were placed on the Eleventh order of business on the calendar.

SIXTH ORDER OF BUSINESS

HB 1067, as engrossed: REP. BELTER (Finance and Taxation Committee) MOVED that the amendments on HJ pages 522-525 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1067: A BILL for an Act to create and enact sections 49-21-08.2, 49-21-09.1, 49-21-09.2, 49-21-23, 49-21-24, 49-21-25, 49-21-26, and 49-21-27 of the North Dakota Century Code, relating to telephone exchange service and universal service; to amend and reenact sections 49-02-01.1, 49-21-01, 49-21-01.1, 49-21-01.2, 49-21-01.4, 49-21-01.6, 49-21-01.7, 49-21-02, 49-21-02.1, 49-21-02.2, 49-21-04, 49-21-05, 49-21-06, 49-21-07, 49-21-08.1, 49-21-09, 49-21-10, 49-21-10.1, 49-21-10.2, 49-21-13.1, 49-21-22.1, 54-44.8-08, and 57-34-01 of the North Dakota Century Code, relating to the regulation of telecommunications companies, universal telephone service, telephone cooperatives, the regulatory reform review commission, the jurisdiction of the public service commission, a surcharge price change for communication-impaired services, and the definition of service element; to repeal sections 49-21-01.3, 49-21-04.1, 49-21-08, 49-21-14, and 49-21-15 of the North Dakota Century Code, relating to essential telecommunications service, duplication of exchanges, and connections; and to provide an expiration date.

MOTION

REP. CARLSON MOVED the previous question, which motion prevailed.

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 58 YEAS, 38 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Axtman; Belter; Berg; Bernstein; Boehm; Brown; Brusegaard; Byerly; Carlson; Christopherson; Clark; Dalrymple; DeKrey; Delzer; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Grande; Grosz; Gunter; Hausauer; Hawken; Jacobs; Jensen;

Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kempenich; Kilzer; Klein; Kliniske; Kunkel; Lloyd; Maragos; Mickelson; Monson; Nicholas; Olson; Poolman; Price; Renner; Sabby; Skarphol; Soukup; Stenehjøm; Svedjan; Sveen; Thoreson; Torgerson; Wald; Wardner; Weisz; Wentz; Speaker Timm

NAYS: Aarsvold; Boucher; Brandenburg; Callahan; Carlisle; Christenson; Coats; Delmore; Devlin; Fairfield; Glasheim; Gorder; Grumbo; Gullerson; Hanson; Henegar; Huether; Kelsh, S.; Kerzman; Koppelman; Kretschmar; Kroepflin; Mahoney; Martinson; Murphy; Nelson; Nichols; Niemeier; Nottestad; Oban; Rose; Sandvig; Schmidt; Thompson; Thorpe; Tollefson; Warner; Wilkie

ABSENT AND NOT VOTING: Rennerfeldt

HB 1067, as amended, passed and the title was agreed to.

SIXTH ORDER OF BUSINESS

HB 1167: REP. KRETSCHMAR (Judiciary Committee) MOVED that the amendments on HJ pages 546-547 be adopted and then be placed on the Eleventh order with **DO PASS**.

REQUEST

REP. GORDER REQUESTED a recorded roll call vote on the motion to adopt the proposed amendments to HB 1167, which request was granted.

ROLL CALL

The question being on the motion to adopt the amendments to HB 1167, the roll was called and there were 23 YEAS, 73 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Byerly; Delmore; Devlin; Grumbo; Gunter; Hawken; Henegar; Jensen; Kelsch, R.; Kliniske; Kretschmar; Kunkel; Maragos; Martinson; Mickelson; Nelson; Nottestad; Stenehjøm; Sveen; Thoreson; Tollefson; Wald; Speaker Timm

NAYS: Aarsvold; Axtman; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brown; Brusegaard; Callahan; Carlisle; Carlson; Christenson; Christopherson; Clark; Coats; Dalrymple; DeKrey; Delzer; Dorso; Drovda; Fairfield; Freier; Froseth; Galvin; Gertholz; Glasheim; Gorder; Grande; Grosz; Gullerson; Hanson; Hausauer; Huether; Jacobs; Johnsen, C.; Johnson, D.; Keiser; Kelsh, S.; Kempenich; Kerzman; Kilzer; Klein; Koppelman; Kroepflin; Lloyd; Mahoney; Monson; Murphy; Nicholas; Nichols; Niemeier; Oban; Olson; Poolman; Price; Renner; Rose; Sabby; Sandvig; Schmidt; Skarphol; Soukup; Svedjan; Thompson; Thorpe; Torgerson; Wardner; Warner; Weisz; Wentz; Wilkie

ABSENT AND NOT VOTING: Rennerfeldt

The motion to adopt the amendments to HB 1167 failed.

MOTION

REP. FREIER MOVED that the House waive the reading of the title to HB 1167, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1167: A BILL for an Act to amend and reenact subsection 5 of section 12-60-16.4, sections 53-06.1-01, 53-06.1-01.1, 53-06.1-03, 53-06.1-06, 53-06.1-07.2, 53-06.1-07.3, 53-06.1-07.4, 53-06.1-08, 53-06.1-09, 53-06.1-10, 53-06.1-10.1, 53-06.1-11, 53-06.1-11.1, 53-06.1-12, 53-06.1-12.3, 53-06.1-14, 53-06.1-15.1, and 53-06.1-16 of the North Dakota Century Code, relating to games of chance; and to repeal sections 53-06.1-01.2, 53-06.1-02, 53-06.1-03.1, 53-06.1-03.2, 53-06.1-03.3, 53-06.1-05.1, 53-06.1-06.1, 53-06.1-07, 53-06.1-07.1, 53-06.1-12.1, 53-06.1-12.2, 53-06.1-13, 53-06.1-13.1, 53-06.1-15, 53-06.1-15.2, 53-06.1-15.3, 53-06.1-15.4, 53-06.1-16.1, 53-06.1-16.2, and 53-06.1-17 of the North Dakota Century Code, relating to games of chance; and to provide a penalty.

ROLL CALL

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

YEAS: Callahan; DeKrey; Delmore; Grumbo; Hawken; Jensen; Johnsen, C.; Kliniske; Kretschmar; Kunkel; Maragos; Mickelson; Nottestad; Sabby; Stenehjem; Sveen; Thoreson; Weisz

NAYS: Aarsvold; Axtman; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brown; Brusegaard; Byerly; Carlisle; Carlson; Christenson; Christopherson; Clark; Coats; Dalrymple; Delzer; Devlin; Dorso; Drovdal; Fairfield; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Grande; Gullerson; Gunter; Hanson; Hausauer; Henegar; Huether; Jacobs; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kilzer; Klein; Koppelman; Kroepflin; Lloyd; Mahoney; Martinson; Monson; Murphy; Nelson; Nicholas; Nichols; Niemeier; Oban; Olson; Poolman; Price; Renner; Rose; Sandvig; Schmidt; Skarphol; Soukup; Svedjan; Thompson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Wentz; Wilkie; Speaker Timm

ABSENT AND NOT VOTING: Belter; Grosz; Rennerfeldt

HB 1167 was declared lost.

SIXTH ORDER OF BUSINESS

HB 1396: REP. OLSON (Natural Resources Committee) MOVED that the amendments on HJ pages 528-529 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1396: A BILL for an Act to create and enact a new subsection to section 20.1-03-11 of the North Dakota Century Code, relating to the hunting of mule deer by nonresidents.

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 59 YEAS, 37 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Axtman; Bernstein; Boehm; Brown; Brusegaard; Christenson; Dalrymple; DeKrey; Drovdal; Freier; Froseth; Galvin; Glassheim; Gorder; Grumbo; Gunter; Hausauer; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kempenich; Kilzer; Klein; Kliniske; Koppelman; Kunkel; Lloyd; Maragos; Monson; Murphy; Nicholas; Nichols; Nottestad; Oban; Olson; Poolman; Price; Renner; Rose; Sabby; Sandvig; Schmidt; Soukup; Stenehjem; Sveen; Thompson; Thoreson; Thorpe; Torgerson; Wald; Wardner; Warner; Weisz; Wentz

NAYS: Belter; Berg; Boucher; Brandenburg; Byerly; Callahan; Carlisle; Carlson; Christopherson; Clark; Coats; Delmore; Delzer; Devlin; Dorso; Fairfield; Gerntholz; Grande; Grosz; Gullerson; Hanson; Hawken; Henegar; Kelsh, S.; Kerzman; Kretschmar; Kroepflin; Mahoney; Martinson; Mickelson; Nelson; Niemeier; Skarphol; Svedjan; Tollefson; Wilkie; Speaker Timm

ABSENT AND NOT VOTING: Rennerfeldt

HB 1396, as amended, passed and the title was agreed to.

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 2344.

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 2028, SB 2139, SB 2167, SB 2181, SB 2210, SB 2220, SB 2221, SB 2338.

MOTION

REP. FREIER MOVED that the House be on the Fifth order of business and at the conclusion of that order, the House stand in recess until 1:30 p.m., which motion prevailed.

REPORT OF STANDING COMMITTEE

HB 1168: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends **DO PASS**

(15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1168 was placed on the Sixth order on the calendar.

Page 1, line 1, after "26.1-36.4-03.1" insert "and a new section to chapter 26.1-36.4 of the North Dakota Century Code"

Page 1, line 2, after "provisions" insert "and rulemaking authority"

Page 1, line 3, after the fourth comma insert "26.1-36.3-04,"

Page 1, line 4, after the second comma insert "subsection 1 of section 26.1-36.3-11, sections 26.1-36.4-02,"

Page 1, line 23, replace "is currently a resident of North Dakota, and has had" with ":

- (1) Is currently a resident of this state;
- (2) Has had eighteen months of qualifying previous coverage as defined in section 26.1-36.3-01, the most recent of which is coverage under a group health benefit plan, governmental plan, or church plan, as those terms are defined in section 26.1-36.3-01;
- (3) Has applied for coverage under this chapter within sixty-three days of the termination of the qualifying previous coverage;
- (4) Is not eligible for coverage under a group health benefit plan as that term is defined in section 26.1-36.3-01, medicare, or medicaid;
- (5) Does not have any other health insurance coverage;
- (6) Has not had prior coverage terminated for nonpayment of premiums or fraud; and
- (7) If offered the option, has elected continuation coverage under the Consolidated Omnibus Budget Reconciliation Act [Pub. L. 99-272; 100 Stat. 82], or under a similar state program, and that coverage was exhausted."

Page 1, remove line 24

Page 2, remove lines 1 through 6

Page 2, line 23, after the second comma insert "health benefit plan as defined in section 26.1-36.3-01,"

Page 3, line 2, remove "as"

Page 3, line 3, replace "complying with" with "implementing only the minimum compliance requirements of"

Page 3, line 14, after "**qualified**" insert "**comprehensive**"

Page 3, line 15, remove "and is"

Page 3, line 16, remove "available to individuals not eligible for medicare"

Page 3, line 20, overstrike "this"

Page 3, line 21, overstrike "subdivision" and insert immediately thereafter "subsection 2"

Page 6, line 1, remove "The"

Page 6, remove line 2

Page 6, overstrike line 3

Page 6, line 4, overstrike "dollars" and insert immediately thereafter "A qualified comprehensive plan also must offer the eligible person the choice of an annual deductible of not less

than one thousand dollars per person instead of that provided in subdivision a of subsection 1"

Page 7, line 14, remove "For an "eligible person" under subdivision b of subsection 4 of section"

Page 7, remove lines 15 through 17

Page 7, line 18, remove "e."

Page 8, line 18, after "er" insert "subdivision a of" and overstrike "2" and insert immediately thereafter "1"

Page 14, line 28, overstrike "ninety" and insert immediately thereafter "sixty-three"

Page 17, after line 25, insert:

"SECTION 9. AMENDMENT. Section 26.1-36.3-04 of the North Dakota Century Code is amended and reenacted as follows:

26.1-36.3-04. Restrictions relating to premium rates.

1. This section only applies to a health benefit plan offered by a small employer who employed an average of at least two but not more than twenty-five eligible employees on business days during the preceding calendar year and who employs at least two employees on the first day of the plan year.
2. Premium rates for health benefit plans subject to this ~~chapter~~ section and section 26.1-36-37.2 are subject to the following:
 - a. The index rate for a rating period for any class of business may not exceed the index rate for any other class of business by more than fifteen percent.
 - b. For a class of business, the premium rates charged during a rating period to small employers with similar case characteristics for the same or similar coverage, or the rates that could be charged to the employers under the rating system for that class of business, may not vary from the index rate by more than twenty percent of the index rate.
 - c. The percentage increase in the premium rate charged to a small employer for a new rating period may not exceed the sum of:
 - (1) The percentage change in the new business premium rate measured from the first day of the prior rating period to the first day of the new rating period. In the case of a health benefit plan into which the small employer carrier is no longer enrolling new small employers, the small employer carrier shall use the percentage change in the base premium rate, provided that the change does not exceed, on a percentage basis, the change in the new business premium rate for the most similar health benefit plan into which the small employer carrier is actively enrolling new small employers;
 - (2) Any adjustment due to the claim experience, health status, or duration of coverage of the employees or dependents of the small employer as determined from the small employer carrier's rate manual for the class of business; however, the adjustment may not exceed fifteen percent annually and must be adjusted pro rata for rating periods of less than one year; and
 - (3) Any adjustment due to change in coverage or change in the case characteristics of the small employer, as determined from the small employer carrier's rate manual for the class of business.
 - d. Adjustments in rates for claim experience, health status, and duration of coverage may not be charged to individual employees or dependents. Premium rates charged for a health benefit plan may not

vary by a ratio of greater than four to one after January 1, 1997. Any adjustment must be applied uniformly to the rates charged for all employees and dependents of the small employer.

- e. Premium rates for health benefit plans must comply with the requirements of this section notwithstanding any assessment paid or payable by a small employer carrier pursuant to section 26.1-36.3-07.
- f. A small employer carrier may utilize industry as a case characteristic in establishing premium rates, but the highest rate factor associated with any industry classification may not exceed the lowest rate factor associated with any industry classification by more than fifteen percent.
- g. In the case of health benefit plans delivered or issued for delivery before August 1, 1993, a premium rate for a rating period may exceed the ranges set forth in subdivisions a and b of ~~subsection 4~~ for a period of three years following August 1, 1993. Under this subdivision, the percentage increase in the premium rate charged to a small employer for a new rating period may not exceed the sum of:
 - (1) The percentage change in the new business premium rate measured from the first day of the prior rating period to the first day of the new rating period. In the case of a health benefit plan into which the small employer carrier is no longer enrolling new small employers, the small employer carrier shall use the percentage change in the base premium rate, provided that the change does not exceed, on a percentage basis, the change in the new business premium rate for the most similar health benefit plan into which the small employer carrier is actively enrolling new small employers.
 - (2) Any adjustment due to change in coverage or change in the case characteristics of the small employer, as determined from the carrier's rate manual for the class of business.
- h.
 - (1) Small employer carriers shall apply rating factors, including case characteristics, consistently with respect to all small employers in a class of business. Rating factors must produce premiums for identical groups which differ only by amounts attributable to plan design and do not reflect differences due to the nature of the groups assumed to select particular health benefit plans.
 - (2) A small employer carrier shall treat all health benefit plans issued or renewed in the same calendar month as having the same rating period.
- i. For the purposes of this subsection, a health benefit plan that uses a restricted provider network may not be considered similar coverage to a health benefit plan that does not use a restricted provider network, if the use of the restricted provider network results in substantial differences in claims costs.
- j. A small employer carrier may not use case characteristics, other than age, gender, industry, geographic area, family composition, and group size, without prior approval of the commissioner. Gender may not be used as a case characteristic after January 1, 1996.
- k. The commissioner shall adopt rules to:
 - (1) Assure that differences in rates charged for health benefit plans by small employer carriers are reasonable and reflect objective differences in plan design, not including differences due to the nature of the groups assumed to select particular health benefit plans;
 - (2) Prescribe the manner in which case characteristics may be used by small employer carriers; and

(3) Otherwise implement this section.

- 2- 3. A small employer carrier may not transfer a small employer involuntarily into or out of a class of business. A small employer carrier may not offer to transfer a small employer into or out of a class of business unless the offer is made to transfer all small employers in the class of business without regard to case characteristics, claim experience, health status, or duration of coverage.
- 3- 4. The commissioner may suspend for a specified period the application of subdivision a of subsection 4 2 as to the premium rates applicable to one or more small employers included within a class of business of a small employer carrier for one or more rating periods upon a filing by the small employer carrier and a finding by the commissioner that the suspension is reasonable in light of the financial condition of the small employer carrier or, with the prior approval of the committee established pursuant to section 26.1-36.3-08, that the suspension would enhance the efficiency and fairness of the marketplace for small employer health insurance.
- 4- 5. In connection with the offering for sale of any health benefit plan to a small employer, a small employer carrier shall make a reasonable disclosure, as part of its solicitation and sales materials, of:
- a. The extent to which premium rates for a specified small employer are established or adjusted based upon the actual or expected variation in claims costs or actual or expected variation in health status of the employees of the small employer and their dependents;
 - b. The provisions of the health benefit plan concerning the small employer carrier's right to change premium rates and factors, other than claim experience, that affect changes in premium rates;
 - c. The provisions relating to renewability of policies and contracts; and
 - d. The provisions relating to any preexisting condition exclusion.
- 5- 6. a. Each small employer carrier shall maintain at its principal place of business a complete and detailed description of its rating practices and renewal underwriting practices, including information and documentation that demonstrate that its rating methods and practices are based upon commonly accepted actuarial assumptions and are in accordance with sound actuarial principles.
- b. Each small employer carrier shall file with the commissioner on or before March fifteenth of each year an actuarial certification certifying that the carrier is in compliance with this chapter and that the rating methods of the small employer carrier are actuarially sound. The certification must be in a form and manner and contain information specified by the commissioner. The small employer carrier shall retain a copy of the certification at the carrier's principal place of business.
- c. A small employer carrier shall make the information and documentation described in subdivision a of this subsection available to the commissioner upon request. Except in cases of violations of this chapter and section 26.1-36-37.2, the information is proprietary and trade secret information and is not subject to disclosure by the commissioner to persons outside the department except as agreed to by the small employer carrier or as ordered by a court of competent jurisdiction."

Page 19, line 2, replace "one hundred eighty" with "ninety"

Page 21, line 23, after "markets" insert "to small employers"

Page 21, line 28, overstrike "basic or standard"

Page 21, line 29, overstrike "the health status or claim"

Page 21, line 30, overstrike "experience" and insert immediately thereafter "a health status-related factor"

Page 23, line 17, overstrike "ninety" and insert immediately thereafter "sixty-three"

Page 23, line 18, overstrike "The period of continuous coverage"

Page 23, overstrike line 19

Page 23, line 20, overstrike "applied by the employer or the carrier" and insert immediately thereafter "Any waiting period applicable to an individual for coverage under a group health benefit plan may not be taken into account in determining the period of continuous coverage"

Page 23, line 25, replace "must be consistent with" with "may not provide for coverage greater than the minimum requirements of"

Page 26, line 13, overstrike "requiring the acceptance of small employers in accordance with"

Page 26, overstrike line 14

Page 26, line 15, overstrike "financially impaired condition" and insert immediately thereafter "the carrier does not have the financial reserves to underwrite additional coverage and is applying this section uniformly without regard to the claims experience of small employers or any health status-related factor relating to employees and their dependents. A small employer carrier denying coverage in accordance with this section may not offer coverage in connection with a group health benefit plan in the small group market for a period of one hundred eighty days after the health coverage is denied or until the carrier has demonstrated to the commissioner sufficient financial reserves to underwrite financial coverage, whichever is later"

Page 26, line 18, remove "as defined in subsection 3 of section"

Page 26, line 19, remove "26.1-36.3-01"

Page 26, after line 19, insert:

"SECTION 12. AMENDMENT. Subsection 1 of section 26.1-36.3-11 of the North Dakota Century Code is amended and reenacted as follows:

1. Each small employer carrier shall actively market health benefit plan coverage, including the basic and standard health benefit plans, to eligible small employers in the state. ~~If a small employer carrier denies coverage to a small employer on the basis of the health status or claims experience of the small employer or its employees or dependents, the small employer carrier shall offer the small employer the opportunity to purchase a basic health benefit plan and a standard health benefit plan.~~

SECTION 13. AMENDMENT. Section 26.1-36.4-02 of the North Dakota Century Code is amended and reenacted as follows:

26.1-36.4-02. Definitions. As used in this chapter, the definitions in section 26.1-36.3-01 apply, unless the context otherwise requires. In addition:

1. "Insurer" means any insurance company, nonprofit health service organization, fraternal benefit society, or health maintenance organization that provides a plan of health insurance or health benefits subject to state insurance regulation.
2. "Policy" means any ~~hospital or medical or major medical policy, certificate, or subscriber contract issued on a group or individual basis by an insurer. The term does not include accident only, credit, dental, vision, medicare supplement, long term care, or disability income insurance, coverage issued as a supplement to liability insurance, or automobile medical payment insurance, or a policy or certificate of specified disease, hospital confinement indemnity, limited benefit health insurance, or short term major medical policies with policy terms no longer than twelve months~~ health benefit plan as defined in section 26.1-36.3-01."

Page 27, after line 2, insert:

"**SECTION 15.** A new section to chapter 26.1-36.4 of the North Dakota Century Code is created and enacted as follows:

Rulemaking. The commissioner may adopt rules to ensure the requirements of this chapter meet the minimum compliance requirements of the Health Insurance Portability and Accountability Act of 1996 [Pub. L. 104-191; 110 Stat. 1936; 29 U.S.C. 1181 et seq.]."

Page 27, line 17, overstrike "ninety" and insert immediately thereafter "sixty-three" and overstrike "The period"

Page 27, overstrike line 18

Page 27, line 19, overstrike "coverage applied by the insurer." and insert immediately thereafter "Any waiting period applicable to an individual for coverage under a health benefit plan may not be taken into account in determining the period of continuous coverage."

Page 28, line 20, replace "health carrier" with "insurer"

Page 28, line 25, replace "carrier's" with "insurer's"

Page 28, line 26, replace "carrier's" with "insurer's"

Page 28, line 27, replace "carrier" with "insurer"

Page 28, line 29, replace "carrier" with "insurer"

Page 28, line 30, replace "carrier" with "insurer"

Page 29, line 6, replace "one hundred eighty" with "ninety"

Page 29, line 7, replace "carrier" with "insurer"

Page 29, line 13, replace "carrier" with "insurer"

Page 29, line 16, replace "carrier" with "insurer"

Page 29, line 21, replace "carrier" with "insurer"

Page 29, line 23, replace "carrier" with "insurer"

Page 29, line 30, replace "carrier" with "insurer"

Page 30, line 14, replace "carrier's" with "insurer's"

Page 30, line 16, replace "A carrier" with "An insurer"

Page 30, line 19, replace "a carrier" with "an insurer"

Page 30, line 20, replace "carrier's" with "insurer's"

Page 30, line 21, replace "A carrier" with "An insurer"

Page 30, line 24, replace "carrier" with "insurer"

Page 30, line 27, replace "a carrier" with "an insurer"

Page 30, line 28, replace "carrier" with "insurer"

Page 30, line 29, replace "carrier" with "insurer"

Page 30, line 30, replace "a health insurance carrier" with "an insurer"

Page 31, line 1, remove "among group health"

Page 31, line 2, remove "plans with that product"

ReNUMBER accordingly

REPORT OF STANDING COMMITTEE

HB 1259: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1259 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "chapter" with "chapters" and after "26.1-12.1" insert "and 26.1-12.2"

Page 1, line 3, after the second "companies" insert "and demutualization of insurers"

Page 1, line 11, replace ", which is the date the mutual company's board of directors adopts a plan of" with "or member as defined under the bylaws or articles of incorporation of the reorganizing insurer"

Page 1, remove line 12

Page 1, line 13, remove "reorganization and approved by the commissioner"

Page 1, line 14, after "the" insert "reorganization"

Page 1, line 16, replace "policyholders' rights as" with "eligible" and replace "converting" with "reorganizing insurer, including rights"

Page 1, line 17, remove "mutual insurance company, including the right"

Page 1, line 18, replace "incidental" with "incident"

Page 1, line 19, remove "a company incorporated as"

Page 1, line 20, after "company" insert "incorporated" and after "26.1-12" insert "or other provisions of this title"

Page 1, after line 20, insert:

5. "Mutual insurance holding company" means a company formed under section 26.1-12.1-02.
6. "Plan of reorganization" means a plan to engage or participate in a reorganization subject to this chapter."

Page 1, line 21, replace "5" with "7" and remove "converting"

Page 1, after line 22, insert:

8. "Record date" means the date the reorganizing insurer's board of directors adopts a plan of reorganization or some other date specified as the record date in the plan of reorganization and approved by the commissioner.
9. "Reorganization" means any plan or transaction described in section 26.1-12.1-02 or 26.1-12.1-03, or any change in the reorganized insurer's articles of incorporation or bylaws which is a material change to the plan of reorganization filed and approved by the commissioner affecting the ability of the reorganizing insurer to meet the standards described in section 26.1-12.1-06.
10. "Reorganized insurance company" means a mutual insurance company that has completed a reorganization to a stock company that is subject to this chapter.
11. "Reorganizing insurer" means a mutual insurance company seeking to participate, or participating, in merger or other reorganization as defined in this chapter."

Page 2, line 2, replace the first "insurance company" with "insurer"

Page 2, line 3, replace "that the interests of the policyholders are protected" with "the reorganization meets the standards set forth in section 26.1-12.1-06"

Page 2, line 4, replace "and" with "or"

- Page 2, line 5, replace "for the protection of the policyholders" with "for the plan to meet the standards of section 26.1-12.1-06. The commissioner shall retain"
- Page 2, line 6, remove "interest. The commissioner retains" and after "company" insert "and the reorganized insurer"
- Page 2, line 7, after "policyholders" insert "and members"
- Page 2, line 9, replace "insurance company" with "insurer"
- Page 2, line 12, replace "insurance company become" with "insurer must be converted into"
- Page 2, line 13, replace "reorganized" with "reorganizing"
- Page 2, line 14, replace "are" with "must become"
- Page 2, line 15, after "company" insert "and the articles of incorporation and bylaws of the reorganized insurance company as approved by the commissioner"
- Page 2, line 17, after "control" insert "at all times"
- Page 2, line 18, after "company" insert "but this does not prohibit any future demutualization or other conversion"
- Page 2, line 21, replace "interest" with "interests"
- Page 2, line 22, replace "insurance" with "insurer"
- Page 2, line 23, remove the first "company"
- Page 2, line 24, replace "interests of the policyholders are properly protected" with "reorganization meets the standards in section 26.1-12.1-06"
- Page 2, line 25, replace "and" with "or"
- Page 2, line 26, replace "protection of the" with "merger to meet the standards in section 26.1-12.1-06. The commissioner shall retain"
- Page 2, line 27, remove "policyholders' interests. The commissioner retains"
- Page 2, line 28, after "company" insert "and the reorganized insurer" and after "policyholders" insert "and members"
- Page 3, line 2, replace "interest" with "interests" and replace "reorganized insurance company become" with "reorganizing insurer must be converted into"
- Page 3, line 4, replace "are" with "must become"
- Page 3, line 7, replace "The reorganizing or merging" with "No insurer authorized to do business in this state may take part in a reorganization unless the reorganization has first been approved by the commissioner in accordance with this chapter. A reorganizing"
- Page 3, line 8, after "reorganization" insert "consistent with the requirements of this section"
- Page 3, line 9, replace "provide for the" with "include"
- Page 3, line 10, remove "following"
- Page 3, line 11, replace "Establishing" with "A description of the nature and content, or a copy, of the annual report and financial statement to be sent to each eligible member.
2. An analysis of the benefits and risks attendant to the proposed reorganization, including the rationale for the reorganization and analysis of the comparative benefits and risks to the reorganizing insurer of the reorganization.
 3. Information sufficient to demonstrate the financial condition of the reorganizing insurer will not be affected adversely upon reorganization.

4. Information demonstrating that the reorganization will:

a. Establish"

Page 3, line 12, replace "its" with "whose"

Page 3, line 15, replace "2. Insuring" with "b. Ensure"

Page 3, line 16, replace "policyholders" with "eligible members" and replace "reorganized domestic" with "reorganizing"

Page 3, line 17, replace "3. Describing" with "c. Describe"

Page 3, line 18, replace "4. A" with "d. Include a"

Page 3, line 19, after the semicolon insert "and"

Page 3, line 20, replace "5. A" with "e. Include a" and after the third "of" insert "the reorganizing insurer,"

Page 3, line 21, after the first "subsidiary" insert a comma and replace "; and" with a period

Page 3, replace lines 22 and 23 with:

"5. Information demonstrating that upon an insolvency involving a stock insurance company subsidiary of the mutual insurance holding company that resulted from the reorganization, the assets of the mutual holding company will be available to satisfy the policyholder obligations of the stock insurance company.

6. Information describing the mutual insurance holding company's general plans regarding whether any accumulation or prospective accumulation of earnings by the mutual insurance holding company which is or would be in excess of that determined by the board of directors of the mutual insurance holding company to be necessary will inure to the exclusive benefit of the policyholders of its insurance company subsidiaries who are members."

Page 3, line 25, replace "or merging mutual company's" with "insurer's reasonable" and replace "not otherwise a part of the" with "if the commissioner determines that staff not otherwise a part of the commissioner's staff is necessary"

Page 3, line 26, remove "commission's staff" and remove "The cost of retaining the experts must be"

Page 3, remove line 27

Page 3, line 28, replace "must" with "shall"

Page 3, line 29, replace "the proposed plan," with "a proposed reorganization plan within sixty days after submission of a completed plan of reorganization to the commissioner, unless the commissioner and reorganizing insurer agree to extend the sixty days or" and replace "mutual" with "reorganizing insurer"

Page 3, line 30, remove "insurance company" and remove "both"

Page 3, line 31, remove "hearing must be held within thirty days after"

Page 4, line 1, remove "submission of a completed plan of reorganization to the commissioner. The"

Page 4, line 2, replace "mutual company" with "insurer"

Page 4, line 3, replace "mutual company" with "insurer"

Page 4, line 4, replace "interest" with "interests"

Page 4, line 7, after "reorganization" insert "under this chapter" and replace "the following" with "whether"

Page 4, line 8, replace "Whether the" with "The reorganizing insurer's surplus in regard to policyholders following a" and replace "would not materially diminish the status of the" with "is reasonable in relation to the reorganizing insurer's outstanding liabilities and adequate to its financial needs;"

Page 4, remove line 9

Page 4, line 10, replace "Whether the" with "Under a" and replace "would materially reduce the financial security of" with "that materially affects the membership interest of eligible members in the reorganizing insurer, the eligible members will receive a membership interest in a mutual holding company commensurate with an equitable share of the value of the reorganizing insurer;

3. After the reorganization, the reorganized insurance company will be able to satisfy the requirements for the issuance of a certificate of authority to write the lines of insurance for which it was licensed before the reorganization; and
4. The plan of the reorganization is fair, reasonable, and equitable to the policyholders of the reorganizing insurer."

Page 4, remove line 11

Page 4, line 12, replace "thirty" with "sixty"

Page 4, line 13, remove "if held,", replace "thirty" with "sixty", and after "reorganization" insert "if by mutual agreement the hearing is waived, unless there is a mutual agreement by the commissioner and the reorganizing insurer to extend such time"

Page 4, line 19, replace "**Approval by**" with "**Notice to**" and remove "**- Notice - Voting**"

Page 4, line 22, replace "attended" with "attendant"

Page 4, line 24, replace "The" with "A" and after "notice" insert "approved by the commissioner"

Page 4, line 25, replace "converting mutual insurance company's" with "reorganizing insurer's"

Page 4, line 27, after "plan" insert "of reorganization"

Page 4, line 28, replace "converting mutual insurance company" with "reorganizing insurer"

Page 4, line 29, after "plan" insert "of reorganization"

Page 4, line 30, replace "coincidentally" with "coincident" and replace "converting mutual insurance company's" with "reorganizing insurer's"

Page 4, line 31, after "policyholders" insert "or members" and replace "converting mutual" with "reorganizing insurer"

Page 5, line 1, remove "insurance company"

Page 5, line 2, replace "converting mutual insurance company's" with "reorganizing insurer's"

Page 5, after line 3, insert "**26.1-12.1-09. Approval by eligible members.**"

Page 5, line 4, after "plan" insert "of reorganization"

Page 5, line 6, after "proxy" insert "along with a copy or summary of the plan which accompanied the notice to eligible members"

Page 5, line 7, replace "converting mutual insurance company's" with "reorganizing insurer's"

Page 5, line 8, after the period insert "The plan must be approved as follows:

1. In the case of formation of a mutual insurance holding company under section 26.1-12.1-02, the reorganization plan must be approved by the affirmative vote of a majority of the votes cast by no less than ten percent of the eligible members of the reorganizing insurer; and

2. In the case of a merger under section 26.1-12.1-03, the reorganization plan must be approved by an affirmative vote of a majority of the votes cast by no less than ten percent of the eligible members of the reorganizing insurer and by an affirmative vote of a majority of the votes cast by no less than ten percent of the eligible members of the mutual insurance holding company into which the policyholders' membership interests are to be merged, provided that the vote of the eligible members of the mutual insurance holding company may not be required if the commissioner determines that the merger would not be material to the financial condition of the mutual insurance holding company."

Page 5, line 9, replace "**26.1-12.1-09**" with "**26.1-12.1-10**"

Page 5, line 10, after "a" insert "mandatory"

Page 5, line 17, replace "be dissolved or liquidated" with "dissolve or liquidate"

Page 5, line 18, after the period insert "Section 26.1-12-32 is not applicable to a reorganization or merger accomplished under this chapter."

Page 5, remove lines 19 through 23

Page 5, line 24, replace "**26.1-12.1-10**" with "**26.1-12.1-11**"

Page 5, line 26, replace "10-04-03" with "10-04-02" and after the period insert "No member of a mutual insurance holding company may transfer or pledge membership in the mutual insurance holding company or any right arising from the membership except as attendant to the valid transfer or assignment of the member's policy in any reorganized insurer which gave rise to the member's membership interest. A member of a mutual insurance holding company is not, as a member, personally liable for the acts, debts, liabilities, or obligations of the reorganized insurer. No assessment of any kind may be imposed upon the members of a mutual insurance holding company by the directors or members, or because of any liability of any company owned or controlled by the mutual insurance holding company, or because of any act, debt, or liability of the reorganized company. A member's interest in the mutual insurance holding company automatically terminates upon cancellation, nonrenewal, expiration, or termination of the member's policy in any reorganized company which gave rise to the member's membership interest."

Page 5, line 27, replace "**26.1-12.1-11**" with "**26.1-12.1-12**" and after "of" insert "any of"

Page 5, line 28, replace "insurance company" with "insurer"

Page 5, line 30, after "shareholders" insert "or members"

Page 6, after line 2, insert:

26.1-12.1-13. Incorporation. A mutual insurance holding company resulting from the reorganization of a domestic mutual insurance company must be incorporated under chapter 10-19.1. The articles of incorporation of the mutual insurance holding company are subject to approval of the commissioner in the same manner as those of an insurance company.

26.1-12.1-14. Applicability. This chapter does not apply to any mutual insurance holding company that was formerly organized as a nonprofit health service corporation."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HCR 3027: Political Subdivisions Committee (Rep. Poolman, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HCR 3027 was placed on the Sixth order on the calendar.

Page 2, after line 13, insert:

"BE IT FURTHER RESOLVED, that the North Dakota Legislative Assembly strongly urges the National Governors Association to study and address the use of incentives as an economic development tool in interstate competition; and"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SCR 4010, as reengrossed: Judiciary Committee (Rep. Kretschmar, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (8 YEAS, 4 NAYS, 2 ABSENT AND NOT VOTING). Reengrossed SCR 4010 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "subsection" with "subsections" and after "1" insert "and 6"

Page 1, line 5, after "amendment" insert "updates the names of and", remove "names,", and remove the second comma

Page 1, line 9, replace "subsection" with "subsections" and after "1" insert "and 6"

Page 1, line 13, replace "Subsection" with "Subsections" and after "1" insert "and 6"

Page 1, line 17, remove "administer", overstrike "the", after "wit" insert "administer", and remove the overstrike over the colon

Page 1, after line 25, insert:

- "a. The university of North Dakota;
- b. North Dakota state university;
- c. Dickinson state university;
- d. Mayville state university;
- e. Minot state university;
- f. Valley City state university;
- g. Minot state university - Bottineau;
- h. North Dakota state college of science;"

Page 2, line 1, after "f." insert "i.", remove the overstrike over "And", after "such" insert "any", remove the overstrike over "other", remove the overstrike over "as may", and remove the overstrike over "be"

Page 2, line 2, remove the overstrike over "established"

Page 2, after line 2, insert:

- "6. a. ~~The state board of higher education shall hold its first meeting at the office of the state board of administration at Bismarck, on the 6th day of July, 1939, and shall organize and elect one of its members as president of such board for a term of one year. It shall also at said meeting, or as soon thereafter as may be practicable, elect a competent person as secretary, who shall reside during his term of office in the city of Bismarck, North Dakota. Said secretary shall hold office at the will of the board. As soon as said board is established and organized, it shall assume all the powers and perform all the duties now conferred by law upon the board of administration in connection with the several institutions hereinbefore mentioned, and the said board of administration shall immediately upon the organization of said state board of higher education, surrender and transfer to said state board of higher education all duties, rights, and powers granted to it under the existing laws of this state concerning the institutions hereinbefore mentioned, together with all property, deeds, records, reports, and appurtenances of every kind belonging or appertaining to said institutions.~~
- b. The said state board of higher education shall have full authority over the institutions under its control with the right, among its other powers, to prescribe, limit, or modify the courses offered at the several institutions. In furtherance of its powers, the state board of higher

education shall have the power to delegate to its employees details of the administration of the institutions under its control. The ~~said~~ state board of higher education shall have full authority to organize or reorganize within constitutional and statutory limitations, the work of each institution under its control, and do each and everything necessary and proper for the efficient and economic administration of said state educational institutions.

- e- ~~b.~~ ~~Said~~ The board shall prescribe for all ~~of said~~ institutions standard systems of accounts and records and shall biennially, and within six (6) months immediately preceding the regular session of the legislature, make a report to the governor, covering in detail the operations of the educational institutions under its control.
- ~~d.~~ ~~c.~~ It shall be the duty of the heads of the several state institutions hereinbefore mentioned, to submit the budget requests for the biennial appropriations for ~~said the~~ institutions to ~~said the~~ state board of higher education; and ~~said the~~ state board of higher education shall consider ~~said the~~ budgets and shall revise the same as in its judgment shall be for the best interests of the educational system of the state; and thereafter the state board of higher education shall prepare and present to the state budget board and to the legislature a single unified budget covering the needs of all the institutions under its control. "~~Said budget shall be prepared and presented by the board of administration until the state board of higher education organizes as provided in subsection 6a.~~" The appropriations for all of ~~said the~~ institutions shall be contained in one legislative measure. The budgets and appropriation measures for the agricultural experiment stations and their substations and the extension division of the North Dakota state university of agriculture and applied science may be separate from those of state educational institutions.
- e- ~~d.~~ The ~~said~~ state board of higher education shall have the control of the expenditure of the funds belonging to, and allocated to such institutions and also those appropriated by the legislature, for the institutions of higher education in this state; provided, however, that funds appropriated by the legislature and specifically designated for any one or more of such institutions, shall not be used for any other institution."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2044: Judiciary Committee (Rep. Kretschmar, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2044 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2085: Judiciary Committee (Rep. Kretschmar, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2085 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2162: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends **DO PASS** (11 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). SB 2162 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2205: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends **DO PASS** (12 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). SB 2205 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2334: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2334 was placed on the Fourteenth order on the calendar.

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

HOUSE ENGROSSING REPORT

The following bills and resolution were engrossed: HB 1027, HB 1067, HB 1101, HB 1116, HB 1164, HB 1172, HB 1180, HB 1182, HB 1202, HB 1222, HB 1257, HB 1334, HB 1351, HB 1353, HB 1394, HB 1395, HB 1396, HB 1397, HB 1401, HB 1475, and HCR 3035.

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 1014, HB 1036, HB 1068, HB 1208, HB 1223, HB 1243, HB 1266, HB 1302, HB 1330, HB 1336, HB 1339, HB 1364, HB 1373, HB 1392, HB 1402, HB 1463, HB 1466, HB 1467, HB 1470, HB 1478, HCR 3017.

SECOND READING OF HOUSE BILL

HB 1424: A BILL for an Act to create and enact a new section to chapter 47-04 of the North Dakota Century Code, relating to modification of covenants running with the land.

ROLL CALL

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

YEAS: Aarsvold; Axtman; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; 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; Koppelman; Kretschmar; Kroeplin; Kunkel; Lloyd; Mahoney; Martinson; Mickelson; Monson; Murphy; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Oban; Olson; Poolman; Price; Renner; Rose; Sabby; Sandvig; Skarphol; Soukup; Stenehjerm; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Speaker Timm

NAYS: Maragos; Wilkie

ABSENT AND NOT VOTING: Rennerfeldt; Schmidt

Engrossed HB 1424 passed and the title was agreed to.

MOTION

REP. SKARPHOL MOVED that the House reconsider its action whereby HB 1167 failed to pass, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1167: A BILL for an Act to amend and reenact subsection 5 of section 12-60-16.4, sections 53-06.1-01, 53-06.1-01.1, 53-06.1-03, 53-06.1-06, 53-06.1-07.2, 53-06.1-07.3, 53-06.1-07.4, 53-06.1-08, 53-06.1-09, 53-06.1-10, 53-06.1-10.1, 53-06.1-11, 53-06.1-11.1, 53-06.1-12, 53-06.1-12.3, 53-06.1-14, 53-06.1-15.1, and 53-06.1-16 of the North Dakota Century Code, relating to games of chance; and to repeal sections 53-06.1-01.2, 53-06.1-02, 53-06.1-03.1, 53-06.1-03.2, 53-06.1-03.3, 53-06.1-05.1, 53-06.1-06.1, 53-06.1-07, 53-06.1-07.1, 53-06.1-12.1, 53-06.1-12.2, 53-06.1-13, 53-06.1-13.1, 53-06.1-15, 53-06.1-15.2, 53-06.1-15.3, 53-06.1-15.4, 53-06.1-16.1, 53-06.1-16.2, and 53-06.1-17 of the North Dakota Century Code, relating to games of chance; and to provide a penalty.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 88 YEAS, 7 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Axtman; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brown; Brusegaard; Byerly; Callahan; Carlisle; Carlson; Christenson; Christopherson; Clark; Coats; Dalrymple; DeKrey; Delmore; Devlin; Dorso; Drovdal; Fairfield; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; 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; Koppelman; Kretschmar; Kroeplin; Kunkel; Lloyd; Mahoney; Martinson; Mickelson; Monson; Murphy; Nelson; Nicholas; Nichols; Nottestad; Oban; Olson; Poolman; Price; Renner; Rose;

Sabby; Sandvig; Skarphol; Soukup; Stenehjerm; Svedjan; Sveen; Thompson; Thoreson; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Speaker Timm

NAYS: Aarsvold; Delzer; Grosz; Maragos; Niemeier; Thorpe; Wilkie

ABSENT AND NOT VOTING: Rennerfeldt; Schmidt

HB 1167 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1163: A BILL for an Act to amend and reenact sections 57-43.1-02 and 57-43.2-02 of the North Dakota Century Code, relating to motor vehicle fuel and special fuel taxes; to repeal sections 57-43.1-02.1 and 57-43.2-02.1 of the North Dakota Century Code, relating to additional motor vehicle fuel and special fuel taxes; to provide an appropriation; 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 PASS, the roll was called and there were 72 YEAS, 23 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Axtman; Belter; Berg; Bernstein; Byerly; Callahan; Carlisle; Christenson; Christopherson; Coats; Dalrymple; Delmore; Devlin; Dorso; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Grumbo; Gunter; Hausauer; Hawken; Henegar; Huether; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroeplin; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Nelson; Nicholas; Nichols; Nottestad; Oban; Olson; Price; Rose; Sabby; Sandvig; Skarphol; Soukup; Stenehjerm; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Wentz; Wilkie; Speaker Timm

NAYS: Aarsvold; Boehm; Boucher; Brandenburg; Brown; Brusegaard; Carlson; Clark; DeKrey; Delzer; Drovdal; Fairfield; Grande; Grosz; Gulleason; Hanson; Jacobs; Kerzman; Murphy; Niemeier; Poolman; Renner; Weisz

ABSENT AND NOT VOTING: Rennerfeldt; Schmidt

Engrossed HB 1163 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1187: A BILL for an Act to create and enact a new section to chapter 54-27 of the North Dakota Century Code, relating to state agency lease arrangements.

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 72 YEAS, 23 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Axtman; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brown; Brusegaard; Byerly; Carlisle; Carlson; Christopherson; Clark; Dalrymple; DeKrey; Delzer; Devlin; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Gorder; Grande; Grosz; Grumbo; Gulleason; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Johnsen, C.; Kelsch, R.; Kempenich; Kerzman; Kilzer; Klein; Koppelman; Kretschmar; Kroeplin; Martinson; Monson; Nelson; Nichols; Niemeier; Oban; Olson; Price; Renner; Rose; Sabby; Sandvig; Skarphol; Soukup; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wilkie; Speaker Timm

NAYS: Callahan; Christenson; Coats; Delmore; Fairfield; Glassheim; Jensen; Johnson, D.; Keiser; Kelsh, S.; Kliniske; Kunkel; Lloyd; Mahoney; Maragos; Mickelson; Murphy; Nicholas; Nottestad; Poolman; Stenehjerm; Svedjan; Wentz

ABSENT AND NOT VOTING: Rennerfeldt; Schmidt

Engrossed HB 1187 passed and the title was agreed to.

MOTION

REP. DORSO MOVED that HB 1191 be placed directly before HB 1385 on the calendar, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1215: A BILL 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.

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 85 YEAS, 9 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; Dorso; Drovdal; Freier; Galvin; Gerntholz; Glassheim; Grande; Grosz; Grumbo; Gulleston; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Nelson; Nicholas; Niemeier; Nottestad; Oban; Olson; Poolman; Price; Renner; Rose; Sabby; Sandvig; Skarphol; Soukup; Stenehjerm; Svedjan; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Weisz; Wentz; Wilkie; Speaker Timm

NAYS: Devlin; Froseth; Gorder; Kroeplin; Murphy; Nichols; Sveen; Thompson; Warner

ABSENT AND NOT VOTING: Fairfield; Rennerfeldt; Schmidt

Engrossed HB 1215 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1216: A BILL for an Act to create and enact a new section to chapter 15-38 of the North Dakota Century Code, relating to the initial certification of teachers.

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 45 YEAS, 49 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Belter; Boehm; Boucher; Brandenburg; Brown; Byerly; Carlson; Christopherson; Dalrymple; DeKrey; Dorso; Drovdal; Freier; Grosz; Grumbo; Gulleston; Gunter; Hausauer; Hawken; Huether; Jacobs; Keiser; Kempenich; Kerzman; Koppelman; Kretschmar; Kroeplin; Mahoney; Maragos; Martinson; Murphy; Nelson; Nichols; Niemeier; Olson; Price; Sandvig; Soukup; Sveen; Wald; Wardner; Warner; Wilkie; Speaker Timm

NAYS: Axtman; Berg; Bernstein; Brusegaard; Callahan; Carlisle; Christenson; Clark; Coats; Delmore; Devlin; Fairfield; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Grande; Hanson; Henegar; Jensen; Johnsen, C.; Johnson, D.; Kelsch, R.; Kelsh, S.; Kilzer; Klein; Kliniske; Kunkel; Lloyd; Mickelson; Monson; Nicholas; Nottestad; Oban; Poolman; Renner; Rose; Sabby; Skarphol; Stenehjerm; Svedjan; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Weisz; Wentz

ABSENT AND NOT VOTING: Delzer; Rennerfeldt; Schmidt

Engrossed HB 1216 was declared lost.

SECOND READING OF HOUSE BILL

HB 1237: A BILL for an Act to establish an electric industry competition committee; to provide an expiration date; and to declare an emergency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 88 YEAS, 7 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Axtman; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brown; Brusegaard; Byerly; Callahan; Carlisle; Carlson; Christopherson; Clark; Coats; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Dorso; Drovdal; Fairfield; Freier; Froseth; Galvin; Gertholz; Glassheim; 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; Koppelman; Kretschmar; Kroepflin; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Murphy; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Olson; Poolman; Price; Renner; Sabby; Sandvig; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Speaker Timm

NAYS: Aarsvold; Christenson; Gorder; Oban; Rose; Thorpe; Wilkie

ABSENT AND NOT VOTING: Rennerfeldt; Schmidt

Engrossed HB 1237 passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF HOUSE BILL

HB 1255: A BILL for an Act to create and enact a new section to chapter 11-10 of the North Dakota Century Code, relating to the residency of appointed members of county boards, commissions, or committees; and to amend and reenact subsection 2 of section 63-01.1-04 of the North Dakota Century Code, relating to the residency of members of county weed boards.

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 54 YEAS, 41 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Belter; Bernstein; Boehm; Boucher; Brusegaard; Byerly; Carlisle; Carlson; Christenson; Christopherson; Clark; Coats; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Drovdal; Fairfield; Freier; Froseth; Grande; Grosz; Grumbo; Gulleon; Gunter; Hawken; Huether; Keiser; Kelsh, S.; Klein; Kliniske; Koppelman; Kretschmar; Lloyd; Martinson; Monson; Murphy; Nelson; Nichols; Niemeier; Nottestad; Olson; Poolman; Skarphol; Soukup; Torgerson; Wald; Wardner; Warner; Weisz; Wilkie; Speaker Timm

NAYS: Axtman; Berg; Brandenburg; Brown; Callahan; Dorso; Galvin; Gertholz; Glassheim; Gorder; Hanson; Hausauer; Henegar; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Kelsch, R.; Kempenich; Kerzman; Kilzer; Kroepflin; Kunkel; Mahoney; Maragos; Mickelson; Nicholas; Oban; Price; Renner; Rose; Sabby; Sandvig; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Wentz

ABSENT AND NOT VOTING: Rennerfeldt; Schmidt

Engrossed HB 1255 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1293: A BILL for an Act to provide for the reporting of internet access availability.

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 27 YEAS, 68 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Belter; Boucher; Callahan; Christenson; Coats; Delmore; Fairfield; Glassheim; Grumbo; Gulleon; Huether; Kelsh, S.; Kerzman; Mahoney; Murphy; Nichols; Niemeier; Nottestad; Oban; Rose; Sandvig; Thoreson; Thorpe; Warner; Wentz; Wilkie

NAYS: Axtman; Berg; Bernstein; Boehm; Brandenburg; 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; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kempenich; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroeplin; Kunkel; Lloyd; Maragos; Martinson; Mickelson; Monson; Nelson; Nicholas; Olson; Poolman; Price; Renner; Sabby; Skarphol; Soukup; Stenehjerm; Svedjan; Sveen; Thompson; Tollefson; Torgerson; Wald; Wardner; Weisz; Speaker Timm

ABSENT AND NOT VOTING: Rennerfeldt; Schmidt

Engrossed HB 1293 was declared lost.

SECOND READING OF HOUSE BILL

HB 1299: A BILL for an Act to amend and reenact sections 4-02-27.2, 4-02-31, 11-09.1-06, 11-10.2-02, 11-10.3-01, 15-27.3-19, 15-27.3-21, subsection 2 of section 15-27.6-10, subsection 2 of section 15-28-01, section 15-48-05, subsection 3 of section 21-03-38.1, sections 23-14-01, 23-14-13, 23-14-13.1, 23-29-07, 27-19-02, 38-02-02, 40-02-10, 40-02-11, 40-04-04, 40-04-11, 40-05.1-07, 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, 54-40.4-01, subsection 1 of section 54-40.4-05, sections 54-40.4-06, 57-15-08, 57-15-12, 57-15-12.1, 57-15-12.3, 57-15-14.5, 57-15-44, 57-15-50, 57-15-51, 57-15-55, 57-15-55.1, subsection 3 of section 57-15-56, subsection 3 of section 57-15-60, sections 61-04.1-29, 61-04.1-30, and 61-04.1-31 of the North Dakota Century Code, relating to the required vote for approval of ballot issues by the qualified electors of 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 88 YEAS, 7 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

NAYS: Brown; Brusegaard; Carlson; Delzer; Grosz; Mickelson; Thorpe

ABSENT AND NOT VOTING: Rennerfeldt; Schmidt

Engrossed HB 1299 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1333: A BILL for an Act to amend and reenact section 15-47-33 of the North Dakota Century Code, relating to commencement of the elementary and secondary school year; 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 50 YEAS, 45 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Axtman; Belter; Berg; Bernstein; Boucher; Brown; Byerly; Callahan; Carlisle; Carlson; Christopherson; Clark; Dorso; Drovdal; Galvin; Glassheim; Gorder; Grande; Gunter; Hanson; Hausauer; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Keiser; Kelsh, S.; Kempenich; Klein; Kliniske; Koppelman; Lloyd; Maragos; Poolman; Price; Rose; Sabby; Sandvig; Skarphol; Soukup; Svedjan; Thompson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Speaker Timm

NAYS: Boehm; Brandenburg; Brusegaard; Christenson; Coats; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Fairfield; Freier; Froseth; Gerntholz; Grosz; Grumbo; Gulleson; Hawken; Johnson, D.; Kelsch, R.; Kerzman; Kilzer; Kretschmar; Kroepelin; Kunkel; Mahoney; Martinson; Mickelson; Monson; Murphy; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Oban; Olson; Renner; Stenehjem; Sveen; Thoreson; Warner; Weisz; Wentz; Wilkie

ABSENT AND NOT VOTING: Rennerfeldt; Schmidt

Engrossed HB 1333 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1337: A BILL for an Act relating to the provision of guidance and counseling services at the elementary and secondary school level.

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 47 YEAS, 48 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Belter; Berg; Bernstein; Boehm; Brown; Brusegaard; Byerly; Carlson; Christopherson; Clark; Dalrymple; DeKrey; Delzer; Devlin; Dorso; Freier; Froseth; Gorder; Grande; Grosz; Grumbo; Huether; Jacobs; Johnsen, C.; Johnson, D.; Klein; Kliniske; Koppelman; Kretschmar; Kunkel; Lloyd; Maragos; Mickelson; Murphy; Nelson; Nicholas; Olson; Renner; Sandvig; Skarphol; Soukup; Tollefson; Torgerson; Wald; Weisz; Wilkie; Speaker Timm

NAYS: Aarsvold; Axtman; Boucher; Brandenburg; Callahan; Carlisle; Christenson; Coats; Delmore; Drovda; Fairfield; Galvin; Gerntholz; Glassheim; Gulleson; Gunter; Hanson; Hausauer; Hawken; Henegar; Jensen; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kilzer; Kroepelin; Mahoney; Martinson; Monson; Nichols; Niemeier; Nottestad; Oban; Poolman; Price; Rose; Sabby; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Wardner; Warner; Wentz

ABSENT AND NOT VOTING: Rennerfeldt; Schmidt

Engrossed HB 1337 was declared lost.

MOTION

REP. FREIER MOVED that the House be on the Fifth order of business and at the conclusion of that order, the House stand in recess until 4:30 p.m., which motion prevailed.

REPORT OF STANDING COMMITTEE

HB 1226: Human Services Committee (Rep. Price, Chairman) A MAJORITY of your committee (Reps. Price, Christopherson, Devlin, Galvin, Henegar, Jensen (refused to sign), C. Johnsen, Kilzer, Kliniske, Weisz) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED to the Appropriations Committee.**

Page 1, line 7, replace "nine" with "ten"

Page 1, line 10, after the fifth comma insert "subsection 4 of section 14-09-09.7, sections"

Page 1, line 16, after the first comma insert "50-06-06.8,"

Page 1, line 20, after the first semicolon insert "to provide for a legislative council study; to provide for a statewide task force;"

Page 3, line 4, remove the overstrike over "~~and~~"

Page 3, line 5, remove the overstrike over the period and remove "~~;~~ and"

Page 3, remove lines 6 and 7

Page 4, line 3, replace "individuals" with "individual"

Page 4, line 24, after "issued" insert "by lottery or by tag"

Page 10, line 6, remove the overstrike over "~~no less~~"

Page 10, line 7, remove the overstrike over "~~frequently than~~"

Page 17, after line 25, insert:

"SECTION 22. AMENDMENT. Subsection 4 of section 14-09-09.7 of the 1995 Supplement to the North Dakota Century Code is amended and reenacted as follows:

4. The department shall ~~review~~ institute a new rulemaking proceeding under section 28-32-02 relating to the child support guidelines periodically, as the department determines necessary, but at least once every four years, to ensure that the application of the guidelines results in the determination of appropriate child support award amounts. The initial rulemaking proceeding must be completed by August 1, 1999, and subsequent rulemaking proceedings must be completed at least once every four years thereafter.

Page 19, line 20, after the underscored period insert ""Payday" means the day upon which the income payor pays or otherwise credits the obligor."

14."

Page 19, line 24, replace "14" with "15"

Page 20, line 23, replace "22" with "23"

Page 23, line 16, replace "22" with "23"

Page 25, line 11, replace "22" with "23"

Page 32, line 28, after the underscored period insert "A social security number included on a death certificate is exempt from section 44-04-18 and section 6 of article XI of the Constitution of North Dakota."

Page 33, line 4, after "14-08.1-05" insert "and the unpaid child support obligation is at least six months past due"

Page 35, line 11, after the second "form" insert "prescribed by the state directory of new hires"

Page 35, line 12, after "department" insert ", including facsimile transmission, electronic mail, modem transmission, or other means of electronic communication"

Page 36, line 26, after "is" insert "at least six months"

Page 37, after line 23, insert:

"6. A lien under this section is perfected when the lien is recorded on the certificate of title."

Page 37, line 26, after "state" insert "if the value of the vessel is estimated to be at least twice the cost of establishing the lien"

Page 37, line 28, after "name" insert ", social security number,"

Page 38, line 2, replace "retained" with "indexed" and after "state" insert "in the central notice system"

Page 38, line 4, remove "file, index, amend, maintain," and remove the fifth comma

Page 38, line 5, replace "a financing statement filed under" with "provided for other liens in section 11-18-14 for the register of deeds"

Page 38, line 6, remove "chapter 41-09"

Page 38, after line 8, insert:

- "4. A lien under this section is perfected when notice of the lien is filed with the secretary of state.
5. The public authority may file an amendment to correct the social security number of the obligor, to correct the spelling of the obligor's name, or to correct or change the address of the obligor."

Page 38, line 22, after "satisfy" insert "any right of set off which exists in connection with an account, payment orders that were made by the obligor before the financial institution was served with notice of lien, or other"

Page 38, line 23, after "upon" insert "written agreements or"

Page 38, after line 24, insert:

- "3. A lien under this section is perfected when the financial institution is served with notice of the lien."

Page 39, line 3, after "to" insert "and is perfected against"

Page 39, line 8, remove "the obligor"

Page 39, line 9, remove "may demand, and" and after the underscored comma insert "within a reasonable time."

Page 39, line 13, after "obligor" insert "or other person"

Page 39, line 14, after the underscored period insert "The court shall award reasonable attorney's fees and costs against any person who commences an action that is subsequently dismissed by reason of the immunity granted by this section."

Page 40, after line 11, insert:

Social security number not public record. A social security number provided under this chapter is exempt from section 44-04-18 and section 6 of article XI of the Constitution of North Dakota."

Page 45, line 8, after the first underscored comma insert "share account, share draft account.", replace "or" with "securities account.", and after "market" insert "mutual"

Page 45, line 9, after "account" insert ", or any other account or arrangement that reflects an owner's share or similar equity interest issued by an entity that is registered as an investment company under the federal investment company laws, to the extent the owner is permitted to redeem the share or interest by an order for payment to a third party"

Page 46, line 1, after the third underscored comma insert "securities intermediary."

Page 46, after line 6, insert:

- "11. "Securities account" has the meaning provided in section 41-08-41.
12. "Securities intermediary" has the meaning provided in section 41-08-02, but does not include a clearing corporation."

Page 46, line 7, replace "11" with "13"

Page 46, line 8, replace "12" with "14"

Page 46, line 10, replace "13" with "15"

Page 47, line 9, remove the overstrike over "~~Comply with~~", after "~~such~~" insert "the", remove the overstrike over "~~provisions, rules, and regulations~~", and remove the overstrike over "~~the federal government~~"

Page 47, line 10, remove the overstrike over "~~may find~~", remove the overstrike over "~~necessary~~", and remove the overstrike over "~~to assure the correctness and~~"

Page 47, line 11, remove the overstrike over "~~verification of the reports to be made.~~" and remove "Make any determination respecting title IV-A"

Page 47, remove line 12

Page 47, after line 31, insert:

- "17. Take actions and adopt rules necessary to entitle the state to receive funds from the federal government under the child care and development block grant [42 U.S.C. 9858, et seq.], as amended.
18. Have authority to establish a program for families that include both a minor child and an incapacitated parent of that minor child, using no federal funds derived from temporary assistance for needy families block grant funds, which otherwise functions in substantially the form and manner of the temporary assistance for needy families program."

Page 49, line 28, replace "stateside" with "statewide"

Page 50, line 17, remove "and"

Page 50, after line 19, insert:

- "d. Be used, to the maximum extent feasible, to receive and disburse child support payments through electronic fund transfers; and"

Page 52, line 11, remove the second "to"

Page 52, line 19, remove "to"

Page 52, line 24, replace "State and local" with "Local"

Page 53, line 4, remove "and"

Page 53, after line 5, insert:

- "(k) Subject to an agreement with the state tax commissioner, state tax and revenue records, including information on residence address, employer, income, and assets; and"

Page 53, line 13, remove ", including information" and remove the second underscored comma

Page 53, line 14, replace "such" with "those"

Page 54, after line 2, insert:

- "j. Notwithstanding any provision of law making the records confidential;
- (1) Provide access to information identifying the amount of payment necessary to obtain the release of a lien taken by the state agency in any property to secure the payment of child support; and
- (2) Upon payment of a sufficient amount, satisfy and release that lien."

Page 54, line 4, replace the second "provision of" with "penalties under" and after "50-06-15" insert "and is confidential, except that the information may be used in the administration of any program administered by or under the supervision and direction of the department and as specifically authorized by the rules of the department. Any information received under this section, if not subject to section 44-04-18 and section 6 of article XI of the Constitution of North Dakota in the possession of the person providing the information, is exempt from section 44-04-18 and section 6 of article XI of the Constitution of North Dakota"

Page 54, line 10, replace "No person may be held liable" with "a. A person is immune from suit or any liability"

Page 54, line 11, replace "a." with "(1)"

Page 54, line 13, replace "b." with "(2)"

Page 54, line 15, replace "subsection 1" with "sections 45 and 47 of this Act"

Page 54, line 16, replace "c." with "(3)"

Page 54, after line 17, insert:

- "b. The court shall award reasonable attorney's fees and costs against any person who commences an action that is subsequently dismissed by reason of the immunity granted by this section."

Page 59, line 15, overstrike "early childhood services"

Page 59, line 17, after "~~50-09-24~~" insert "child care assistance"

Page 59, line 22, after "include" insert "initial acquisition of computers and related hardware approved by the department for the training, education, employment, and management program,"

Page 60, remove lines 12 and 13

Page 60, line 14, remove "administration of the" and overstrike "early childhood services program"

Page 60, line 16, after "~~program~~" insert "temporary assistance for needy families program; and

- b. Seventy-five percent of the amount expended by the county agency for the administration of the child care assistance program"

Page 60, line 19, replace "required by the department" with "of sixty-five cases to one worker"

Page 60, line 20, remove "equipment, computer software," and remove the third underscored comma

Page 60, line 23, remove "Computer software"

Page 60, remove lines 24 and 25

Page 61, line 6, after "chapter" insert ". For purposes of this section, "all counties' shares of program costs" is equal to five and two-tenths percent of statewide program costs of the temporary assistance for needy families program, the child care assistance program, and employment and training programs provided under this chapter"

Page 65, line 7, after the period insert "A new section to chapter 50-09 of the North Dakota Century Code is created and enacted as follows:

Page 65, line 12, remove "no", replace "pregnant" with "otherwise eligible", and replace "not otherwise eligible for" with "in the third trimester of a pregnancy"

Page 65, line 13, remove "assistance"

Page 65, replace lines 21 through 23 with:

- "e. Unless otherwise required by federal law, and except as provided in subdivision m, provide no benefits to noncitizen immigrants who arrive in the United States after August 21, 1996, for the first five years of residence in the United States, and after five years of residence, until the immigrant has ten years of work history, and then provide benefits only after considering the income and assets of the immigrant's sponsor;"

Page 66, replace lines 5 through 8 with:

- "j. Establish goals and take action to prevent and reduce the incidence of out-of-wedlock pregnancies and establish numerical goals for reducing the illegitimacy rate for the state for periods through calendar year 2005;
- k. Conduct a program, designed to reach state and local law enforcement officials, the education system, and relevant counseling services, which provides education and training on the problem of

statutory rape so that teenage pregnancy prevention programs may be expanded in scope to include men."

Page 66, line 13, after "States" insert "as refugees, asylees, veterans, active duty military personnel, spouses and dependents of active duty military personnel, and Cuban-Haitian entrants"

Page 66, line 16, after "services" insert "which are to be incorporated into the training, education, employment, and management program assessment effective June 30, 1998"

Page 66, remove lines 26 and 27

Page 66, line 28, replace "w" with "v"

Page 66, line 30, replace "x" with "w"

Page 67, line 1, replace "y" with "x"

Page 67, line 4, replace "z" with "y"

Page 67, line 7, replace "aa" with "z"

Page 67, line 12, replace "bb" with "aa" and after "services" insert "that are to be incorporated into the training, education, employment, and management program assessment effective June 30, 1998"

Page 67, line 13, replace "cc" with "bb"

Page 67, line 14, replace "dd" with "cc", replace "Develop and seek" with "Seek the", and after "to" insert "develop and"

Page 67, line 15, after "for" insert "all economic" and replace "under this chapter and chapter 50-24.1" with "programs administered by the county social service boards"

Page 67, line 16, replace "ee" with "dd" and replace "Increase" with "After June 30, 1998, not increase"

Page 67, line 20, replace "ff" with "ee"

Page 68, line 3, after the underscored period insert "If administratively feasible, the department may establish a program that provides for payment of assistance after performance by individuals required to engage in work activities, as defined in section 6 of this Act."

5."

Page 68, line 9, replace "5" with "6"

Page 68, line 15, replace "6" with "7"

Page 68, line 24, replace "section" with "sections 50-06-06.8 and"

Page 69, replace lines 1 through 4 with:

"SECTION 79. LEGISLATIVE COUNCIL STUDY. The legislative council shall study the implementation of the temporary assistance for needy families program in the state during the 1997-98 interim. The study must address the issues of the simplification of all public work programs into a single system, providing a work force preparation and placement program and establishing performance-based outcome measures for all contractors, and the development of a tiered system of benefit support and incentives. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the fifty-sixth legislative assembly.

SECTION 80. ESTABLISHMENT OF TASK FORCE. To accomplish the goals and programs provided for in subdivisions j, k, and aa of section 75 of this Act, the department of human services shall establish a statewide task force that includes representatives of all relevant parties."

Page 69, line 5, replace "75" with "76"

Page 69, line 6, replace "23" with "24"

Page 69, line 7, replace "37" with "38" and replace "44" with "45"

Page 69, line 8, replace "46" with "47", replace "49, 51" with "50, 52", replace "53, 55" with "54, 56", and replace "64, 66, 67, 69, 70, 73, and 74" with "65, 67, 68, 70, 71, 74, and 75"

Page 69, line 10, replace "45" with "46"

Page 69, line 12, replace "50, 65, 68, 71, 72, and 76" with "51, 66, 69, 72, 73, and 77"

Page 69, line 14, replace "36" with "37" and replace "54" with "55"

Page 69, line 16, replace "49, 64, and 67" with "50, 65, and 68"

Page 69, line 18, replace "74" with "75"

Page 69, line 20, replace "37" with "38" and replace "44, 46" with "45, 47"

Page 69, line 21, replace "49, 51" with "50, 52", replace "53,55" with "54, 56", and replace "64, 66, 67, 69, 70, 73, and 74" with "65, 67, 68, 70, 71, 74, and 75"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1226: Human Services Committee (Rep. Price, Chairman) A **MINORITY** of your committee (Reps. Kerzman, Niemeier, Rose, Sandvig) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee**.

Page 1, line 7, replace "nine" with "ten"

Page 1, line 10, after the fifth comma insert "subsection 4 of section 14-09-09.7, sections"

Page 1, line 16, after the first comma insert "50-06-06.8,"

Page 1, line 20, after the first semicolon insert "to provide for a legislative council study; to provide for a statewide task force;"

Page 3, line 4, remove the overstrike over "and"

Page 3, line 5, remove the overstrike over the period and remove ";and"

Page 3, remove lines 6 and 7

Page 4, line 3, replace "individuals" with "individual"

Page 4, line 24, after "issued" insert "by lottery or by tag"

Page 10, line 6, remove the overstrike over "~~no less~~"

Page 10, line 7, remove the overstrike over "~~frequently than~~"

Page 17, after line 25, insert:

"SECTION 22. AMENDMENT. Subsection 4 of section 14-09-09.7 of the 1995 Supplement to the North Dakota Century Code is amended and reenacted as follows:

4. The department shall ~~review~~ institute a new rulemaking proceeding under section 28-32-02 relating to the child support guidelines periodically, as the department determines necessary, but at least once every four years, to ensure that the application of the guidelines results in the determination of appropriate child support award amounts. The initial rulemaking proceeding must be completed by August 1, 1999, and subsequent rulemaking proceedings must be completed at least once every four years thereafter.

Page 19, line 20, after the underscored period insert "\"Payday\" means the day upon which the income payor pays or otherwise credits the obligor."

14."

Page 19, line 24, replace "14" with "15"

Page 20, line 23, replace "22" with "23"

Page 23, line 16, replace "22" with "23"

Page 25, line 11, replace "22" with "23"

Page 32, line 28, after the underscored period insert "A social security number included on a death certificate is exempt from section 44-04-18 and section 6 of article XI of the Constitution of North Dakota."

Page 33, line 4, after "14-08.1-05" insert "and the unpaid child support obligation is at least six months past due"

Page 35, line 11, after the second "form" insert "prescribed by the state directory of new hires"

Page 35, line 12, after "department" insert ", including facsimile transmission, electronic mail, modem transmission, or other means of electronic communication"

Page 36, line 26, after "is" insert "at least six months"

Page 37, after line 23, insert:

"6. A lien under this section is perfected when the lien is recorded on the certificate of title."

Page 37, line 26, after "state" insert "if the value of the vessel is estimated to be at least twice the cost of establishing the lien"

Page 37, line 28, after "name" insert ", social security number,"

Page 38, line 2, replace "retained" with "indexed" and after "state" insert "in the central notice system"

Page 38, line 4, remove "file, index, amend, maintain," and remove the fifth comma

Page 38, line 5, replace "a financing statement filed under" with "provided for other liens in section 11-18-14 for the register of deeds"

Page 38, line 6, remove "chapter 41-09"

Page 38, after line 8, insert:

"4. A lien under this section is perfected when notice of the lien is filed with the secretary of state.

5. The public authority may file an amendment to correct the social security number of the obligor, to correct the spelling of the obligor's name, or to correct or change the address of the obligor."

Page 38, line 22, after "satisfy" insert "any right of set off which exists in connection with an account, payment orders that were made by the obligor before the financial institution was served with notice of lien, or other"

Page 38, line 23, after "upon" insert "written agreements or"

Page 38, after line 24, insert:

"3. A lien under this section is perfected when the financial institution is served with notice of the lien."

Page 39, line 3, after "to" insert "and is perfected against"

Page 39, line 8, remove "the obligor"

Page 39, line 9, remove "may demand, and" and after the underscored comma insert "within a reasonable time."

Page 39, line 13, after "obligor" insert "or other person"

Page 39, line 14, after the underscored period insert "The court shall award reasonable attorney's fees and costs against any person who commences an action that is subsequently dismissed by reason of the immunity granted by this section."

Page 40, after line 11, insert:

Social security number not public record. A social security number provided under this chapter is exempt from section 44-04-18 and section 6 of article XI of the Constitution of North Dakota."

Page 45, line 8, after the first underscored comma insert "share account, share draft account.", replace "or" with "securities account.", and after "market" insert "mutual"

Page 45, line 9, after "account" insert ", or any other account or arrangement that reflects an owner's share or similar equity interest issued by an entity that is registered as an investment company under the federal investment company laws, to the extent the owner is permitted to redeem the share or interest by an order for payment to a third party"

Page 46, line 1, after the third underscored comma insert "securities intermediary."

Page 46, after line 6, insert:

11. "Securities account" has the meaning provided in section 41-08-41.

12. "Securities intermediary" has the meaning provided in section 41-08-02, but does not include a clearing corporation."

Page 46, line 7, replace "11" with "13"

Page 46, line 8, replace "12" with "14"

Page 46, line 10, replace "13" with "15"

Page 47, line 9, remove the overstrike over "~~Comply with~~", after "such" insert "the", remove the overstrike over "~~provisions, rules, and regulations~~", and remove the overstrike over "~~the federal government~~"

Page 47, line 10, remove the overstrike over "~~may find~~", remove the overstrike over "~~necessary~~", and remove the overstrike over "~~to assure the correctness and~~"

Page 47, line 11, remove the overstrike over "~~verification of the reports to be made:~~" and remove "Make any determination respecting title IV-A"

Page 47, remove line 12

Page 47, after line 31, insert:

17. Take actions and adopt rules necessary to entitle the state to receive funds from the federal government under the child care and development block grant [42 U.S.C. 9858, et seq.], as amended.

18. Have authority to establish a program for families that include both a minor child and an incapacitated parent of that minor child, using no federal funds derived from temporary assistance for needy families block grant funds, which otherwise functions in substantially the form and manner of the temporary assistance for needy families program."

Page 49, line 28, replace "stateside" with "statewide"

Page 50, line 17, remove "and"

Page 50, after line 19, insert:

"d. Be used, to the maximum extent feasible, to receive and disburse child support payments through electronic fund transfers; and"

Page 52, line 11, remove the second "to"

Page 52, line 19, remove "to"

Page 52, line 24, replace "State and local" with "Local"

Page 53, line 4, remove "and"

Page 53, after line 5, insert:

"(k) Subject to an agreement with the state tax commissioner, state tax and revenue records, including information on residence address, employer, income, and assets; and"

Page 53, line 13, remove ", including information" and remove the second underscored comma

Page 53, line 14, replace "such" with "those"

Page 54, after line 2, insert:

- "j. Notwithstanding any provision of law making the records confidential:
- (1) Provide access to information identifying the amount of payment necessary to obtain the release of a lien taken by the state agency in any property to secure the payment of child support; and
 - (2) Upon payment of a sufficient amount, satisfy and release that lien."

Page 54, line 4, replace the second "provision of" with "penalties under" and after "50-06-15" insert "and is confidential, except that the information may be used in the administration of any program administered by or under the supervision and direction of the department and as specifically authorized by the rules of the department. Any information received under this section, if not subject to section 44-04-18 and section 6 of article XI of the Constitution of North Dakota in the possession of the person providing the information, is exempt from section 44-04-18 and section 6 of article XI of the Constitution of North Dakota"

Page 54, line 10, replace "No person may be held liable" with "a. A person is immune from suit or any liability"

Page 54, line 11, replace "a." with "(1)"

Page 54, line 13, replace "b." with "(2)"

Page 54, line 15, replace "subsection 1" with "sections 45 and 47 of this Act"

Page 54, line 16, replace "c." with "(3)"

Page 54, after line 17, insert:

"b. The court shall award reasonable attorney's fees and costs against any person who commences an action that is subsequently dismissed by reason of the immunity granted by this section."

Page 59, line 15, overstrike "early childhood services"

Page 59, line 17, after "~~50-09-24~~" insert "child care assistance"

Page 59, line 22, after "include" insert "initial acquisition of computers and related hardware approved by the department for the training, education, employment, and management program,"

Page 60, remove lines 12 and 13

Page 60, line 14, remove "administration of the" and overstrike "early childhood services program"

Page 60, line 16, after "~~program~~" insert "temporary assistance for needy families program; and

- b. Seventy-five percent of the amount expended by the county agency for the administration of the child care assistance program"

Page 60, line 19, replace "required by the department" with "of sixty-five cases to one worker"

Page 60, line 20, remove "equipment, computer software," and remove the third underscored comma

Page 60, line 23, remove "Computer software"

Page 60, remove lines 24 and 25

Page 61, line 6, after "chapter" insert ". For purposes of this section, "all counties' shares of program costs" is equal to five and two-tenths percent of statewide program costs of the temporary assistance for needy families program, the child care assistance program, and employment and training programs provided under this chapter"

Page 65, line 7, after the period insert "A new section to chapter 50-09 of the North Dakota Century Code is created and enacted as follows:

Page 65, line 12, remove "no", replace "pregnant" with "otherwise eligible", and replace "not otherwise eligible for" with "in the third trimester of a pregnancy"

Page 65, line 13, remove "assistance"

Page 65, replace lines 21 through 23 with:

- "e. Unless otherwise required by federal law, and except as provided in subdivision m, provide no benefits to noncitizen immigrants who arrive in the United States after August 21, 1996, for the first five years of residence in the United States, and after five years of residence, until the immigrant has ten years of work history, and then provide benefits only after considering the income and assets of the immigrant's sponsor;"

Page 66, replace lines 5 through 8 with:

- "j. Establish goals and take action to prevent and reduce the incidence of out-of-wedlock pregnancies and establish numerical goals for reducing the illegitimacy rate for the state for periods through calendar year 2005;
- k. Conduct a program, designed to reach state and local law enforcement officials, the education system, and relevant counseling services, which provides education and training on the problem of statutory rape so that teenage pregnancy prevention programs may be expanded in scope to include men;"

Page 66, line 13, after "States" insert "as refugees, asylees, veterans, active duty military personnel, spouses and dependents of active duty military personnel, and Cuban-Haitian entrants"

Page 66, line 16, after "services" insert "which are to be incorporated into the training, education, employment, and management program assessment effective June 30, 1998"

Page 66, remove lines 26 and 27

Page 66, line 28, replace "w" with "v"

Page 66, line 30, replace "x" with "w"

Page 67, line 1, replace "y" with "x"

Page 67, line 4, replace "z" with "y"

Page 67, line 7, replace "aa" with "z"

Page 67, line 12, replace "bb" with "aa" and after "services" insert "that are to be incorporated into the training, education, employment, and management program assessment effective June 30, 1998"

Page 67, line 13, replace "cc" with "bb"

Page 67, line 14, replace "dd" with "cc", replace "Develop and seek" with "Seek the", and after "to" insert "develop and"

Page 67, line 15, after "for" insert "all economic" and replace "under this chapter and chapter 50-24.1" with "programs administered by the county social service boards"

Page 67, line 16, replace "ee" with "dd"

Page 67, line 20, replace "ff" with "ee"

Page 68, line 3, after the underscored period insert "If administratively feasible, the department may establish a program that provides for payment of assistance after performance by individuals required to engage in work activities, as defined in section 6 of this Act."

5."

Page 68, line 9, replace "5" with "6"

Page 68, line 15, replace "6" with "7"

Page 68, line 24, replace "section" with "sections 50-06-06.8 and"

Page 69, replace lines 1 through 4 with:

"SECTION 79. LEGISLATIVE COUNCIL STUDY. The legislative council shall study the implementation of the temporary assistance for needy families program in the state during the 1997-98 interim. The study must address the issues of the simplification of all public work programs into a single system, providing a work force preparation and placement program and establishing performance-based outcome measures for all contractors, and the development of a tiered system of benefit support and incentives. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the fifty-sixth legislative assembly.

SECTION 80. ESTABLISHMENT OF TASK FORCE. To accomplish the goals and programs provided for in subdivisions j, k, and aa of section 75 of this Act, the department of human services shall establish a statewide task force that includes representatives of all relevant parties."

Page 69, line 5, replace "75" with "76"

Page 69, line 6, replace "23" with "24"

Page 69, line 7, replace "37" with "38" and replace "44" with "45"

Page 69, line 8, replace "46" with "47", replace "49, 51" with "50, 52", replace "53, 55" with "54, 56", and replace "64, 66, 67, 69, 70, 73, and 74" with "65, 67, 68, 70, 71, 74, and 75"

Page 69, line 10, replace "45" with "46"

Page 69, line 12, replace "50, 65, 68, 71, 72, and 76" with "51, 66, 69, 72, 73, and 77"

Page 69, line 14, replace "36" with "37" and replace "54" with "55"

Page 69, line 16, replace "49, 64, and 67" with "50, 65, and 68"

Page 69, line 18, replace "74" with "75"

Page 69, line 20, replace "37" with "38" and replace "44, 46" with "45, 47"

Page 69, line 21, replace "49, 51" with "50, 52", replace "53,55" with "54, 56", and replace "64, 66, 67, 69, 70, 73, and 74" with "65, 67, 68, 70, 71, 74, and 75"

Renumber accordingly

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

REPORT OF STANDING COMMITTEE

HB 1010: Appropriations Committee (Rep. Dalrymple, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (22 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1010 was placed on the Sixth order on the calendar.

Page 1, line 12, replace "1,169,742" with "1,244,742"

Page 1, line 14, replace "5,231,000" with "5,306,000"

Page 2, replace lines 13 through 16 with:

"SECTION 7. APPROPRIATION - COMPUTER SYSTEM PROJECT. There is hereby appropriated out of any moneys in the insurance regulatory trust fund in the state treasury, not otherwise appropriated, the sum of \$275,000, or so much of the sum as may be necessary, to the insurance commissioner for the purpose of completing the insurance department's computer network project, for the biennium beginning July 1, 1997, and ending June 30, 1999. The insurance commissioner may not spend more than \$499,000 in total, for the computer network project during the 1995-97 biennium and the 1997-99 biennium."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 401 - INSURANCE COMMISSIONER

HOUSE - This amendment makes the following changes:

	1997-99 EXECUTIVE RECOMMENDATION	CONSUMER EDUCATION	COMPUTER NETWORK PROJECT	TOTAL CHANGES	HOUSE VERSION
Salaries and wages	\$4,020,813			\$0	\$4,020,813
Operating expenses	1,169,742	\$75,000		75,000	1,244,742
Equipment	40,445			0	40,445
Computer network project	0		\$275,000	275,000	275,000
Total special funds	\$5,231,000	\$75,000 ¹	\$275,000 ²	\$350,000	\$5,581,000
FTE	45.50	0.00	0.00	0.00	45.50
Payments to fire departments	\$5,200,000			\$0	\$5,200,000
Total special funds	\$5,200,000	\$0	\$0	\$0	\$5,200,000

¹ Provides additional special funds to be received from the Prudential Insurance Company of America for the purpose of providing insurance consumer education in North Dakota. The \$75,000 for consumer education is to be spent by the end of the 1997-99 biennium.

² Adds a section appropriating up to \$275,000 from the insurance regulatory trust fund for the department's computer network project which began during the 1995-97 biennium. The \$275,000 is the estimated amount of unspent appropriation authority which will remain at the end of the 1995-97 biennium relating to the \$499,000 special fund appropriation provided during the 1995-97 biennium for the project. The section limits total expenditures for the project to \$499,000 during the 1995-97 and 1997-99 bienniums. The amendment removes Section 7 of the bill which authorized the department to carry over up to \$200,000 of the \$499,000 appropriation provided for the computer network project during the 1995-97 biennium.

REPORT OF STANDING COMMITTEE

HB 1170: Appropriations Committee (Rep. Dalrymple, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (21 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1170 was placed on the Sixth order on the calendar.

Page 1, line 1, after "sections" insert "61-02-64.1, 61-02-64.2," and after "61-24.3-01" insert a comma

Page 1, line 2, after "to" insert "repayment of obligations with respect to bond issuances and to"

Page 1, line 3, remove "to provide a continuing appropriation;"

Page 1, after line 4, insert:

"SECTION 1. AMENDMENT. Section 61-02-64.1 of the North Dakota Century Code is amended and reenacted as follows:

61-02-64.1. Contract fund - Purpose - Reimbursements to be deposited with the state treasurer. ~~All Unless otherwise provided under the terms of a bond resolution or trust indenture adopted by the commission pursuant to this chapter, all contractual obligations of the commission, including obligations with respect to any works financed with bonds issued under this chapter, and~~ excepting salaries and expenses of commission employees and the cost of any supplies, materials, and equipment ~~not related to works financed with bonds, shall, must~~ be paid from the contract fund. The moneys in the contract fund ~~shall must~~ be paid out or disbursed in ~~such the manner as may be~~ determined by the commission. Any moneys paid to the commission by any department, agency, or political subdivision of this or another state or of the United States or any person, corporation, or limited liability company to meet its part of the cost of a water project, shared with the commission on a matching basis, and as determined by a contract entered into with the commission, ~~shall must~~ be held pursuant to the terms of the resolution or trust indenture adopted by the commission pursuant to this chapter or deposited with the state treasurer and ~~are hereby appropriated out of the state treasury, and shall be credited to the contract fund or held pursuant to the terms of the resolution or trust indenture of the commission adopted or entered into under this chapter. Moneys deposited with the state treasurer are appropriated to the commission and must be credited to the contract fund.~~

SECTION 2. AMENDMENT. Section 61-02-64.2 of the North Dakota Century Code is amended and reenacted as follows:

61-02-64.2. Repayment of loan proceeds and reimbursements deposited in resources trust fund. Notwithstanding section 61-02-64.1, any repayment made after January 1, 1991, of any loans disbursed from the contract fund or resources trust fund and any moneys paid to the state or the commission after January 1, 1991, to reimburse the commission for moneys, other than bond proceeds, used for municipal, rural, and industrial water supply projects must be deposited in the resources trust fund in the state treasury."

Page 1, line 20, after "bonds" insert "not to exceed fifteen million dollars"

Page 2, line 5, remove "**Continuing appropriation -**"

Page 2, line 7, replace "is hereby appropriated to the commission for the purpose of pledging such money" with "may be pledged by the commission"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1305: Appropriations Committee (Rep. Dalrymple, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (17 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). HB 1305 was placed on the Sixth order on the calendar.

Page 1, line 6, replace "must" with "may"

Page 1, line 8, remove "The study may also include the"

Page 1, line 9, remove "feasibility and desirability of other alternative cash crop production."

Page 1, line 10, after "shall" insert "present its" and remove "its findings and recommendations"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 640 - AGRICULTURAL EXPERIMENT STATION

HOUSE - This amendment removes the provision that the study may also include, in addition to industrial hemp production, the feasibility and desirability of other alternative cash crop production.

REPORT OF STANDING COMMITTEE

HB 1342, as engrossed: Appropriations Committee (Rep. Dalrymple, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (22 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1342 was placed on the Sixth order on the calendar.

Page 1, line 8, after the first semicolon insert "and" and remove "; and to declare an emergency"

Page 10, remove line 8

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 405 - INDUSTRIAL COMMISSION (OIL AND GAS DIVISION)

HOUSE - This amendment removes the emergency clause, thereby eliminating the \$25,000 fiscal impact to the 1995-97 biennium. The bill still contains a special funds appropriation of \$250,480 to cover the fiscal impact of \$250,480 for the 1997-99 biennium.

REPORT OF STANDING COMMITTEE

HB 1427, as engrossed: Appropriations Committee (Rep. Dalrymple, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (19 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1427 was placed on the Sixth order on the calendar.

Page 1, line 3, remove "and" and after "appropriation" insert "; to provide for application; and to declare an emergency"

Page 6, line 5, replace "2 and 3" with "1 through 5"

Page 6, after line 5, insert:

"SECTION 8. TRANSFER. The office of management and budget shall transfer \$500,000 from the highway tax distribution fund to the agricultural research fund on May 1, 1997, in lieu of ethanol incentive funding that is not anticipated to be claimed, for the biennium beginning July 1, 1995, and ending June 30, 1997."

Page 6, line 7, replace "\$1,000,000, or so much of the amount as is necessary," with "\$500,000"

Page 6, line 8, after "fund" insert "on September 1, 1997, in lieu of ethanol incentive funding that is not anticipated to be claimed,"

Page 6, line 11, replace "consultation board" with "products utilization commission"

Page 6, after line 13, insert:

"SECTION 11. APPLICATION. Section 6 of this Act applies to refund claims for motor vehicle fuel taxes paid after December 31, 1996.

SECTION 12. EMERGENCY. This Act is declared to be an emergency measure."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 612 - AGRICULTURAL PRODUCTS UTILIZATION COMMISSION

HOUSE - This amendment makes the following changes:

- Reduces the 1997-99 transfer from the agricultural fuel tax fund to the agricultural research fund by \$500,000, from \$1,000,000 to \$500,000. The transfer of funds results from anticipated unclaimed ethanol production incentive payments during the 1997-99 biennium.
- Provides for a \$500,000 transfer from the highway tax distribution fund to the agricultural research fund on May 1, 1997, in lieu of anticipated unclaimed ethanol production incentive payments, resulting from the Archer Daniels Midland (ADM) ethanol plant discontinuing operations during the 1995-97 biennium.
- Provides that the increased motor vehicle fuel tax refund withholding for the agricultural research fund applies to fuel purchases beginning in calendar year 1997.
- Adds an emergency clause to the bill.

REPORT OF STANDING COMMITTEE

HB 1433, as engrossed: Appropriations Committee (Rep. Dalrymple, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (21 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). Engrossed HB 1433 was placed on the Sixth order on the calendar.

Page 1, line 2, replace "acceptance of gifts and bequests for the use of" with "receipt of funds by"

Page 1, line 7, replace "**Acceptance of gifts**" with "**Pesticide control board - Recovery of funds**"

Page 1, line 8, after the second comma insert "funds received for expenses paid by the pesticide control board relating to the registration of pesticides or"

Page 1, line 9, replace "accepted" with "received"

Page 1, line 10, replace "for use" with "to pay expenses relating to the registration of pesticides or"

Page 1, line 11, after "shall" insert "attempt, whenever possible, to recover funds expended relating to the registration of pesticides and shall" and replace "for accepting funds under" with "to administer provisions of"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 602 - AGRICULTURE DEPARTMENT

HOUSE - This amendment provides that the Pesticide Control Board attempt to recover its expenses related to registering minor use pesticides.

THE HOUSE RECONVENED, with Speaker Timm presiding.

SEVENTH ORDER OF BUSINESS

REP. KERZMAN MOVED that the report of the Minority be substituted for the report of the Majority on HB 1226.

REQUEST

REP. KERZMAN 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 1226, 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 1226, the roll was called and there were 41 YEAS, 54 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Axtman; Bernstein; Boehm; Boucher; Brandenburg; Callahan; Carlisle; Christenson; Coats; Delmore; Fairfield; Glassheim; Grumbo; Gulleeson; Hanson;

Hawken; Huether; Jacobs; Jensen; Johnson, D.; Kelsh, S.; Kerzman; Kretschmar; Kroepelin; Mahoney; Maragos; Martinson; Nicholas; Nichols; Niemeier; Oban; Renner; Rose; Sandvig; Sveen; Thorpe; Wald; Warner; Wentz; Wilkie

NAYS: Belter; Berg; Brown; Brusegaard; Byerly; Carlson; Christopherson; Clark; Dalrymple; DeKrey; Delzer; Devlin; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Gorder; Grande; Grosz; Gunter; Hausauer; Henegar; Johnsen, C.; Keiser; Kelsch, R.; Kempenich; Kilzer; Klein; Kliniske; Kunkel; Lloyd; Mickelson; Monson; Murphy; Nelson; Nottestad; Olson; Poolman; Price; Rennerfeldt; Sabby; Skarphol; Soukup; Stenehjem; Svedjan; Thompson; Thoreson; Tollefson; Torgerson; Wardner; Weisz; Speaker Timm

ABSENT AND NOT VOTING: Koppelman; Schmidt

The motion that the report of the Minority be substituted for the report of the Majority on HB 1226 failed.

MOTION

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

HB 1226 with the proposed Majority report amendments was placed on the Sixth order of business on the calendar.

SIXTH ORDER OF BUSINESS

HB 1226: REP. PRICE (Human Services Committee) MOVED that the Majority report amendments on HB 1226 be adopted and then be **REREFERRED** to the **Appropriations Committee** with **DO PASS**, which motion prevailed.

HB 1226, as amended, was rereferred to the **Appropriations Committee**.

SECOND READING OF HOUSE BILL

HB 1368: A BILL for an Act to amend and reenact subsection 1 of section 15-34.1-00.1, subsection 5 of section 15-34.1-03, sections 15-34.1-06, 15-34.1-07, 15-34.1-08, 15-34.1-09, 15-34.1-10, and 15-34.1-11 of the North Dakota Century Code, relating to home 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 78 YEAS, 18 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

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

NAYS: Aarsvold; Boucher; Coats; Glassheim; Guleson; Hawken; Huether; Jensen; Kunkel; Maragos; Monson; Nicholas; Nichols; Niemeier; Sveen; Warner; Wentz; Wilkie

ABSENT AND NOT VOTING: Schmidt

Engrossed HB 1368 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1371: A BILL for an Act to amend and reenact section 5-02-09 of the North Dakota Century Code, relating to the establishment of local regulations.

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

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

NAYS: Keiser; Wald

ABSENT AND NOT VOTING: Schmidt

Engrossed HB 1371 passed and the title was agreed to.

MOTION

REP. KRETSCHMAR MOVED that the House reconsider its action whereby HCR 3010 failed to pass, which motion lost on a verification vote.

SECOND READING OF HOUSE BILL

HB 1191: A BILL for an Act to create and enact section 28-32-03.4 of the North Dakota Century Code, relating to authority of the committee on administrative rules to call up existing administrative rules for review; to amend and reenact subsection 1 of section 28-32-03.3 of the North Dakota Century Code, relating to authority of the committee on administrative rules to void or object to administrative rules; and to provide an effective date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 94 YEAS, 1 NAY, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: 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; 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; Koppelman; Kretschmar; Kroepflin; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Murphy; Nelson; Nicholas; Nichols; Nottestad; Oban; Olson; Poolman; Price; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Wilkie; Speaker Timm

NAYS: Brusegaard

ABSENT AND NOT VOTING: Niemeier; Schmidt

Engrossed HB 1191 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1385: A BILL for an Act to amend and reenact section 54-35-02.5 of the North Dakota Century Code, relating to the composition of the administrative rules committee; and to declare an emergency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 93 YEAS, 0 NAYS, 0 EXCUSED, 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; 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; Koppelman; Kretschmar; Kroeplin; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Murphy; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Oban; Olson; Poolman; Price; Rennerfeldt; Rose; Sabby; Sandvig; Skarphol; Soukup; Stenehjøm; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wilkie; Speaker Timm

ABSENT AND NOT VOTING: Gorder; Renner; Schmidt; Wentz

Engrossed HB 1385 passed, the title was agreed to, and the emergency clause was declared carried.

MOTION

REP. DORSO MOVED that HB 1461 be placed at the top of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1461: A BILL for an Act to limit rulemaking authority of administrative agencies and to direct a legislative study of the rulemaking authority of administrative agencies; 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 7 YEAS, 89 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Bernstein; Carlson; Freier; Gorder; Jacobs; Koppelman; Thoreson

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

ABSENT AND NOT VOTING: Schmidt

Engrossed HB 1461 was declared lost.

SECOND READING OF HOUSE BILL

HB 1388: A BILL 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.

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 60 YEAS, 36 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Axtman; Belter; Berg; Bernstein; Boehm; Brown; Brusegaard; Byerly; Carlson; Christopherson; Clark; Dalrymple; DeKrey; Delzer; Devlin; Dorso; Freier; Froseth; Gerntholz; Grande; Grosz; Gunter; Hausauer; Hawken; Henegar; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Kelsch, R.; Kilzer; Klein; Kliniske; Koppelman; Kunkel; Lloyd; Mickelson; Murphy; Nelson; Nicholas; Nottestad; Olson; Poolman; Price; Renner; Rennerfeldt; Sabby; Skarphol; Soukup; Stenehjøm; Svedjan; Thompson; Thoreson; Tollefson; Torgerson; Wald; Wardner; Weisz; Wentz; Speaker Timm

NAYS: Aarsvold; Boucher; Brandenburg; Callahan; Carlisle; Christenson; Coats; Delmore; Drovdal; Fairfield; Galvin; Glassheim; Gorder; Grumbo; Gulleon; Hanson; Huether; Keiser; Kelsh, S.; Kempenich; Kerzman; Kretschmar; Kroeplin; Mahoney; Maragos;

Martinson; Monson; Nichols; Niemeier; Oban; Rose; Sandvig; Sveen; Thorpe; Warner; Wilkie

ABSENT AND NOT VOTING: Schmidt

Engrossed HB 1388 passed and the title was agreed to.

HOUSE ENGROSSING REPORT

The following bill was engrossed: HB 1226.

MOTION

REP. FREIER MOVED that the House be on the Fifth order of business and at the conclusion of that order, the House stand in recess until 7:30 p.m., which motion prevailed.

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

MR. SPEAKER: The Senate has passed and your favorable consideration is requested on: SB 2004, SB 2021, SB 2061, SB 2109, SB 2144, SB 2159, SB 2160, SB 2173, SB 2191, SB 2200, SB 2214, SB 2231, SB 2248, SB 2264, SB 2269, SB 2295, SB 2302, SB 2315, SB 2321, SB 2324, SB 2327, SB 2328, SB 2333, SB 2343, SB 2351, SB 2352, SB 2353, SB 2359, SB 2366, SB 2368, SB 2371, SB 2380, SB 2384.

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 2001, SB 2042, SB 2051, SB 2052, SB 2053, SB 2132, SB 2206, SB 2234, SB 2244, SB 2260, SB 2271, SB 2301, SB 2308, SB 2310, SB 2323, SB 2349, SB 2379, SB 2383, SB 2390.

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

SECOND READING OF HOUSE BILL

HB 1399: A BILL for an Act to amend and reenact section 32-21-03 of the North Dakota Century Code, relating to persons who may bring a wrongful death action.

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 77 YEAS, 0 NAYS, 0 EXCUSED, 20 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Aarsvold; Bernstein; Boehm; Brown; Dalrymple; Delzer; Freier; Gorder; Hausauer; Huether; Kerzman; Kunkel; Lloyd; Schmidt; Soukup; Svedjan; Thompson; Tollefson; Wald; Wilkie

Engrossed HB 1399 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1403: A BILL for an Act to amend and reenact subsection 10 of section 16.1-08.1-01, sections 16.1-08.1-02, 16.1-08.1-03, 16.1-08.1-03.1, 16.1-08.1-03.2, subsection 3 of section 16.1-08.1-03.3, sections 16.1-08.1-03.5, 16.1-08.1-06, and subdivision a of subsection 2 of section 16.1-10-02 of the North Dakota Century Code, relating to campaign contribution statements, political committee registration, and the definition of political purpose.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 86 YEAS, 0 NAYS, 0 EXCUSED, 11 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Bernstein; Boehm; Devlin; Gorder; Hausauer; Kerzman; Lloyd; Schmidt; Soukup; Thompson; Tollefson

Engrossed HB 1403 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1413: A BILL for an Act to create and enact a new subsection to section 26.1-23.1-01 and two new sections to chapter 26.1-23.1 of the North Dakota Century Code, relating to private nonprofit entities joining government self-insurance pools and creation of a government self-insurance pool board of directors; to amend and reenact section 26.1-23.1-03 of the North Dakota Century Code, relating to the governing framework of government self-insurance pools; and to provide for transition.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 61 YEAS, 31 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Axtman; Belter; Berg; Boehm; Brown; Brusegaard; Byerly; Callahan; Carlisle; Carlson; Christopherson; Clark; Dorso; Drovdal; Freier; Gerntholz; Grande; Grosz; Grumbo; Gunter; Hausauer; Huether; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kempenich; Kilzer; Klein; Kliniske; Koppelman; Kunkel; Mahoney; Maragos; Martinson; Mickelson; Murphy; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Oban; Poolman; Price; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Skarphol; Svedjan; Thompson; Thoreson; Torgerson; Wald; Wardner; Warner; Wentz; Speaker Timm

NAYS: Boucher; Brandenburg; Christenson; Coats; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Fairfield; Froseth; Galvin; Glassheim; Gullerson; Hanson; Hawken; Henegar; Jacobs; Kelsch, R.; Kelsh, S.; Kretschmar; Kroepelin; Lloyd; Monson; Olson; Stenehjem; Sveen; Thorpe; Tollefson; Weisz; Wilkie

ABSENT AND NOT VOTING: Bernstein; Gorder; Kerzman; Schmidt; Soukup

Engrossed HB 1413 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1416: A BILL 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.

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 20 YEAS, 71 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Boucher; Brandenburg; Callahan; Christenson; Delmore; Fairfield; Glassheim; Grumbo; Gullerson; Hanson; Kelsh, S.; Kroepelin; Mahoney; Niemeier; Oban; Sandvig; Thorpe; Wentz; Wilkie

NAYS: Axtman; Belter; Berg; Boehm; Brown; Brusegaard; Byerly; Carlisle; Carlson; Christopherson; Clark; Coats; 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; Koppelman; Kretschmar; Kunkel; Lloyd; Maragos; Martinson; Monson; Murphy; Nelson; Nicholas; Nichols; Nottestad; Olson; Poolman; Price; Renner; Rennerfeldt; Rose; Sabby; Skarphol; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Speaker Timm

ABSENT AND NOT VOTING: Bernstein; Gorder; Kerzman; Mickelson; Schmidt; Soukup

Engrossed HB 1416 was declared lost.

SECOND READING OF HOUSE BILL

HB 1417: A BILL for an Act to amend and reenact section 16.1-10-04 of the North Dakota Century Code, relating to the publication of false information in political advertisements; and to provide a penalty.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 22 YEAS, 69 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Boucher; Brandenburg; Callahan; Carlson; Christenson; Clark; Coats; Dorso; Fairfield; Grosz; Grumbo; Hanson; Keiser; Kelsh, S.; Koppelman; Mahoney; Sandvig; Thorpe; Wald; Warner; Wilkie

NAYS: Axtman; Belter; Boehm; Brown; Brusegaard; Byerly; Carlisle; Christopherson; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Drovdal; Freier; Froseth; Galvin; Gertholz; Glassheim; Grande; Guleson; Gunter; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Kelsch, R.; Kempenich; Kilzer; Klein; Kliniske; Kretschmar; Kroeplin; Kunkel; Lloyd; Maragos; Martinson; Mickelson; Monson; Murphy; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Oban; Olson; Poolman; Price; Renner; Rennerfeldt; Rose; Sabby; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Tollefson; Torgerson; Wardner; Weisz; Speaker Timm

ABSENT AND NOT VOTING: Berg; Bernstein; Gorder; Kerzman; Schmidt; Wentz

Engrossed HB 1417 was declared lost.

SECOND READING OF HOUSE BILL

HB 1445: A BILL for an Act to create and enact a new section to chapter 48-01.1 of the North Dakota Century Code, relating to the use of a licensed architect or registered professional engineer as a construction manager for public improvement projects; and to amend and reenact section 48-01.1-01 of the North Dakota Century Code, relating to definitions regarding public improvement contracts.

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 58 YEAS, 36 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Belter; Berg; Bernstein; Boehm; Boucher; Brown; Brusegaard; Byerly; Carlisle; Carlson; Christopherson; Clark; Coats; Dalrymple; DeKrey; Delmore; Delzer; Dorso; Freier; Galvin; Gertholz; Grande; Grosz; Gunter; Hausauer; Hawken; Henegar; Jacobs; Jensen; Johnsen, C.; Keiser; Kelsch, R.; Kilzer; Koppelman; Kretschmar; Lloyd; Maragos; Martinson; Mickelson; Monson; Murphy; Nicholas; Olson; Poolman; Price; Renner; Rennerfeldt; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Tollefson; Torgerson; Wald; Wentz; Wilkie; Speaker Timm

NAYS: Aarsvold; Axtman; Brandenburg; Callahan; Christenson; Devlin; Drovdal; Fairfield; Froseth; Glassheim; Grumbo; Guleson; Hanson; Huether; Johnson, D.; Kelsh, S.; Kempenich; Klein; Kliniske; Kroeplin; Kunkel; Mahoney; Nelson; Nichols; Niemeier; Nottestad; Oban; Rose; Sabby; Sandvig; Thompson; Thoreson; Thorpe; Wardner; Warner; Weisz

ABSENT AND NOT VOTING: Gorder; Kerzman; Schmidt

Engrossed HB 1445 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1456: A BILL 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.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 92 YEAS, 2 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; Grande; Grosz; Grumbo; Gullerson; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroeplin; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Murphy; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Oban; Olson; Poolman; Price; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Speaker Timm

NAYS: Kunkel; Wilkie

ABSENT AND NOT VOTING: Gorder; Kerzman; Schmidt

Engrossed HB 1456 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1462: A BILL for an Act to amend and reenact section 54-35-08 of the North Dakota Century Code, relating to introduction of legislation by executive agencies and the judicial branch.

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 11 YEAS, 80 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

YEAS: Bernstein; Brown; Brusegaard; Carlson; DeKrey; Koppelman; Oban; Olson; Rose; Skarphol; Weisz

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

ABSENT AND NOT VOTING: Boucher; Gorder; Kerzman; Nicholas; Schmidt; Wentz

Engrossed HB 1462 was declared lost.

SECOND READING OF HOUSE BILL

HB 1468: A BILL for an Act to amend and reenact section 34-01-20 of the North Dakota Century Code, relating to prohibiting employer retaliation against employees for certain conduct.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 92 YEAS, 2 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; Grande; Grosz; Grumbo; Gullerson; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroeplin; Kunkel; Mahoney; Maragos; Martinson; Mickelson; Monson; Murphy; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Oban; Olson; Poolman; Price; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Soukup; Stenehjerm; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Wilkie; Speaker Timm

NAYS: Lloyd; Skarphol

ABSENT AND NOT VOTING: Gorder; Kerzman; Schmidt

HB 1468 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1027: A BILL for an Act to provide an appropriation for defraying the expenses of various state retirement and investment agencies.

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

ABSENT AND NOT VOTING: Gorder; Kerzman; Schmidt

Engrossed HB 1027 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1101: A BILL for an Act to amend and reenact section 5-01-07 of the North Dakota Century Code, relating to consent of the board of township supervisors for issuance of a retail beer or liquor license.

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 44 YEAS, 50 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Axtman; Belter; Berg; Bernstein; Boehm; Brown; Brusegaard; Carlson; Christopherson; Clark; DeKrey; Delzer; Fairfield; Freier; Froseth; Galvin; Gerntholz; Grande; Grosz; Gunter; Hausauer; Hawken; Henegar; Jacobs; Johnsen, C.; Johnson, D.; Kempenich; Kliniske; Kretschmar; Maragos; Mickelson; Nelson; Olson; Poolman; Price; Renner; Soukup; Sveen; Thompson; Thorpe; Wald; Wardner; Weisz; Speaker Timm

NAYS: Aarsvold; Boucher; Brandenburg; Byerly; Callahan; Carlisle; Christenson; Coats; Dalrymple; Delmore; Devlin; Dorso; Drovdal; Glassheim; Grumbo; Gullerson; Hanson;

Huether; Jensen; Keiser; Kelsch, R.; Kelsh, S.; Kilzer; Klein; Koppelman; Kroeplin; Kunkel; Lloyd; Mahoney; Martinson; Monson; Murphy; Nicholas; Nichols; Niemeier; Nottestad; Oban; Rennerfeldt; Rose; Sabby; Sandvig; Skarphol; Stenehjem; Svedjan; Thoreson; Tollefson; Torgerson; Warner; Wentz; Wilkie

ABSENT AND NOT VOTING: Gorder; Kerzman; Schmidt

Engrossed HB 1101 was declared lost.

MOTION

REP. DORSO MOVED that HB 1116, which is on the Eleventh order, be laid over one legislative day, which motion prevailed.

MOTION

REP. FREIER MOVED that the House waive the reading of the title to HB 1164, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1164: A BILL for an Act to amend and reenact sections 43-11-01, 43-11-02, 43-11-08, 43-11-11, 43-11-12, 43-11-17, 43-11-19, 43-11-20.1, 43-11-21, 43-11-23, 43-11-26, 43-11-27, 43-11-32, 43-11-33, 43-11-34, and 43-11-35 of the North Dakota Century Code, relating to licensure and regulation of cosmetologists and cosmetology salons; and to repeal sections 43-11-07, 43-11-13.2, 43-11-20.3, and 43-11-30 of the North Dakota Century Code, relating to the bond of the secretary of the board, homebound licenses, cancellation of contract for instruction, and disciplinary action.

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 81 YEAS, 11 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

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

NAYS: Bernstein; Boehm; Brown; Delzer; Fairfield; Grosz; Nichols; Poolman; Warner; Wilkie; Speaker Timm

ABSENT AND NOT VOTING: Gorder; Kelsh, S.; Kerzman; Schmidt; Tollefson

Engrossed HB 1164 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1172: A BILL for an Act to amend and reenact subsections 3 and 4 of section 20.1-03-11 of the North Dakota Century Code, relating to gratis and preferential landowner licenses to hunt deer.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 91 YEAS, 3 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; Grande; Grosz; Grumbo; Gullerson; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Mickelson;

Monson; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Oban; Olson; Poolman; Price; Renner; Rennerfeldt; Rose; Sandvig; Skarphol; Soukup; Stenehjerm; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Wilkie; Speaker Timm

NAYS: Kroeplin; Murphy; Sabby

ABSENT AND NOT VOTING: Gorder; Kerzman; Schmidt

Engrossed HB 1172 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1180: A BILL for an Act to amend and reenact sections 12.1-31.1-03, 12.1-31.1-04, and subdivision a of subsection 1 of section 19-03.1-23 of the North Dakota Century Code, relating to unlawful possession, manufacture, or delivery of drug paraphernalia and methamphetamine; and to provide a penalty.

ROLL CALL

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

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

ABSENT AND NOT VOTING: Boucher; Gorder; Kerzman; Schmidt

Engrossed HB 1180 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1182: A BILL for an Act to create and enact a new section to chapter 36-01 of the North Dakota Century Code, relating to the private ownership of primates, wolves, wolf hybrids, skunks, and raccoons; to amend and reenact section 36-01-08.2 of the North Dakota Century Code, relating to certain animals held in captivity; and to provide a penalty.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 68 YEAS, 24 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Axtman; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Byerly; Carlisle; Carlson; Christenson; Christopherson; Clark; Coats; DeKrey; Delmore; Dorso; Drovdal; Fairfield; Freier; Froseth; Galvin; Glassheim; Grande; Grosz; Grumbo; Gulleon; Gunter; Hanson; Hawken; Henegar; Huether; Jensen; Johnsen, C.; Keiser; Kelsch, R.; Kempenich; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroeplin; Mahoney; Maragos; Martinson; Mickelson; Nichols; Oban; Olson; Renner; Rennerfeldt; Rose; Sandvig; Skarphol; Soukup; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Wald; Wardner; Warner; Wentz; Wilkie; Speaker Timm

NAYS: Aarsvold; Brown; Brusegaard; Callahan; Dalrymple; Delzer; Devlin; Gerntholz; Jacobs; Johnson, D.; Kelsh, S.; Kunkel; Lloyd; Monson; Murphy; Nelson; Nicholas; Niemeier; Nottestad; Poolman; Price; Sabby; Torgerson; Weisz

ABSENT AND NOT VOTING: Gorder; Hausauer; Kerzman; Schmidt; Stenehjerm

Engrossed HB 1182 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1202: A BILL for an Act to amend and reenact subsection 7 of section 20.1-03-11 and section 20.1-08-04.6 of the North Dakota Century Code, relating to landowner preference licenses to hunt elk and the governor's proclamation concerning the hunting of elk; and to declare an emergency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 89 YEAS, 4 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; Gerntholz; Glassheim; Grande; Grosz; Grumbo; Gulleeson; Gunter; Hanson; Hawken; Henegar; Huether; Jacobs; Jensen; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroepelin; Kunkel; Lloyd; Maragos; Mickelson; Monson; Murphy; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Oban; Olson; Poolman; Price; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Wilkie; Speaker Timm

NAYS: Galvin; Johnsen, C.; Mahoney; Martinson

ABSENT AND NOT VOTING: Gorder; Hausauer; Kerzman; Schmidt

Engrossed HB 1202 passed, the title was agreed to, and the emergency clause carried.

SECOND READING OF HOUSE BILL

HB 1222: A BILL for an Act to amend and reenact section 20.1-03-07.1 of the North Dakota Century Code, relating to waterfowl hunting by nonresidents born in North Dakota.

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 75 YEAS, 17 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Axtman; Berg; Boehm; Boucher; Brandenburg; Brown; Brusegaard; Callahan; Carlisle; Carlson; Christenson; Christopherson; Coats; DeKrey; Delzer; Devlin; Dorso; Fairfield; Freier; Froseth; Galvin; Glassheim; Grande; Grosz; Grumbo; Gunter; Hanson; Hawken; Henegar; Huether; Jacobs; Jensen; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroepelin; Kunkel; Lloyd; Mahoney; Maragos; Mickelson; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Olson; Poolman; Price; Renner; Rennerfeldt; Sabby; Sandvig; Skarphol; Soukup; Stenehjem; Svedjan; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wilkie; Speaker Timm

NAYS: Belter; Bernstein; Byerly; Clark; Dalrymple; Delmore; Drovdal; Gerntholz; Johnsen, C.; Martinson; Monson; Murphy; Oban; Rose; Sveen; Thompson; Wentz

ABSENT AND NOT VOTING: Gorder; Gulleeson; Hausauer; Kerzman; Schmidt

Engrossed HB 1222 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1257: A BILL for an Act to create and enact a new section to chapter 23-27 of the North Dakota Century Code, relating to supervision of emergency medical services personnel; and to amend and reenact section 23-27-04.3 of the North Dakota Century Code, relating to emergency medical services personnel.

ROLL CALL

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

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

NAYS: Brusegaard

ABSENT AND NOT VOTING: Gorder; Guleson; Hausauer; Kerzman; Schmidt

Engrossed HB 1257 passed and the title was agreed to.

MOTION

REP. DORSO MOVED that HB 1334, which is on the Eleventh order, be laid over one legislative day, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1351: A BILL for an Act to provide for a waiver of privilege for health care providers.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 92 YEAS, 0 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; Delzer; Devlin; Dorso; Drovdal; Fairfield; Freier; Froseth; Galvin; Gerntholz; Glassheim; Grande; Grosz; Grumbo; Guleson; Gunter; Hanson; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroeplin; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Murphy; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Oban; Olson; Poolman; Price; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wardner; Warner; Weisz; Wentz; Wilkie; Speaker Timm

ABSENT AND NOT VOTING: Gorder; Hausauer; Kerzman; Schmidt; Wald

Engrossed HB 1351 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1353: A BILL for an Act to create and enact a new section to chapter 44-06 of the North Dakota Century Code, relating to name changes of notaries public; to amend and reenact sections 44-06-04, 44-06-05, 44-06-11, 44-06-13, 44-06-13.1, and 44-06-14 of the North Dakota Century Code, relating to bonds, seals, commissions, and fees of notaries public; and to provide a penalty.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 91 YEAS, 0 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

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

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

ABSENT AND NOT VOTING: Boucher; Gorder; Grumbo; Hausauer; Kerzman; Schmidt

Engrossed HB 1353 passed and the title was agreed to.

MOTION

REP. FREIER MOVED that the House waive the reading of the title to HB 1394, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1394: A BILL for an Act to create and enact a new subsection to section 20.1-01-02 of the North Dakota Century Code, relating to the definition of upland game; and to amend and reenact sections 20.1-03-07.1 and 20.1-03-07.2 of the North Dakota Century Code, relating to nonresident waterfowl and small game licenses and youth hunting licenses.

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

YEAS: Aarsvold; Axtman; Belter; Brusegaard; Byerly; Carlisle; Carlson; Christopherson; Clark; Dalrymple; Devlin; Dorso; Fairfield; Freier; Gerntholz; Grande; Hanson; Henegar; Jacobs; Jensen; Keiser; Kelsh, S.; Mickelson; Niemeier; Olson; Price; Sabby; Skarphol; Soukup; Tollefson; Wilkie

NAYS: Berg; Bernstein; Boehm; Boucher; Brandenburg; Brown; Callahan; Christenson; Coats; DeKrey; Delmore; Delzer; Drovda; Froseth; Galvin; Glassheim; Grosz; Grumbo; Gulleson; Gunter; Hawken; Huether; Johnsen, C.; Johnson, D.; Kelsch, R.; Kempenich; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroepelin; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Monson; Murphy; Nelson; Nicholas; Nichols; Nottestad; Oban; Poolman; Renner; Rennerfeldt; Rose; Sandvig; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Torgerson; Wardner; Warner; Weisz; Wentz; Speaker Timm

ABSENT AND NOT VOTING: Gorder; Hausauer; Kerzman; Schmidt; Wald

Engrossed HB 1394 was declared lost.

MOTION

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

MOTION

REP. FREIER MOVED that the House be on the Fifth and Thirteenth orders of business and at the conclusion of those orders, the House stand adjourned until 8:00 a.m., Thursday, February 20, 1997, which motion prevailed.

REPORT OF STANDING COMMITTEE

HB 1410: Appropriations Committee (Rep. Dalrymple, Chairman) A MAJORITY of your committee (Reps. Dalrymple, Hausauer, Wald, Kunkel, Gerntholz, Byerly, Wentz, Svedjan, Aarsvold (refused to sign), Bernstein, Boehm, Delzer, Freier, Huether, Nichols (refused to sign), Soukup, Tollefson, Wilkie (refused to sign)) recommends **DO PASS**.

REPORT OF STANDING COMMITTEE

HB 1410: Appropriations Committee (Rep. Dalrymple, Chairman) A MINORITY of your committee (Rep. Oban) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS**.

Page 1, remove line 4

Page 1, line 5, remove "health council"

Page 1, remove lines 7 through 24

Page 2, remove lines 1 through 6

Page 2, remove the underscore under lines 9 through 30

Page 3, remove the underscore under lines 1 through 30

Page 4, remove the underscore under lines 1 through 31

Page 5, remove the underscore under lines 1 through 14

Renumber accordingly

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

FIRST READING OF SENATE BILLS

SB 2028: A BILL for an Act to create and enact a new section to chapter 50-06 of the North Dakota Century Code, relating to fetal alcohol syndrome; to amend and reenact sections 15-11-35, 23-01-24, and subsection 2 of section 50-06-05.3 of the North Dakota Century Code, relating to fetal alcohol syndrome; and to provide an appropriation.

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

SB 2139: A BILL for an Act to amend and reenact subsection 1 of section 15-39.1-09 and subsection 2 of section 15-39.1-10 of the North Dakota Century Code, relating to assessments and computation of benefits under the teachers' fund for retirement; to provide for application; and to provide a statement of legislative intent.

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

SB 2167: A BILL for an Act to create and enact section 14-09-06.6 of the North Dakota Century Code, relating to motions for postjudgment custody modification.

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

SB 2181: A BILL for an Act to prohibit governmental discrimination in contracts and programs.

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

SB 2210: A BILL for an Act to create and enact chapter 10-33 of the North Dakota Century Code, relating to nonprofit corporations; to amend and reenact subsection 2 of section 11-10-24, sections 14-03-09, 15-17-01, 18-05-01, 26.1-14-03, 26.1-17-11, subsection 2 of section 40-01-23, subsection 12 of section 49-23-01, subsection 8 of section 54-01.1-02, section 55-03-01, subsection 2 of section 61-16.1-60, and section 61-35-29 of the North Dakota Century Code, relating to references to the Nonprofit Corporations Act; to repeal chapters 10-24, 10-25, 10-26, 10-27, and 10-28 of the North Dakota Century Code, relating to the Nonprofit Corporations Act; to provide a penalty; and to provide an effective date.

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

SB 2220: A BILL for an Act to amend and reenact sections 12.1-32-07 and 12.1-32-08 of the North Dakota Century Code, relating to supervision of probationers, restitution, and reimbursement of indigent defense costs from offenders.

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

SB 2221: A BILL for an Act to create and enact a new chapter to title 12.1 of the North Dakota Century Code, relating to barring perpetrators of certain crimes from recovering for injuries sustained during criminal conduct.

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

SB 2338: A BILL for an Act to amend and reenact sections 15-40.1-06, 15-40.1-07, 15-40.1-08, and 57-15-14 of the North Dakota Century Code, relating to per student payments, the school district equalization factor, and tax levy limitations in school districts; and to provide an appropriation.

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

SB 2344: A BILL for an Act to create and enact sections 10-19.1-41.1, 10-19.1-72.1, 10-19.1-73.2, 10-19.1-73.3, 10-19.1-75.1, 10-19.1-75.2, 10-19.1-76.1, 10-19.1-76.2, 10-19.1-76.3, 10-19.1-85.1, 10-19.1-132, 10-19.1-133, 10-19.1-134, 10-19.1-135, 10-19.1-136, 10-19.1-137, 10-19.1-138, 10-19.1-139, 10-19.1-140, 10-19.1-141, 10-19.1-142, 10-19.1-143, 10-19.1-144, 10-19.1-145, 10-19.1-146, 10-19.1-147, 10-19.1-148, 10-19.1-149, 10-19.1-150, 10-19.1-151, 10-19.1-152, 10-32-39.1, 10-32-40.1, 10-32-40.2, 10-32-43.1, 10-32-43.2, 10-32-48.1, 10-32-52.1, 10-32-78.1, 10-32-130.1, 10-32-130.2, 10-32-156, 57-38-07.2, and 57-38.1-17.3 of the North Dakota Century Code, relating to the North Dakota Business Corporation Act - General Provisions, the Limited Liability Company Act, limited liability partnerships, income tax, and the Uniform Division of Income Tax Act; to amend and reenact sections 10-06.1-17, 10-19.1-01, 10-19.1-10, 10-19.1-13, 10-19.1-14, 10-19.1-15, 10-19.1-16, 10-19.1-25, 10-19.1-26, 10-19.1-30, 10-19.1-31, 10-19.1-35, 10-19.1-40, 10-19.1-41, 10-19.1-42, 10-19.1-43, 10-19.1-47, 10-19.1-48, 10-19.1-50, 10-19.1-51, 10-19.1-52, 10-19.1-53, 10-19.1-55, 10-19.1-56, 10-19.1-57, 10-19.1-58, 10-19.1-59, 10-19.1-60, 10-19.1-66, 10-19.1-71, 10-19.1-72, 10-19.1-73, 10-19.1-74, 10-19.1-75, 10-19.1-76, 10-19.1-81, 10-19.1-82, 10-19.1-83, 10-19.1-85, 10-19.1-86, 10-19.1-87, 10-19.1-89, 10-19.1-90, 10-19.1-91, 10-19.1-92, 10-19.1-95, 10-19.1-110, 10-19.1-110.1, 10-19.1-115, 10-19.1-117, 10-19.1-123, 10-19.1-124, 10-19.1-127, 10-31-01, 10-31-02, 10-31-02.1, 10-31-02.2, 10-31-03, 10-31-04, 10-31-05, 10-31-07, 10-31-07.1, 10-31-07.2, 10-31-07.3, 10-31-12, 10-31-13, 10-31-13.1, 10-32-02, 10-32-06, 10-32-07, 10-32-10, 10-32-11, 10-32-12, 10-32-13, 10-32-15, 10-32-16, 10-32-17, 10-32-19, 10-32-22, 10-32-23, 10-32-28, 10-32-31, 10-32-32, 10-32-34, 10-32-37, 10-32-38, 10-32-39, 10-32-40, 10-32-42, 10-32-43, 10-32-44, 10-32-47, 10-32-48, 10-32-51, 10-32-52, 10-32-53, 10-32-54, 10-32-55, 10-32-56, 10-32-58, 10-32-64, 10-32-66, 10-32-67, 10-32-68, 10-32-72, 10-32-77, 10-32-78, 10-32-79, 10-32-80, 10-32-81, 10-32-83, 10-32-84, 10-32-85, 10-32-86, 10-32-87, 10-32-88, 10-32-89, 10-32-91, 10-32-92, 10-32-93, 10-32-94, 10-32-95, 10-32-96, 10-32-97, 10-32-99, 10-32-100, 10-32-101, 10-32-102, 10-32-103, 10-32-104, 10-32-105, 10-32-106, 10-32-107, 10-32-108, 10-32-109, 10-32-110, 10-32-113, 10-32-114, 10-32-115, 10-32-117, 10-32-119, 10-32-121, 10-32-122, 10-32-127, 10-32-135, 10-32-136, 10-32-137, 10-32-138, 10-32-139, 10-32-140, 10-32-141, 10-32-142, 10-32-143, 10-32-144, 10-32-145, 10-32-146, 10-32-147, 10-32-148, 10-32-149, 10-32-150, 10-32-152, 10-32-153, 10-32-154, 10-32-155, 45-10.1-01, 45-10.1-02, 45-10.1-03, 45-10.1-04, 45-10.1-07.1, 45-10.1-08, 45-10.1-51, 45-10.1-52, 45-10.1-53, 45-10.1-54, 45-10.1-55, 45-10.1-56, 45-10.1-57, 45-10.1-58, 45-22-01, 45-22-03, 45-22-04, 45-22-05, 45-22-06, 45-22-07, 45-22-08, 45-22-11, 45-22-12, 45-22-13, 45-22-14, 45-22-16, 45-22-17, 45-22-18, 45-22-20, 45-22-22, 45-22-23, 45-22-24, 45-22-25, 45-22-26, 45-22-27, 57-38-07.1, and 57-38.1-17.2 of the North Dakota Century Code, relating to corporations or limited liability company farming, the Business Corporation Act, the Professional Organizations Act, the Limited Liability Company Act, the Uniform Limited Partnership Act, limited liability partnerships, income tax, and the Uniform Division of Income Tax Act; to repeal sections 10-19.1-54, 10-19.1-73.1, 10-19.1-77, 10-19.1-78, 10-19.1-79, 10-19.1-80, chapters 10-22, 10-23, sections 10-32-41, 10-32-45, 10-32-46, 10-32-90, and 10-32-151 of the North Dakota Century Code, relating to the North Dakota Business Corporation Act - General Provisions, the North Dakota Business Corporation Act - Foreign Corporations, the North Dakota Business Corporation Act - Administration, Reports, Fees, Effect, and the Limited Liability Company Act; and to provide penalties.

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

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

ROY GILBREATH, Chief Clerk