

JOURNAL OF THE HOUSE

Fifty-fifth Legislative Assembly

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Bismarck, March 14, 1997

The House convened at 1:00 p.m., with Speaker Timm presiding.

The prayer was offered by Former Representative and Deacon Emil Riehl, Mandan.

The roll was called and all members were present except Representatives Bernstein, DeKrey, Devlin, Galvin, Jensen, Nicholas, and Rennerfeldt.

A quorum was declared by the Speaker.

COMMUNICATION FROM GOVERNOR EDWARD T. SCHAFER

The following communication was received from the Governor at 2:50 p.m., March 13, 1997.

This is to inform you that on March 13, 1997, I signed the following: HB 1049, HB 1057, HB 1073, HB 1235, HB 1250, HB 1254, HB 1272, HB 1281, HB 1282, HB 1284, HB 1288, HB 1309, HB 1328, HB 1336, HB 1366, HB 1390, HB 1392, HB 1420, HB 1421, and HB 1451.

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

MR. SPEAKER: The Senate has overridden the Governor's veto on SB 2316. The vote was 36 YEAS, 11 NAYS, 2 ABSENT AND NOT VOTING, and your favorable consideration is requested.

SIXTH ORDER OF BUSINESS

REP. DORSO MOVED that the amendments on the Sixth order of business to SB 2023, SB 2028, SB 2071, SB 2083, SB 2088, Engrossed SB 2096, Engrossed SB 2128, Engrossed SB 2175, SB 2206, Reengrossed SB 2260, Engrossed SB 2318, SB 2323, Engrossed SB 2353, and SB 2379 be adopted, which motion prevailed.

SB 2028 and Engrossed SB 2318, as amended, were rereferred to the **Appropriations Committee**.

SB 2023, SB 2071, SB 2083, SB 2088, Engrossed SB 2096, Engrossed SB 2128, Engrossed SB 2175, SB 2206, Reengrossed SB 2260, SB 2323, Engrossed SB 2353, and SB 2379, as amended, were placed on the Fourteenth order of business on the calendar.

SIXTH ORDER OF BUSINESS

SB 2147, as engrossed: REP. PRICE (Human Services Committee) MOVED that the amendments on HJ pages 900-901 be adopted and then be placed on the Fourteenth order with **DO PASS**.

REQUEST

REP. ROSE REQUESTED a recorded roll call vote on the motion to adopt the proposed amendments to Engrossed SB 2147, which request was granted.

ROLL CALL

The question being on the motion to adopt the amendments to Engrossed SB 2147, the roll was called and there were 76 YEAS, 14 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

YEAS: Axtman; Belter; Berg; Boehm; Brown; Brusegaard; Byerly; Carlisle; Carlson; Christenson; Christopherson; Clark; Dalrymple; Delmore; Delzer; Devlin; Dorso; Drovdal; Fairfield; Freier; Froseth; Gerntholz; Glasheim; Gorder; Grande; Grosz; Gunter; Hawken; Henegar; Huether; Jacobs; Johnson, C.; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroeplin; Kunkel; Lloyd; Maragos; Martinson; Mickelson; Monson; Murphy; Nelson; Nichols; Niemeier; Nottestad; Oban; Olson; Poolman; Price; Renner; Sabby; Schmidt; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wilkie; Speaker Timm

NAYS: Aarsvold; Boucher; Brandenburg; Callahan; Coats; Grumbo; Gulleeson; Hanson; Mahoney; Rose; Sandvig; Thoreson; Thorpe; Wentz

ABSENT AND NOT VOTING: Bernstein; DeKrey; Galvin; Hausauer; Jensen; Nicholas; Rennerfeldt

The motion to adopt the amendments to Engrossed SB 2147 passed. Engrossed SB 2147, as amended, was placed on the Fourteenth order of business for the succeeding legislative day.

MOTION

REP. DORSO MOVED that Engrossed SB 2316 be reconsidered pursuant to Article V, Section 9, of the Constitution of the State of North Dakota for the purpose of overriding the Governor's veto and that Engrossed SB 2316 be placed on the Fourteenth order of business on the calendar, which motion prevailed.

RECONSIDERATION OF VETOED MEASURE

SB 2316: A BILL for an Act to create and enact a new section to chapter 54-03 of the North Dakota Century Code, relating to the convening of a special session of the legislative assembly to consider vetoed legislation; and to declare an emergency.

ROLL CALL

The question being on the final passage of the bill, as enrolled over the Governor's veto, which has been read, the roll was called and there were 41 YEAS, 52 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Axtman; Belter; Boucher; Byerly; Carlson; Christopherson; Clark; Coats; Dalrymple; Delzer; Devlin; Dorso; Fairfield; Freier; Gerntholz; Grande; Grosz; Hanson; Hausauer; Hawken; Jensen; Kilzer; Klein; Kliniske; Lloyd; Monson; Nelson; Nottestad; Poolman; Price; Sabby; Schmidt; Skarphol; Soukup; Stenehjem; Svedjan; Wald; Wardner; Weisz; Wentz; Speaker Timm

NAYS: Aarsvold; Berg; Boehm; Brandenburg; Brown; Brusegaard; Callahan; Carlisle; Christenson; Delmore; Drovdal; Froseth; Glassheim; Gorder; Grumbo; Gulleson; Gunter; Henegar; Huether; Jacobs; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Koppelman; Kretschmar; Kroepelin; Kunkel; Mahoney; Maragos; Martinson; Mickelson; Murphy; Nichols; Niemeier; Oban; Olson; Renner; Rennerfeldt; Rose; Sandvig; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Warner; Wilkie

ABSENT AND NOT VOTING: Bernstein; DeKrey; Galvin; Nicholas

The House sustained the Governor's veto on Engrossed SB 2316.

MOTION

REP. FREIER MOVED that the House waive the reading of the titles to Engrossed SB 2099, SB 2182, Engrossed SB 2232, and Engrossed SB 2394, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2042: A BILL for an Act to create and enact a new section to chapter 26.1-45 of the North Dakota Century Code, relating to qualifications of qualified service providers; to amend and reenact section 57-38-29.2 of the North Dakota Century Code, relating to an income tax credit for premiums paid for long-term care insurance coverage; and to provide an effective date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 87 YEAS, 6 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

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

NAYS: Callahan; Fairfield; Kilzer; Oban; Rose; Sandvig

ABSENT AND NOT VOTING: Bernstein; DeKrey; Galvin; Nicholas

Reengrossed SB 2042, as amended, passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2068: A BILL for an Act to amend and reenact subsection 3 of section 27-08.1-01, sections 27-08.1-02, 27-08.1-04, and 27-08.1-05 of the North Dakota Century Code, relating to small claims judgments and the commencement and removal of small claims actions; and to repeal section 27-08.1-06 of the North Dakota Century Code, relating to docketing and execution of small claims judgments.

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

ABSENT AND NOT VOTING: Bernstein; DeKrey; Galvin; Nicholas

Engrossed SB 2068, as amended, passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2099: A BILL for an Act to create and enact chapter 41-08 and two new sections to chapter 41-09 of the North Dakota Century Code, relating to the Uniform Commercial Code revised article 8 pertaining to investment securities, investment property, and security interests arising in purchase or delivery of financial assets; to amend and reenact subsection 1 of section 10-19.1-67, subsection 3 of section 10-32-28, subdivision e of subsection 2 of section 41-01-05, subsection 2 of section 41-01-16, subdivision f of subsection 1 of section 41-04-04, subsection 2 of section 41-05-14, subsection 6 of section 41-09-03, sections 41-09-05, 41-09-06, subsections 1 and 4 of section 41-09-16, subdivision d of subsection 1 of section 41-09-22, subsection 1 of section 41-09-23, subsection 1 of section 41-09-24, sections 41-09-25, 41-09-26, subsections 1 and 3 of section 41-09-27, section 41-09-30, and subsections 1 and 7 of section 41-09-33 of the North Dakota Century Code, relating to adoption of revised article 8; and to repeal chapter 10-18.1 and the present chapter 41-08 of the North Dakota Century Code, relating to the Uniform Act for the Simplification of Fiduciary Security Transfers and investment securities.

ROLL CALL

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

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

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

ABSENT AND NOT VOTING: Bernstein; DeKrey; Galvin; Nicholas

Engrossed SB 2099, as amended, passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2159: A BILL for an Act to create and enact subsection 11 to section 39-24-09 of the North Dakota Century Code, relating to liability insurance for snowmobiles; to amend and reenact subsection 38 of section 39-01-01 and section 39-24-11 of the North Dakota Century Code, relating to the definition of a motor vehicle and liability insurance for snowmobiles; 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 89 YEAS, 4 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

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

NAYS: Boehm; Delzer; Froseth; Murphy

ABSENT AND NOT VOTING: Bernstein; DeKrey; Galvin; Nicholas

Engrossed SB 2159, as amended, passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2235: A BILL for an Act to amend and reenact subsections 3 and 5 of section 14-05-22 and subdivision j of subsection 1 of section 14-09-06.2 of the North Dakota Century Code, relating to the effect of domestic violence on visitation rights and child custody proceedings; 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; Boehm; Boucher; Brandenburg; Brown; Brusegaard; Byerly; Callahan; Carlisle; Carlson; Christenson; Christopherson; Clark; Coats; Dalrymple; Delmore; Delzer; Devlin; Dorso; Drovdal; Fairfield; Freier; Froseth; Gerntholz; Glassheim; Gorder; Grande; Grosz; Grumbo; Guleson; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroepelin; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Murphy; Nelson; Nichols; Niemeier; Nottestad; Oban; Olson; Poolman; Price; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Skarphol; Soukup; Stenehjsem; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Wilkie; Speaker Timm

ABSENT AND NOT VOTING: Bernstein; DeKrey; Galvin; Nicholas

SB 2235, as amended, passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF SENATE BILL

SB 2339: A BILL for an Act to amend and reenact section 57-06-17.1 of the North Dakota Century Code, relating to the property tax exemption for carbon dioxide pipelines.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 92 YEAS, 1 NAY, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

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

NAYS: Gullerson

ABSENT AND NOT VOTING: Bernstein; DeKrey; Galvin; Nicholas

SB 2339, as amended, passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2372: A BILL for an Act to amend and reenact section 24-07-03 of the North Dakota Century Code, relating to section lines as public roads.

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 54 YEAS, 39 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Belter; Berg; Boehm; Brown; Brusegaard; Byerly; Christopherson; Coats; Dalrymple; Delmore; Delzer; Dorso; Gerntholz; Glassheim; Grande; Grosz; Grumbo; Gullerson; Gunter; Hausauer; Hawken; Huether; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Koppelman; Kunkel; Mahoney; Mickelson; Monson; Murphy; Nottestad; Olson; Price; Renner; Sabby; Sandvig; Skarphol; Soukup; Stenehjerm; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Weisz; Wentz; Wilkie; Speaker Timm

NAYS: Axtman; Boucher; Brandenburg; Callahan; Carlisle; Carlson; Christenson; Clark; Devlin; Drovdal; Fairfield; Freier; Froseth; Gorder; Hanson; Henegar; Jacobs; Kelsh, S.; Kempenich; Kerzman; Kilzer; Klein; Kliniske; Kretschmar; Kroepflin; Lloyd; Maragos; Martinson; Nelson; Nichols; Niemeier; Oban; Poolman; Rennerfeldt; Rose; Schmidt; Wald; Wardner; Warner

ABSENT AND NOT VOTING: Bernstein; DeKrey; Galvin; Nicholas

SB 2372, as amended, passed and the title was agreed to.

REQUEST

REP. WILKIE REQUESTED that Engrossed SB 2051 be divided to have the divisions voted on separately in the following manner and that a roll call vote be taken on each division, which request was granted.

Engrossed SB 2051: A BILL for an Act to amend and reenact section 54-03-20 of the North Dakota Century Code, relating to compensation and expense reimbursement of members of the legislative assembly; to provide for retroactive application; and to declare an emergency.

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

SECTION 2. RETROACTIVE APPLICATION. This Act is retroactive in application to January 1, 1997.

SECTION 3. EMERGENCY. This Act is declared to be an emergency measure.

DIVISION B

SECTION 1. AMENDMENT. Section 54-03-20 of the 1995 Supplement to the North Dakota Century Code is amended and reenacted as follows:

54-03-20. Compensation and expense reimbursement of members of the legislative assembly. Each member of the legislative assembly of the state of North Dakota is entitled to receive as compensation for services the sum of ~~ninety~~ one hundred eleven dollars for each calendar day during any organizational, special, or regular legislative session. Each member of the legislative assembly is entitled to receive reimbursement for lodging, which may not exceed a maximum of six hundred dollars per calendar month for lodging in state, at the rates and in the manner provided in section 44-08-04 for each calendar day during the period of any organizational, special, or regular session. Members of the legislative assembly who receive reimbursement for lodging are also entitled to reimbursement for travel for not to exceed one round trip taken during any calendar week, or portion of a week, the legislative assembly is in session, between their residences and the place of meeting of the legislative assembly, at the rate provided for state employees with the additional limitation that reimbursement for travel by common carrier may not exceed thirty-five cents per mile based upon air mileage. A member of the legislative assembly who does not receive reimbursement for lodging and whose place of residence in the legislative district that the member represents is not within the city of Bismarck is entitled to reimbursement at the rate provided for state employees for necessary travel for not to exceed one round trip taken per day between the residence and the place of meeting of the legislative assembly when it is in session and may receive reimbursement for lodging at the place of meeting of the legislative assembly as provided in section 44-08-04 for each calendar day for which round trip travel reimbursement is not claimed, provided that the total reimbursement may not exceed six hundred dollars per month. The amount to which each legislator is entitled must be paid following the organizational session in December and following each month during a regular or special session.

A day, or portion of a day, spent in traveling to or returning from an organizational, special, or regular session must be included as a calendar day during a legislative session for the purposes of this section.

In addition, each member is entitled to receive during the term for which the member was elected, as compensation for the execution of public duties during the biennium, the sum of ~~one two hundred eighty~~ eighty five dollars a month, which is payable every six months or monthly, at the member's option. If a member dies or resigns from office during the member's term, the member may be paid only the allowances provided for in this section for the period for which the member was actually a member.

Attendance at any organizational, special, or regular session of the legislative assembly by any member is a conclusive presumption of entitlement as set out in this section and compensation and expense allowances must be excluded from gross income for income tax purposes to the extent permitted for federal income tax purposes under section 127 of the Economic Recovery Tax Act of 1981 [Pub. L. 97-34; 95 Stat. 202; 26 U.S.C. 162(i)].

RULING BY SPEAKER

SPEAKER TIMM RULED that in accordance with House Rule 319, any member may have the question divided. Each division of a divided question requires the same vote for adoption that the division would require if it stood alone. After voting on all divisions, the approved divisions comprise the question before the House, therefore Representative Wilkie's request was granted.

ROLL CALL

The question being on the motion to adopt Division A of Engrossed SB 2051, the roll was called and there were 62 YEAS, 30 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Axtman; Brown; Callahan; Carlisle; Carlson; Christenson; Christopherson; Coats; Delmore; Devlin; Drovdal; Fairfield; Freier; Glassheim; Grande; Grosz; Grumbo;

Gulleson; Gunter; Hanson; Hausauer; Hawken; Henegar; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kempenich; Kilzer; Klein; Kliniske; Kretschmar; Kunkel; Maragos; Martinson; Mickelson; Monson; Murphy; Nichols; Niemeier; Nottestad; Oban; Olson; Poolman; Price; Renner; Sabby; Sandvig; Schmidt; Skarphol; Stenehjem; Svedjan; Sveen; Thoreson; Tollefson; Torgerson; Wardner; Wentz; Speaker Timm

NAYS: Belter; Berg; Boehm; Boucher; Brandenburg; Brusegaard; Byerly; Clark; Dalrymple; Delzer; Dorso; Froseth; Gerntholz; Gorder; Huether; Kelsh, S.; Kerzman; Kroeplin; Lloyd; Mahoney; Nelson; Rennerfeldt; Rose; Soukup; Thompson; Thorpe; Wald; Warner; Weisz; Wilkie

ABSENT AND NOT VOTING: Bernstein; DeKrey; Galvin; Koppelman; Nicholas

The motion to adopt Division A of Engrossed SB 2051 passed.

ROLL CALL

The question being on the adoption of Division B of Engrossed SB 2051, the roll was called and there were 84 YEAS, 9 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

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

NAYS: Boehm; Brandenburg; Delzer; Kelsh, S.; Koppelman; Kroeplin; Nelson; Niemeier; Wilkie

ABSENT AND NOT VOTING: Bernstein; DeKrey; Galvin; Nicholas

The motion to adopt Division B of Engrossed SB 2051 passed.

The question then was on the final passage of Engrossed SB 2051, including Division A and including Division B, with the title amended appropriately and lines, sections, and pages renumbered accordingly.

SECOND READING OF SENATE BILL

SB 2051: A BILL for an Act to amend and reenact section 54-03-20 of the North Dakota Century Code, relating to compensation and expense reimbursement of members of the legislative assembly; to provide for retroactive application; and to declare an emergency.

ROLL CALL

The question being on the final passage of the bill, including Division A and Division B, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 78 YEAS, 15 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Axtman; Belter; Boucher; Brown; Brusegaard; Byerly; Callahan; Carlisle; Carlson; Christenson; Christopherson; Coats; Delmore; Dorso; Drovda; Fairfield; Freier; Froseth; Gerntholz; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleson; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kempenich; Kerzman; Kilzer; Klein; Kliniske; Kretschmar; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Murphy; Nichols; Nottestad; Oban; Olson; Poolman; Price; Renner; Rose; Sabby; Sandvig; Schmidt; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Speaker Timm

NAYS: Berg; Boehm; Brandenburg; Clark; Dalrymple; Delzer; Devlin; Kelsh, S.; Koppelman; Kroeplin; Nelson; Niemeier; Rennerfeldt; Thorpe; Wilkie

ABSENT AND NOT VOTING: Bernstein; DeKrey; Galvin; Nicholas

Engrossed SB 2051, including Division A and Division B, passed, the title was agreed to, and the emergency clause was declared carried.

MOTION

REP. DORSO MOVED that Engrossed SB 2308 and Engrossed SB 2360 be placed at the top of the calendar, which motion prevailed.

MOTION

REP. DORSO MOVED that Engrossed SB 2232, which is on the Fourteenth order, be rereferred to the **Judiciary Committee**, which motion prevailed. Pursuant to Rep. Dorso's motion, Engrossed SB 2232 was rereferred.

SECOND READING OF SENATE BILL

SB 2308: A BILL for an Act relating to the pricing of drugs by manufacturers and sellers; and to provide a penalty.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 20 YEAS, 73 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Coats; Delmore; Delzer; Fairfield; Glassheim; Grosz; Grumbo; Gulleon; Johnson, D.; Kerzman; Murphy; Niemeier; Oban; Schmidt; Sveen; Wald; Warner; Wentz; Wilkie

NAYS: Axtman; Belter; Berg; Boehm; Boucher; Brandenburg; Brown; Brusegaard; Byerly; Callahan; Carlisle; Carlson; Christenson; Christopherson; Clark; Dalrymple; Devlin; Dorso; Drovdal; Freier; Froseth; Gerntholz; Gorder; Grande; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroepflin; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Nelson; Nichols; Nottestad; Olson; Poolman; Price; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Skarphol; Soukup; Stenehjem; Svedjan; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wardner; Weisz; Speaker Timm

ABSENT AND NOT VOTING: Bernstein; DeKrey; Galvin; Nicholas

Engrossed SB 2308 was declared lost.

SECOND READING OF SENATE BILL

SB 2360: A BILL for an Act to create and enact six new sections to chapter 6-06 of the North Dakota Century Code, relating to authority of credit unions to engage in affiliated services and share office space and to authorize reciprocal credit union branch operations.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 30 YEAS, 62 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Boucher; Brandenburg; Byerly; Callahan; Christenson; Coats; Delmore; Fairfield; Glassheim; Gulleon; Hanson; Jacobs; Johnson, D.; Kelsh, S.; Kerzman; Klein; Maragos; Niemeier; Nottestad; Oban; Rose; Sandvig; Schmidt; Soukup; Stenehjem; Thoreson; Thorpe; Wentz; Wilkie

NAYS: Axtman; Belter; Berg; Boehm; Brown; Brusegaard; Carlisle; Carlson; Christopherson; Clark; Dalrymple; Delzer; Devlin; Dorso; Drovdal; Freier; Froseth; Gerntholz; Gorder; Grande; Grosz; Grumbo; Gunter; Hausauer; Hawken; Henegar; Huether; Jensen; Johnsen, C.; Keiser; Kempenich; Kilzer; Kliniske; Koppelman; Kretschmar; Kroepflin; Kunkel; Lloyd; Mahoney; Martinson; Mickelson; Monson; Murphy; Nelson; Nichols; Olson; Poolman; Price; Renner; Rennerfeldt; Sabby; Skarphol; Svedjan; Sveen; Thompson; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Speaker Timm

ABSENT AND NOT VOTING: Bernstein; DeKrey; Galvin; Kelsch, R.; Nicholas

Engrossed SB 2360 was declared lost.

SECOND READING OF SENATE BILL

SB 2094: A BILL for an Act to amend and reenact sections 16.1-01-07 and 16.1-06-09 of the North Dakota Century Code, relating to publication of ballot measure analyses and printing and depositing of measure ballots.

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

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

ABSENT AND NOT VOTING: Bernstein; DeKrey; Galvin; Kelsch, R.; Nicholas

SB 2094 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2141: A BILL for an Act to amend and reenact section 57-15-26.3 of the North Dakota Century Code, relating to the mill levy limitation for rural fire protection districts; and to provide an effective date.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 67 YEAS, 25 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Axtman; Berg; Boehm; Brandenburg; Callahan; Carlisle; Christenson; Clark; Coats; Delmore; Delzer; Fairfield; Froseth; Gerntholz; Glassheim; Gorder; Grosz; Grumbo; Gulleston; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsh, S.; Kerzman; Kilzer; Klein; Koppelman; Kretschmar; Kroepflin; Kunkel; Maragos; Martinson; Monson; Nelson; Nichols; Niemeier; Nottestad; Oban; Olson; Price; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Soukup; Stenehjerm; Sveen; Thompson; Thoreson; Thorpe; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Wilkie

NAYS: Belter; Boucher; Brown; Brusegaard; Byerly; Carlson; Christopherson; Dalrymple; Devlin; Dorso; Drovdal; Freier; Grande; Kempenich; Kliniske; Lloyd; Mahoney; Mickelson; Murphy; Poolman; Renner; Skarphol; Svedjan; Tollefson; Speaker Timm

ABSENT AND NOT VOTING: Bernstein; DeKrey; Galvin; Kelsch, R.; Nicholas

SB 2141 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2182: A BILL for an Act to amend and reenact sections 6-09.10-03 and 6-09.10-10 of the North Dakota Century Code, relating to extension of the expiration date of the agricultural mediation service; to repeal sections 6-09.10-08.1, 6-09.10-08.2, 6-09.10-08.3, 6-09.10-08.4, 6-09.10-08.5, and 6-09.10-08.6 of the North Dakota Century Code, relating to legal and tax assistance for farmers and small businesses; and to declare an emergency.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 82 YEAS, 9 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

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

NAYS: Belter; Boehm; Brusegaard; Byerly; Carlson; Grosz; Lloyd; Rennerfeldt; Skarphol

ABSENT AND NOT VOTING: Bernstein; DeKrey; Delzer; Galvin; Kelsch, R.; Nicholas

SB 2182 passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF SENATE BILL

SB 2184: A BILL for an Act to amend and reenact subsection 2 of section 16.1-08.1-03.1 of the North Dakota Century Code, relating to campaign contribution statements required of persons promoting passage or defeat of initiated or referred measures.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 90 YEAS, 1 NAY, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

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

NAYS: Wald

ABSENT AND NOT VOTING: Bernstein; DeKrey; Galvin; Kelsch, R.; Nicholas; Torgerson

SB 2184 passed and the title was agreed to.

MOTION

REP. DORSO MOVED that Engrossed SB 2230 be placed at the top of the calendar, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2230: A BILL for an Act to amend and reenact sections 14-03-01 and 14-03-08 of the North Dakota Century Code, relating to the definition of marriage and the recognition of a foreign marriage; and to provide an effective date.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 73 YEAS, 18 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Axtman; Belter; Berg; Boehm; Boucher; Brandenburg; Brown; Brusegaard; Byerly; Carlisle; Carlson; Christopherson; Clark; Coats; Delzer; Devlin; Dorso; Drovdal; Freier; Froseth; Gerntholz; Gorder; Grande; Grosz; Grumbo; Gunter; Hanson; Hausauer; Henegar; Huether; Jacobs; Johnsen, C.; Johnson, D.; Keiser; Kelsh, S.; Kempenich; Kerzman; Kilzer; Klein; Kliniske; Koppelman; Kroepflin; Kunkel; Lloyd; Mahoney; Martinson; Mickelson; Monson; Murphy; Nelson; Nichols; Nottestad; Olson; Poolman; Price; Renner; Rennerfeldt; Sabby; Sandvig; Schmidt; Skarphol; Soukup;

Svedjan; Thompson; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wilkie;
Speaker Timm

NAYS: Callahan; Christenson; Delmore; Fairfield; Glassheim; Guleson; Hawken; Jensen;
Kretschmar; Maragos; Niemeier; Oban; Rose; Stenehjem; Sveen; Thoreson; Thorpe;
Wentz

ABSENT AND NOT VOTING: Bernstein; Dalrymple; DeKrey; Galvin; Kelsch, R.; Nicholas

Engrossed SB 2230 passed and the title was agreed to.

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 Sixteenth orders of business and at the conclusion of those orders, the House stand adjourned until 1:00 p.m., Monday, March 17, 1997, which motion prevailed.

REPORT OF STANDING COMMITTEE

SB 2021, as engrossed: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (9 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2021 was placed on the Sixth order on the calendar.

Page 10, line 17, replace "eighty-five" with "sixty-nine"

Page 10, line 18, replace "the levy for a county with" with "that a county that levied more than sixty-nine mills in taxable year 1996 for purposes that are included within the general fund levy in taxable year 1997 may continue to levy for the general fund up to the number of mills levied for those purposes in taxable year 1996"

Page 10, remove lines 19 and 20

Page 10, line 21, remove "one hundred ten mills"

Page 10, line 24, replace "a majority" with "sixty percent or more"

Page 13, line 8, replace "eighty" with "thirty-eight"

Page 13, line 9, after "city" insert ", except that a city that levied more than one hundred thirty-eight mills in taxable year 1996 for purposes that are included within the general fund levy in taxable year 1997 may continue to levy for the general fund up to the number of mills levied for those purposes in taxable year 1996"

Page 13, line 12, replace "a majority" with "sixty percent or more"

Page 15, line 18, replace "forty" with "thirty-six and one-half"

Page 15, line 19, after "district" insert ", except that a park district that levied more than thirty-six and one-half mills in taxable year 1996 for purposes that are included within the general fund levy in taxable year 1997 may continue to levy for the general fund up to the number of mills levied for those purposes in taxable year 1996"

Page 15, line 22, replace "a majority" with "sixty percent or more"

Re-number accordingly

REPORT OF STANDING COMMITTEE

SB 2032, as engrossed: Appropriations Committee (Rep. Dalrymple, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (19 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). Engrossed SB 2032 was placed on the Sixth order on the calendar.

In addition to the amendments to Engrossed Senate Bill No. 2032 as printed on pages 812 and 813 of the House Journal, Engrossed Senate Bill No. 2032 is further amended as follows:

Page 1, line 17, after "designee" insert "and the local school board affected by the deficiency"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 125 - ATTORNEY GENERAL

HOUSE - This amendment provides that the time allowed for correction of fire inspection deficiencies in elementary and secondary schools must be acceptable to the local school board.

REPORT OF STANDING COMMITTEE

SB 2054: Government and Veterans Affairs Committee (Rep. Wardner, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2054 was placed on the Sixth order on the calendar.

Page 1, line 3, after "committee" insert "; and to declare an emergency"

Page 1, after line 19, insert:

"**SECTION 2. EMERGENCY.** This Act is declared to be an emergency measure."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2070, as engrossed: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2070 was placed on the Sixth order on the calendar.

In lieu of the amendments to Engrossed Senate Bill No. 2070 as printed on page 777 of the House Journal, Engrossed Senate Bill No. 2070 is amended as follows:

Page 1, line 4, replace "county director of tax equalization" with "township clerk or city auditor"

Page 1, line 22, overstrike "county director of tax"

Page 2, line 1, overstrike "equalization" and insert immediately thereafter "township clerk" and replace "township clerks or city auditors" with "assessor"

Page 2, line 6, replace "county director of tax equalization" with "township clerk"

Page 2, line 11, overstrike "county director of tax"

Page 2, line 12, overstrike "equalization" and insert immediately thereafter "city auditor" and replace "township clerks or city auditors" with "assessor"

Page 2, line 17, replace "county director of tax equalization" with "city auditor"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2101: Government and Veterans Affairs Committee (Rep. Wardner, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2101 was placed on the Sixth order on the calendar.

Page 1, line 20, after "plan" insert "established in 1961 and frozen to new entrants in 1980,"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2114: Government and Veterans Affairs Committee (Rep. Wardner, Chairman) recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2114 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2138, as engrossed: Government and Veterans Affairs Committee (Rep. Wardner, Chairman) recommends **DO PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2138 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2150, as engrossed: Government and Veterans Affairs Committee (Rep. Wardner, Chairman) recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2150 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2153, as engrossed: Judiciary Committee (Rep. Kretschmar, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2153 was placed on the Sixth order on the calendar.

Page 2, line 14, after the underscored period insert "An individual convicted of violating this section must be sentenced to at least six years' imprisonment."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2238, as engrossed: Judiciary Committee (Rep. Kretschmar, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). Engrossed SB 2238 was placed on the Sixth order on the calendar.

Page 1, line 6, remove "nondramatic" and after "musical" insert "work"

Page 1, remove lines 10 through 12

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

Page 1, line 15, replace "society" with "Society", replace "composers" with "Composers", replace "authors" with "Authors", replace "publishers" with "Publishers", and replace "broadcast" with "Broadcast"

Page 1, line 16, replace "music" with "Music", replace the first "incorporated" with "Incorporated", and replace the second "incorporated" with "Incorporated"

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

Page 1, line 20, remove "nondramatic"

Page 1, line 23, replace "6" with "5"

Page 1, line 24, remove "public performance of" and after "nondramatic" insert "public performance of"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2255: Natural Resources Committee (Rep. Olson, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 5 NAYS, 4 ABSENT AND NOT VOTING). SB 2255 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act relating to liability for damage or injury caused by dogs running at large; and to declare an emergency.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. Dogs running at large - Liability for damage or injury. The owner of a dog may not permit the dog to run at large. The owner of a dog is liable for any damage to the property of another person and for any injury to any individual caused by the owner's dog running at large, as well as for any costs incurred by a local law enforcement agency in capturing and impounding the owner's dog. If the owner of

a dog is a minor, the duties and responsibilities created by this section are imputed to the parent or legal guardian of the minor.

SECTION 2. EMERGENCY. This Act is declared to be an emergency measure."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2264, as engrossed: Transportation Committee (Rep. Skarphol, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2264 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2281: Judiciary Committee (Rep. Kretschmar, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2281 was placed on the Sixth order on the calendar.

Page 1, line 2, after "proceedings" insert "; and to declare an emergency"

Page 1, after line 9, insert:

"SECTION 2. EMERGENCY. This Act is declared to be an emergency measure."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2295, as engrossed: Agriculture Committee (Rep. Nicholas, Chairman) recommends **DO PASS** (9 YEAS, 1 NAY, 3 ABSENT AND NOT VOTING). Engrossed SB 2295 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2302, as engrossed: Government and Veterans Affairs Committee (Rep. Wardner, Chairman) recommends **DO PASS** (14 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). Engrossed SB 2302 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2311, as engrossed: Transportation Committee (Rep. Skarphol, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (7 YEAS, 5 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2311 was placed on the Sixth order on the calendar.

Page 1, line 2, after "program" insert "; and to provide an appropriation"

Page 1, line 6, replace "person" with "resident of this state"

Page 1, line 7, remove "in this state"

Page 1, line 8, remove "purchase or"

Page 1, remove lines 10 and 11

Page 1, line 12, replace "c" with "b"

Page 1, line 14, replace "d" with "c"

Page 1, line 21, remove "partial or total purchase or"

Page 2, line 1, remove "seller or"

Page 2, line 2, remove "seller or"

Page 2, line 8, after the period insert "The term does not include an enterprise for which a person is eligible under section 6-09-15.5 or chapter 6-09.8."

Page 2, remove lines 9 and 10

Page 2, line 13, after "program" insert "to be used in conjunction with other loan programs"

Page 2, line 18, remove "or seller"

Page 2, line 20, remove "The Bank may not approve a loan guarantee over twenty-five thousand"

Page 2, remove line 21

Page 2, line 22, remove "value for real estate or its fair market value for all other property."

Page 2, line 29, remove "seller or"

Page 3, after line 9, insert:

"SECTION 6. APPROPRIATION. There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$50,000, or so much of the funds as may be necessary, to the Bank of North Dakota for the purposes of administering the beginning entrepreneur loan guarantee program, for the biennium beginning July 1, 1997, and ending June 30, 1999."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2333, as engrossed: Transportation Committee (Rep. Skarphol, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2333 was placed on the Sixth order on the calendar.

Page 1, line 9, remove "after a date as determined by that governing body"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2368, as engrossed: Government and Veterans Affairs Committee (Rep. Wardner, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2368 was placed on the Sixth order on the calendar.

Page 1, line 4, after the first comma insert "16.1-11-03,"

Page 7, after line 17, insert:

"SECTION 10. AMENDMENT. Section 16.1-11-03 of the 1995 Supplement to the North Dakota Century Code is amended and reenacted as follows:

16.1-11-03. Political parties authorized to conduct presidential preference contest. Every political party entitled to a separate column under section 16.1-11-30 is entitled to conduct a presidential preference contest. A political party subject to ~~subsection 4~~ of section 16.1-11-30 shall meet the requirements of ~~subsection 4~~ of section 16.1-11-30 by filing the petition with the secretary of state before four p.m. of the sixtieth day before the presidential preference contest."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2396, as engrossed: Government and Veterans Affairs Committee (Rep. Wardner, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). Engrossed SB 2396 was placed on the Sixth order on the calendar.

Page 3, line 19, replace "26.1-05-19" with "2 of Senate Bill No. 2132, as approved by the fifty-fifth legislative assembly"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SCR 4019: Transportation Committee (Rep. Skarphol, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SCR 4019 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4020: Government and Veterans Affairs Committee (Rep. Wardner, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SCR 4020 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4024: Government and Veterans Affairs Committee (Rep. Wardner, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SCR 4024 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4032: Agriculture Committee (Rep. Nicholas, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SCR 4032 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4033: Natural Resources Committee (Rep. Olson, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4033 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4034: Natural Resources Committee (Rep. Olson, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4034 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4035: Transportation Committee (Rep. Skarphol, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (11 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). SCR 4035 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4039: Government and Veterans Affairs Committee (Rep. Wardner, Chairman) recommends **DO NOT PASS** (8 YEAS, 6 NAYS, 1 ABSENT AND NOT VOTING). SCR 4039 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4044: Agriculture Committee (Rep. Nicholas, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SCR 4044 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4056: Natural Resources Committee (Rep. Olson, Chairman) recommends **DO PASS** (7 YEAS, 4 NAYS, 5 ABSENT AND NOT VOTING). SCR 4056 was placed on the Fourteenth order on the calendar.

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

MADAM PRESIDENT: The House has failed to pass: SB 2242, SB 2246.

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

MR. SPEAKER: The Senate has failed to pass: HB 1358, HB 1476.

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

MR. SPEAKER: The Senate has passed unchanged: HB 1042, HB 1045, HB 1260, HB 1286, HB 1343, HB 1345, HB 1405, HB 1471, HCR 3001, HCR 3018, HCR 3020, HCR 3029, HCR 3035, HCR 3039, HCR 3044, HCR 3052.

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

MADAM PRESIDENT: The House has passed unchanged: SB 2006, SB 2008, SB 2031, SB 2062, SB 2108, SB 2124, SB 2131, SB 2181, SB 2265, SB 2336, SB 2365, SCR 4002, SCR 4025, SCR 4030, SCR 4037, SCR 4038, SCR 4052, SCR 4054.

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

MR. SPEAKER: The Senate has amended and subsequently passed: HB 1344.

SENATE AMENDMENTS TO HOUSE BILL NO. 1344

Page 1, line 13, after "obtained" insert "and the special execution has been served"

Renumber accordingly

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

ROY GILBREATH, Chief Clerk