

## JOURNAL OF THE HOUSE

### Fifty-sixth Legislative Assembly

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**Bismarck, January 29, 1999**

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

The prayer was offered by Reverend Maury Millican, Bismarck Reformed Church, Bismarck.

The roll was called and all members were present except Representatives Berg, Huether, Price, and Solberg.

A quorum was declared by the Speaker.

#### SIXTH ORDER OF BUSINESS

**REP. DORSO MOVED** that the amendments on the Sixth order of business to HB 1136, HB 1153, HB 1155, HB 1175, HB 1176, HB 1178, HB 1211, HB 1307, HB 1325, HB 1332, HB 1333, and HB 1367 be adopted, which motion prevailed.

HB 1136, HB 1153, HB 1155, HB 1175, HB 1176, HB 1178, HB 1211, HB 1307, HB 1325, HB 1332, HB 1333, and HB 1367, as amended, were placed on the Eleventh order of business on the calendar for the succeeding legislative day.

#### SECOND READING OF HOUSE BILL

**HB 1028:** A BILL for an Act to amend and reenact subdivision a of subsection 1 of section 14-09-09.7 of the North Dakota Century Code, relating to the child support guidelines' definition of gross income.

#### 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, 5 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Belter; Bernstein; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleason; Gunter; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Klein; Klemm; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; Mahoney; Martinson; Metcalf; Meyer; Mickelson; Monson; Mueller; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Porter; Renner; Rennerfeldt; Rose; Sandvig; Schmidt; Severson; Stefonowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Winnich; Speaker Wald

**ABSENT AND NOT VOTING:** Berg; Huether; Maragos; Price; Solberg

Engrossed HB 1028 passed and the title was agreed to.

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#### SECOND READING OF HOUSE BILL

**HB 1188:** A BILL for an Act to amend and reenact subsection 6 of section 15-19-01, sections 15-19-04, 15-21-01, 15-21-18, 15-22-02, subsections 3 and 4 of section 15-27.6-13, subsections 1 and 2 of section 15-27.6-14, subsection 10 of section 15-29-08, subsection 1 of section 15-34.1-03, subsection 2 of section 15-34.1-06, sections 15-34.1-07, 15-34.1-08, 15-34.1-09, subdivision c of subsection 3 of section 15-34.1-12, subsection 1 of section 15-34.1-12.1, sections 15-36-01, 15-36-01.1, 15-36-08, 15-36-11, 15-36-12, 15-36-14.1, 15-36-15, 15-36-16, 15-36-17, 15-36-18, 15-37-01, 15-38-16, 15-38-17, 15-38-18, 15-38-18.2, subsection 6 of section 15-38.1-02, subsection 11 of section 15-39.1-04, subsection 5 of section 15-40.1-07, section 15-40.1-08, subdivision b of subsection 2 of section 15-40.2-08, section 15-41-25, subsections 2 and 3 of section 15-41-27, subsection 1 of section 15-45-02, subsection 1 of section 15-47-27.2, sections 15-47-28 and 15-47-30, subsection 12 of section 15-47-38.2, sections 15-47-42 and 15-47-46, subsection 14 of section 54-44.3-20, and subsection 4 of section 54-52-01 of the North Dakota Century Code, or in the alternative

to amend and reenact sections 15.1-01-02, 15.1-02-01, 15.1-06-07, and 15.1-11-01 of the North Dakota Century Code, relating to joint meetings involving the education standards and practices board and changing references from teachers' certificates to teachers' 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 88 YEAS, 5 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Belter; Bernstein; Boehm; Boucher; Brandenburg; Brekke; Carlisle; Clark; Cleary; Dalrymple; DeKrey; Delmore; Devlin; Disrud; Dorso; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glasheim; Gorder; Grosz; Grumbo; Gulleon; Gunter; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Klein; Klemm; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; Mahoney; Martinson; Metcalf; Meyer; Mickelson; Monson; Mueller; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Porter; Renner; Rennerfeldt; Rose; Sandvig; Schmidt; Severson; Stefonowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

**NAYS:** Brusegaard; Byerly; Carlson; Delzer; Grande

**ABSENT AND NOT VOTING:** Berg; Huether; Maragos; Price; Solberg

Engrossed HB 1188 passed and the title was agreed to.

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#### SECOND READING OF HOUSE BILL

**HB 1202:** A BILL for an Act to create and enact a new section to chapter 26.1-39 of the North Dakota Century Code, relating to property and casualty insurance treatment of domestic violence.

#### 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, 5 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Belter; Bernstein; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glasheim; Gorder; Grande; Grosz; Grumbo; Gulleon; Gunter; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Klein; Klemm; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; Mahoney; Martinson; Metcalf; Meyer; Mickelson; Monson; Mueller; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Porter; Renner; Rennerfeldt; Rose; Sandvig; Schmidt; Severson; Stefonowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

**ABSENT AND NOT VOTING:** Berg; Huether; Maragos; Price; Solberg

Engrossed HB 1202 passed and the title was agreed to.

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#### SECOND READING OF HOUSE BILL

**HB 1304:** A BILL for an Act to amend and reenact sections 12-44.1-09, 12-44.1-18.2, and subsection 4 of section 39-08-01 of the North Dakota Century Code, relating to inmate placement and programs.

#### 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, 5 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; DeKrey; Delmore; Devlin; Disrud; Dorso; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glasheim; Gorder;

Grande; Grosz; Grumbo; Gulleson; Gunter; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; Mahoney; Martinson; Metcalf; Meyer; Mickelson; Monson; Mueller; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Porter; Renner; Rennerfeldt; Rose; Sandvig; Schmidt; Severson; Stefonowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

**ABSENT AND NOT VOTING:** Delzer; Huether; Maragos; Price; Solberg

Engrossed HB 1304 passed and the title was agreed to.

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### SECOND READING OF HOUSE BILL

**HB 1360:** A BILL for an Act to provide for a privilege tax on certain agricultural chemicals based on price differentials of those goods in Canada and North Dakota; and to provide a continuing appropriation for property tax relief.

### 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 48 YEAS, 47 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Boucher; Brandenburg; Brekke; Cleary; Dalrymple; Delmore; Eckre; Ekstrom; Fairfield; Froelich; Galvin; Glassheim; Gorder; Grumbo; Gulleson; Gunter; Hanson; Hawken; Hoffner; Jensen; Johnson, D.; Kelsh, S.; Kempenich; Kerzman; Koppang; Kroeber; Lemieux; Lloyd; Lundgren; Mahoney; Metcalf; Meyer; Monson; Mueller; Nelson; Nichols; Niemeier; Nowatzki; Poolman; Rose; Sandvig; Schmidt; Stefonowicz; Sveen; Thorpe; Warner; Winrich

**NAYS:** Belter; Berg; Bernstein; Boehm; Brusegaard; Byerly; Carlisle; Carlson; Clark; DeKrey; Delzer; Devlin; Disrud; Dorso; Drovdal; Froseth; Grande; Grosz; Haas; Henegar; Herbel; Johnson, N.; Keiser; Kelsch, R.; Klein; Klemin; Kliniske; Koppelman; Martinson; Mickelson; Nicholas; Nottestad; Pollert; Porter; Price; Renner; Rennerfeldt; Severson; Svedjan; Thoreson, B.; Thoreson, L.; Timm; Tollefson; Weisz; Wentz; Wikenheiser; Speaker Wald

**ABSENT AND NOT VOTING:** Huether; Maragos; Solberg

Engrossed HB 1360 was declared lost for want of a Constitutional majority.

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### MOTION

**REP. DORSO MOVED** that HB 1390 be placed at the bottom of the calendar, which motion prevailed.

### SECOND READING OF HOUSE BILL

**HB 1394:** A BILL for an Act to amend and reenact section 40-57.1-03 of the North Dakota Century Code, relating to a municipality's authority to grant tax exemptions and accept payments in lieu of taxes.

### 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 16 YEAS, 77 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Fairfield; Hanson; Kelsh, S.; Kroeber; Lemieux; Lundgren; Metcalf; Meyer; Mueller; Nichols; Niemeier; Stefonowicz; Thorpe; Warner; Winrich

**NAYS:** Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Drovdal; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleson; Gunter; Haas; Hawken; Henegar; Herbel; Hoffner; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Koppelman; Lloyd; Mahoney; Martinson; Monson; Nelson; Nicholas; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Rose;

Sandvig; Schmidt; Severson; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Timm; Tollefson; Weisz; Wentz; Wikenheiser; Speaker Wald

**ABSENT AND NOT VOTING:** Eckre; Huether; Maragos; Mickelson; Solberg

Engrossed HB 1394 was declared lost.

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### SECOND READING OF HOUSE BILL

**HB 1232:** A BILL for an Act to amend and reenact section 65-04-15 of the North Dakota Century Code, relating to confidentiality of workers' compensation employer's reports.

### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 26 YEAS, 69 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Boucher; Cleary; Delmore; Eckre; Fairfield; Froelich; Grumbo; Guleson; Hanson; Hoffner; Kelsh, S.; Kerzman; Kroeber; Lundgren; Metcalf; Mueller; Nichols; Niemeier; Rose; Sandvig; Schmidt; Stefonowicz; Thorpe; Warner; Winrich

**NAYS:** Berg; Bernstein; Boehm; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Dalrymple; DeKrey; Delzer; Devlin; Disrud; Dorso; Drovdal; Ekstrom; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Gunter; Haas; Hawken; Henegar; Herbel; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kempenich; Klein; Klemin; Kliniske; Koppang; Koppelman; Lemieux; Lloyd; Mahoney; Maragos; Martinson; Meyer; Mickelson; Monson; Nelson; Nicholas; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Severson; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Timm; Tollefson; Weisz; Wentz; Wikenheiser; Speaker Wald

**ABSENT AND NOT VOTING:** Belter; Huether; Solberg

HB 1232 was declared lost.

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### SECOND READING OF HOUSE BILL

**HB 1262:** A BILL for an Act to amend and reenact section 65-05-09.3 of the North Dakota Century Code, relating to the presumption of retirement for workers' compensation purposes; and to repeal section 65-05-09.4 of the North Dakota Century Code, relating to workers' compensation benefits for retired injured workers.

### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 21 YEAS, 75 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Boucher; Cleary; Fairfield; Grumbo; Guleson; Hanson; Hoffner; Kelsh, S.; Kerzman; Kroeber; Lundgren; Mahoney; Niemeier; Nowatzki; Rose; Sandvig; Schmidt; Stefonowicz; Thorpe; Winrich

**NAYS:** Belter; Berg; Bernstein; Boehm; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Gunter; Haas; Hawken; Henegar; Herbel; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kempenich; Klein; Klemin; Kliniske; Koppang; Koppelman; Lemieux; Lloyd; Maragos; Martinson; Metcalf; Meyer; Mickelson; Monson; Mueller; Nelson; Nicholas; Nichols; Nottestad; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Severson; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Timm; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Speaker Wald

**ABSENT AND NOT VOTING:** Huether; Solberg

HB 1262 was declared lost.

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**SECOND READING OF HOUSE BILL**

**HB 1264:** A BILL for an Act to amend and reenact subsection 3 of section 65-05-28 of the North Dakota Century Code, relating to workers' compensation independent medical examinations.

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

**YEAS:** Aarsvold; Boucher; Cleary; Delmore; Ekstrom; Fairfield; Froelich; Glassheim; Grumbo; Gulleeson; Hanson; Hoffner; Kelsh, S.; Kerzman; Kroeber; Lundgren; Mahoney; Meyer; Nichols; Niemeier; Nowatzki; Rose; Sandvig; Schmidt; Stefonowicz; Thorpe; Warner; Winrich

**NAYS:** Belter; Berg; Bernstein; Boehm; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Dalrymple; DeKrey; Delzer; Devlin; Disrud; Dorso; Drovda; Eckre; Froseth; Galvin; Gorder; Grande; Grosz; Gunter; Haas; Hawken; Henegar; Herbel; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kempenich; Klein; Klemin; Kliniske; Koppang; Lemieux; Lloyd; Maragos; Martinson; Metcalf; Mickelson; Monson; Mueller; Nelson; Nicholas; Nottestad; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Severson; Sveen; Thoreson, B.; Thoreson, L.; Timm; Tollefson; Weisz; Wikenheiser; Speaker Wald

**ABSENT AND NOT VOTING:** Huether; Koppelman; Solberg; Svedjan; Wentz

HB 1264 was declared lost.

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**SECOND READING OF HOUSE BILL**

**HB 1283:** A BILL for an Act to amend and reenact sections 65-05-17, 65-05-20.1, 65-05-26, and 65-05.2-02 of the North Dakota Century Code, relating to increasing workers' compensation death benefits; 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 92 YEAS, 0 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Drovda; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleeson; Gunter; Haas; Hawken; Henegar; Herbel; Hoffner; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; Mahoney; Maragos; Martinson; Metcalf; Meyer; Mickelson; Monson; Mueller; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Rose; Sandvig; Schmidt; Severson; Stefonowicz; Svedjan; Sveen; Thoreson, L.; Thorpe; Timm; Tollefson; Warner; Weisz; Wikenheiser; Winrich; Speaker Wald

**ABSENT AND NOT VOTING:** Hanson; Huether; Kelsh, S.; Solberg; Thoreson, B.; Wentz

HB 1283 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1308:** A BILL for an Act to amend and reenact section 49-02-01.1 of the North Dakota Century Code, relating to public service commission jurisdiction over telecommunications service.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 7 YEAS, 86 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

**YEAS:** Cleary; Ekstrom; Kelsch, R.; Klein; Lemieux; Mahoney; Tollefson

**NAYS:** Aarsvold; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Drovdal; Eckre; Fairfield; Froelich; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleson; Gunter; Hawken; Henegar; Herbel; Hoffner; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsh, S.; Kempenich; Kerzman; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lloyd; Lundgren; Maragos; Martinson; Metcalf; Meyer; Mickelson; Monson; Mueller; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Rose; Sandvig; Schmidt; Severson; Stefonowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Warner; Weisz; Wikenheiser; Winrich; Speaker Wald

**ABSENT AND NOT VOTING:** Haas; Hanson; Huether; Solberg; Wentz

HB 1308 was declared lost.

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### SECOND READING OF HOUSE BILL

**HB 1313:** A BILL for an Act to create and enact a new section to chapter 26.1-03 of the North Dakota Century Code, relating to reporting of hail damage information.

### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 34 YEAS, 61 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Boucher; Cleary; Delmore; Drovdal; Ekstrom; Fairfield; Froelich; Glassheim; Grumbo; Gulleson; Hanson; Hoffner; Kelsh, S.; Kerzman; Kroeber; Lemieux; Lundgren; Mahoney; Maragos; Metcalf; Meyer; Mueller; Nelson; Nichols; Niemeier; Nowatzki; Rose; Sandvig; Schmidt; Stefonowicz; Thorpe; Warner; Winrich

**NAYS:** Belter; Berg; Bernstein; Boehm; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Dalrymple; DeKrey; Delzer; Devlin; Disrud; Dorso; Eckre; Froseth; Galvin; Gorder; Grande; Grosz; Gunter; Haas; Hawken; Henegar; Herbel; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kempenich; Klein; Klemin; Kliniske; Koppang; Koppelman; Lloyd; Martinson; Mickelson; Monson; Nicholas; Nottestad; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Severson; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Timm; Tollefson; Weisz; Wikenheiser; Speaker Wald

**ABSENT AND NOT VOTING:** Huether; Solberg; Wentz

HB 1313 was declared lost.

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### SECOND READING OF HOUSE BILL

**HB 1321:** A BILL for an Act to provide for the regulation of cigarette marketing; 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 3 YEAS, 92 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Boucher; Fairfield; Gulleson

**NAYS:** Aarsvold; Belter; Berg; Bernstein; Boehm; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Grumbo; Gunter; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; Mahoney; Maragos; Martinson; Metcalf; Meyer; Mickelson; Monson; Mueller; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Rose; Sandvig; Schmidt; Severson; Stefonowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Tollefson; Warner; Weisz; Wikenheiser; Winrich; Speaker Wald

**ABSENT AND NOT VOTING:** Huether; Solberg; Wentz

HB 1321 was declared lost.

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### SECOND READING OF HOUSE BILL

**HB 1331:** A BILL for an Act to create and enact a new section to chapter 65-01 of the North Dakota Century Code, relating to civil liability for intentional work-related injuries; to amend and reenact sections 65-01-05, 65-02-23, 65-04-14, 65-09-01, and 65-09-02 of the North Dakota Century Code, relating to employer and provider fraud and to the liability of a noncomplying employer for work-related injuries; to provide a penalty; and to provide a continuing appropriation.

### ROLL CALL

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

**YEAS:** Aarsvold; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Drovda; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Gordier; Grande; Grosz; Grumbo; Gullerson; Gunter; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; Mahoney; Maragos; Martinson; Metcalf; Meyer; Mickelson; Monson; Mueller; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Rose; Sandvig; Schmidt; Severson; Stefonowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Speaker Wald

**NAYS:** Glassheim; Winrich

**ABSENT AND NOT VOTING:** Huether; Solberg

HB 1331 passed and the title was agreed to.

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### SECOND READING OF HOUSE BILL

**HB 1342:** A BILL for an Act to amend and reenact subdivision g of subsection 1 of section 57-23-04 of the North Dakota Century Code, relating to the abatement of ad valorem taxes when property is destroyed or damaged by a natural disaster; 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 94 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Belter; Berg; Bernstein; Boehm; Brandenburg; Brekke; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Drovda; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Gordier; Grande; Grosz; Grumbo; Gullerson; Gunter; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; Mahoney; Maragos; Martinson; Metcalf; Meyer; Mickelson; Monson; Mueller; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Rose; Sandvig; Schmidt; Severson; Stefonowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

**ABSENT AND NOT VOTING:** Boucher; Brusegaard; Huether; Solberg

HB 1342 passed and the title was agreed to.

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### MOTION

**REP. DORSO MOVED** that HB 1349 be placed at the bottom of the calendar, which motion prevailed.

**SECOND READING OF HOUSE BILL**

**HB 1351:** A BILL for an Act to amend and reenact subsection 37 of section 57-02-08 of the North Dakota Century Code, relating to a property tax exemption for adult day care centers; 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 92 YEAS, 4 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Carlisle; Clark; Cleary; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleson; Gunter; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lundgren; Mahoney; Maragos; Martinson; Metcalf; Meyer; Mickelson; Monson; Mueller; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Rose; Sandvig; Schmidt; Severson; Stefonowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Tollefson; Warner; Wentz; Wikenheiser; Winrich; Speaker Wald

**NAYS:** Byerly; Carlson; Lloyd; Weisz

**ABSENT AND NOT VOTING:** Huether; Solberg

HB 1351 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1363:** A BILL for an Act to amend and reenact paragraph 3 of subdivision b of subsection 15 of section 57-02-08 of the North Dakota Century Code, relating to inclusion of depreciation expenses from farming activities in net income for purposes of the farm buildings property tax exemption; and to provide an effective date.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 90 YEAS, 4 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Carlisle; Clark; Cleary; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Gorder; Grosz; Grumbo; Gulleson; Gunter; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lundgren; Mahoney; Martinson; Metcalf; Meyer; Mickelson; Monson; Mueller; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Rose; Sandvig; Schmidt; Severson; Stefonowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

**NAYS:** Byerly; Carlson; Grande; Lloyd

**ABSENT AND NOT VOTING:** Aarsvold; Huether; Maragos; Solberg

HB 1363 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1371:** A BILL for an Act to amend and reenact subsection 7 of section 26.1-04-03 of the North Dakota Century Code, relating to unfair insurance practices with respect to persons involved in domestic violence.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 45 YEAS, 48 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

**YEAS:** Boucher; Carlisle; Cleary; Delmore; Disrud; Eckre; Ekstrom; Fairfield; Froelich; Galvin; Glassheim; Gorder; Grumbo; Gulleston; Gunter; Haas; Hanson; Hawken; Henegar; Hoffner; Jensen; Kelsh, S.; Kerzman; Kroeber; Lemieux; Lundgren; Mahoney; Maragos; Martinson; Metcalf; Meyer; Mueller; Nichols; Niemeier; Nowatzki; Porter; Rose; Sandvig; Schmidt; Stefanowicz; Sveen; Thorpe; Warner; Wentz; Winrich

**NAYS:** Belter; Berg; Bernstein; Boehm; Brandenburg; Brekke; Brusegaard; Byerly; Carlson; Clark; Dalrymple; DeKrey; Delzer; Devlin; Dorso; Drovdal; Froseth; Grande; Grosz; Herbel; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kempenich; Klein; Klemin; Kliniske; Koppang; Koppelman; Lloyd; Mickelson; Monson; Nelson; Nottestad; Pollert; Poolman; Price; Renner; Rennerfeldt; Severson; Svedjan; Thoreson, B.; Thoreson, L.; Timm; Tollefson; Weisz; Wikenheiser

**ABSENT AND NOT VOTING:** Aarsvold; Huether; Nicholas; Solberg; Speaker Wald

HB 1371 was declared lost.

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### SECOND READING OF HOUSE BILL

**HB 1375:** A BILL for an Act to create and enact section 39-18-03.2 of the North Dakota Century Code, relating to park model trailer fees; to amend and reenact subsection 2 of section 57-40.3-01 and subsection 2 of section 57-55-10 of the North Dakota Century Code, relating to park model trailers; and to provide an effective date.

### ROLL CALL

The question being on the passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 85 YEAS, 9 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Belter; Berg; Bernstein; Boucher; Brandenburg; Brekke; Brusegaard; Carlisle; Clark; Cleary; Dalrymple; DeKrey; Delmore; Devlin; Disrud; Dorso; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Gorder; Grumbo; Gulleston; Gunter; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Jensen; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; Mahoney; Maragos; Martinson; Metcalf; Meyer; Monson; Mueller; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Rose; Sandvig; Schmidt; Severson; Stefanowicz; Svedjan; Sveen; Thoreson, B.; Thorpe; Timm; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

**NAYS:** Boehm; Byerly; Carlson; Delzer; Drovdal; Grande; Grosz; Mickelson; Thoreson, L.

**ABSENT AND NOT VOTING:** Aarsvold; Huether; Johnson, D.; Solberg

HB 1375 passed and the title was agreed to.

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### MESSAGE TO THE SENATE FROM THE HOUSE (LANCE HAGEN, CHIEF CLERK)

**MADAM PRESIDENT:** The House has passed and your favorable consideration is requested on: HB 1074, HB 1151, HB 1180, HB 1186, HB 1205, HB 1235, HB 1237, HB 1248, HCR 3002, HCR 3005, HCR 3010, HCR 3016.

### MOTION

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

### MOTION

**REP. MONSON MOVED** that the House be on the Fifth, Ninth, Twelfth, and Thirteenth orders of business and at the conclusion of those orders, the House stand adjourned until 8:30 a.m., Monday, February 1, 1999, which motion prevailed.

### REPORT OF STANDING COMMITTEE

**HB 1038: Human Services Committee (Rep. Price, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1038 was placed on the Sixth order on the calendar.

- Page 1, line 1, after "Act" insert "to create and enact a new section to chapter 50-24.1 of the North Dakota Century Code, relating to medical assistance coverage of prehospital emergency medical services;"
- Page 1, line 2, replace "an" with "legislative intent regarding state department of health assistance for ambulance medical assistance billings and for appropriated funds"
- Page 1, line 3, remove "appropriation"
- Page 1, line 10, remove "department", overstrike "and", overstrike "shall", and remove "offer financial assistance to"
- Page 1, line 11, overstrike "certain prehospital emergency medical services as determined by the", remove "department", and overstrike "in"
- Page 1, line 12, overstrike "obtaining equipment" and insert immediately thereafter "department"
- Page 1, line 17, remove "and for financial assistance for"
- Page 1, line 18, remove "equipment", overstrike "To qualify for financial assistance for equipment", remove "acquisition", and overstrike ", a prehospital"
- Page 1, line 19, overstrike "emergency medical service shall certify, in the manner required by the"
- Page 1, line 20, remove "department", overstrike ", that the service has fifty percent of the amount of funds necessary for", remove "the", and overstrike "identified"
- Page 1, line 21, overstrike "equipment", remove "acquisition", overstrike ". The", remove "department", and overstrike "shall adopt a"
- Page 1, line 22, overstrike the first "schedule", overstrike the first "for", remove "distribution of", and overstrike "financial assistance for equipment. The schedule must"
- Page 1, line 23, remove "consider" and overstrike "the number"
- Page 1, overstrike line 24
- Page 2, line 1, overstrike "transportation, or both, to individuals who were sick or incapacitated"
- Page 2, line 3, remove "; consider the prehospital emergency medical service expenses"
- Page 2, line 4, remove "that are not dependent on response volume; and" and overstrike "classify responses and the financial"
- Page 2, line 5, overstrike "assistance available for various classifications."
- Page 2, after line 12, insert:

**"SECTION 2.** A new section to chapter 50-24.1 of the North Dakota Century Code is created and enacted as follows:

**Medical assistance - Prehospital emergency medical services.** Medical assistance coverage provided by the department of human services must include coverage for prehospital emergency medical services. This coverage must include provider reimbursement at a rate of the lesser of one hundred percent of the amount billed or the rate established by the department of human services reimbursement schedule for any prehospital emergency medical services assessment commensurate with the level of training of the individual performing the assessment. This coverage must include prehospital emergency medical services benefits in the case of a medical condition that manifests itself by symptoms of sufficient severity which may include severe pain and which a prudent layperson who possesses an average knowledge of health and medicine could reasonably expect the absence of medical attention to result in placing the person's health in jeopardy, serious impairment of a bodily function, or serious dysfunction of any body part.

**SECTION 3. LEGISLATIVE INTENT - DEPARTMENT OF HEALTH - PILOT PROJECT - AMBULANCE MEDICAL ASSISTANCE BILLINGS.** The state department of health during the 1999-2001 biennium shall provide assistance with medical

assistance billings to six ambulance services on a pilot project basis at a cost of \$30,000 from funds, other than emergency medical services funding, appropriated to the department in House Bill No. 1004."

Page 2, line 13, replace "**APPROPRIATION**" with "**INTENT**" and replace "There is hereby appropriated out of any moneys in" with "The funds appropriated"

Page 2, remove line 14

Page 2, line 15, remove "much of the sum as may be necessary, to the state department of health"

Page 2, line 16, replace "section" with "sections" and after "1" insert "and 2"

Page 2, line 17, after "2001" insert "include \$940,000 appropriated from the general fund in 1999 House Bill No. 1004 for training for volunteers and a total of \$489,800, of which \$146,880 is from the general fund appropriated in the medical assistance grants line item in 1999 Senate Bill No. 2012 for reimbursement of prehospital emergency medical services. The funds provided for training are for volunteer services based on \$2,200 for volunteer ambulance service training, \$500 for volunteer rescue squad training, \$500 for the initial training of volunteer emergency medical service providers, and \$1,500 for training of volunteer quick response units, subject to reallocation by the state department of health based on training applications and available funding"

ReNUMBER accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1039: Human Services Committee (Rep. Price, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1039 was placed on the Sixth order on the calendar.

Page 1, line 9, replace the colon with ", "emergency"

Page 1, remove line 10

Page 1, line 11, remove "b. "Emergency"

Page 1, line 17, remove "2."

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

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

ReNUMBER accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1049: Government and Veterans Affairs Committee (Rep. Klein, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (11 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING). HB 1049 was placed on the Sixth order on the calendar.

Page 1, line 3, replace "confidentiality" with "release"

Page 1, line 13, replace "**Confidential**" with "**Open records requirements**"

Page 1, line 16, replace "confidential" with "not a public record under section 44-04-18" and replace "to" with "or otherwise considered for acceptance at a meeting of"

ReNUMBER accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1069: Government and Veterans Affairs Committee (Rep. Klein, Chairman)** recommends **DO PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1069 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1148: Agriculture Committee (Rep. Nicholas, Chairman)** recommends **DO NOT PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1148 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1163: Agriculture Committee (Rep. Nicholas, Chairman)** recommends **DO PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1163 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1172: Political Subdivisions Committee (Rep. Froseth, Chairman)** recommends **DO NOT PASS** (12 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1172 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1217: Education Committee (Rep. R. Kelsch, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1217 was placed on the Sixth order on the calendar.

Page 1, line 12, remove the overstrike over "~~The written evaluation of a~~"

Page 1, remove the overstrike over lines 13 through 15

Page 1, line 16, remove the overstrike over "assessment of", after "the" insert "an", and remove the overstrike over "~~unsatisfactory performance.~~"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1247: Political Subdivisions Committee (Rep. Froseth, Chairman)** recommends **DO PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1247 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1251: Political Subdivisions Committee (Rep. Froseth, Chairman)** recommends **DO NOT PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1251 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1276: Agriculture Committee (Rep. Nicholas, Chairman)** recommends **DO PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1276 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1317: Political Subdivisions Committee (Rep. Froseth, Chairman)** recommends **DO NOT PASS** (13 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). HB 1317 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1322: Agriculture Committee (Rep. Nicholas, Chairman)** recommends **DO NOT PASS** (12 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1322 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1326: Transportation Committee (Rep. Keiser, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (10 YEAS, 2 NAYS, 3 ABSENT AND NOT VOTING). HB 1326 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to provide damages in accidents with uninsured motorists."

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

**SECTION 1. Uninsured motorist - Insurance deductible.** If a person causes damage to another or another's property with a motor vehicle while in violation of section 39-08-20, the court shall order that person to pay to the other person the amount of the deductible on that person's insurance."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1343: Transportation Committee (Rep. Keiser, Chairman)** recommends **DO PASS** (12 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). HB 1343 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1354: Political Subdivisions Committee (Rep. Froseth, Chairman)** recommends **DO NOT PASS** (10 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). HB 1354 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1356: Government and Veterans Affairs Committee (Rep. Klein, Chairman)** recommends **DO PASS** (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1356 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1362: Political Subdivisions Committee (Rep. Froseth, Chairman)** recommends **DO PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1362 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1372: Government and Veterans Affairs Committee (Rep. Klein, Chairman)** recommends **DO PASS** (12 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING). HB 1372 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1380: Transportation Committee (Rep. Keiser, Chairman)** recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1380 was rereferred to the **Appropriations Committee**.

**REPORT OF STANDING COMMITTEE**

**HB 1415: Government and Veterans Affairs Committee (Rep. Klein, Chairman)** recommends **DO PASS** (12 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). HB 1415 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1445: Finance and Taxation Committee (Rep. Belter, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1445 was placed on the Sixth order on the calendar.

Page 1, line 8, after "49-22" insert "and regulatory accounting including the determination of the demarcation between federal and state jurisdiction over transmission in interstate commerce and local distribution"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1494: Government and Veterans Affairs Committee (Rep. Klein, Chairman)** recommends **DO PASS** (12 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1494 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HCR 3008: Government and Veterans Affairs Committee (Rep. Klein, Chairman)** recommends **DO NOT PASS** (9 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING). HCR 3008 was placed on the Eleventh order on the calendar.

**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 2103, SB 2119, SB 2263, SB 2265, SB 2318.

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

**MR. SPEAKER:** The Senate has passed and your favorable consideration is requested on: SCR 4008.

**FIRST READING OF HOUSE CONCURRENT RESOLUTIONS**

Reps. Mueller, Pollert, Renner and Sens. O'Connell, Urlacher, Wanzek introduced:

**HCR 3045:** A concurrent resolution directing the Legislative Council to study grain credit-sale contracts to determine the need to provide protection for farmers against grain warehouse and grain buyer insolvency.

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

Reps. Stefonowicz, Nelson, Schmidt, Severson, Solberg and Sen. Solberg introduced:

**HCR 3046:** A concurrent resolution directing the Legislative Council study the financial challenges facing rural hospitals in this state, including the concerns relating to reimbursement of hospitals for medical services.

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

Reps. Mueller, Metcalf, Hanson and Sens. Holmberg, Robinson, B. Stenehjem introduced:

**HCR 3047:** A concurrent resolution expressing the support for the privately funded construction and operation of the North American wildlife enforcement memorial museum and educational center at the International Peace Garden.

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

#### FIRST READING OF SENATE BILLS

**SB 2103:** A BILL for an Act to create and enact a new subsection to section 57-36-09 of the North Dakota Century Code, relating to the imposition of penalty and interest under the tobacco products tax law; and to amend and reenact sections 57-36-07, 57-36-11.1, and subsections 1 and 2 of section 57-36-25 of the North Dakota Century Code, relating to the tobacco product stamp requirements on sales to enrolled tribal members, the time for filing tobacco products tax returns by licensed tobacco products manufacturers, and the imposition of penalty and interest under the tobacco products tax law.

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

**SB 2119:** A BILL for an Act to amend and reenact sections 35-17-08, 35-29-05, 35-30-06, 35-31-06, and subsections 5 and 11 of section 41-09-42 of the North Dakota Century Code, relating to filing fees collected by the secretary of state and county register of deeds.

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

**SB 2263:** A BILL for an Act to create and enact chapter 26.1-42.1 of the North Dakota Century Code, relating to an insurance guaranty association for property and casualty insurance; to amend and reenact subsection 9 of section 26.1-06.1-03, section 26.1-14-15, subdivision b of subsection 3 of section 26.1-40-15.1, subsection 3 of section 26.1-40-15.5, subsection 1 of section 26.1-41-18, and subsection 3 of section 26.1-46-04 of the North Dakota Century Code; and to repeal chapter 26.1-42 of the North Dakota Century Code, relating to the insurance guaranty association.

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

**SB 2265:** A BILL for an Act to amend and reenact subdivision g of subsection 3 of section 49-23-04 of the North Dakota Century Code, relating to time periods under the one-call excavation notice system.

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

**SB 2318:** A BILL for an Act to amend and reenact section 57-40.6-02 of the North Dakota Century Code, relating to ballot measures on the question of excise taxes on telephone access lines.

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

#### FIRST READING OF SENATE CONCURRENT RESOLUTION

**SCR 4008:** A concurrent resolution urging Congress and the Clinton Administration to recognize state interests and enact legislation that would prohibit the federal Department of Health and Human Services from recouping the tobacco settlement funds as third-party recoveries under Medicaid law.

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

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

**LANCE HAGEN, Chief Clerk**