

JOURNAL OF THE HOUSE

Fifty-sixth Legislative Assembly

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Bismarck, February 25, 1999

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

The prayer was offered by Dr. Gordon Stork, Century Baptist Church, Bismarck.

The roll was called and all members were present except Representatives Brekke, Gunter, Tollefson, and Speaker Wald.

A quorum was declared by Acting Speaker Timm.

SIXTH ORDER OF BUSINESS

REP. DORSO MOVED that the amendments on the Sixth order of business to SB 2094 be adopted, which motion prevailed.

SB 2094, as amended, was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3081: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of requiring insurance coverage of periodic physical examinations.

ROLL CALL

The question being on the adoption of the resolution, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 41 YEAS, 54 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Boucher; Cleary; Delmore; Disrud; Eckre; Ekstrom; Fairfield; Froelich; Glasheim; Grumbo; Gulleson; Hanson; Hoffner; Huether; Jensen; Kelsh, S.; Kerzman; Kroeber; Lemieux; Lundgren; Mahoney; Maragos; Metcalf; Meyer; Mickelson; Mueller; Nichols; Niemeier; Nowatzki; Rose; Sandvig; Schmidt; Severson; Solberg; Stefonowicz; Sveen; Thorpe; Warner; Wentz; Winrich

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

ABSENT AND NOT VOTING: Gunter; Tollefson; Wald

HCR 3081 was declared lost.

SECOND READING OF SENATE BILL

SB 2046: A BILL for an Act to repeal chapter 26.1-45.1 of the North Dakota Century Code, relating to the partnership for long-term care program.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 95 YEAS, 0 NAYS, 0 EXCUSED, 3 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; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glasheim; Gorder; Grande; Grosz; Grumbo; Gulleson; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Huether; 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; Solberg; Stefonowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Warner; Weisz; Wentz; Wikenheiser; Winrich; Acting Speaker Timm

ABSENT AND NOT VOTING: Gunter; Tollefson; Wald

SB 2046 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2076: A BILL for an Act to amend and reenact section 44-04-18.1 of the North Dakota Century Code, relating to confidentiality of personal information maintained by occupational and professional boards.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 95 YEAS, 0 NAYS, 0 EXCUSED, 3 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; Gulleson; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Huether; 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; Solberg; Stefonowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Warner; Weisz; Wentz; Wikenheiser; Winrich; Acting Speaker Timm

ABSENT AND NOT VOTING: Gunter; Tollefson; Wald

SB 2076 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2097: A BILL for an Act to amend and reenact sections 13-04.1-02, 13-04.1-07, and 13-04.1-09.1 of the North Dakota Century Code, relating to money broker license requirements, records, and fees.

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, 3 NAYS, 0 EXCUSED, 3 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; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleson; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Huether; 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; Mickelson; Monson; Mueller; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Rose; Sandvig; Schmidt; Severson; Solberg; Stefonowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Warner; Weisz; Wentz; Wikenheiser; Winrich; Acting Speaker Timm

NAYS: Froelich; Meyer; Thorpe

ABSENT AND NOT VOTING: Gunter; Tollefson; Wald

SB 2097 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2135: A BILL for an Act to amend and reenact section 6-03-07 of the North Dakota Century Code, relating to banking association investments.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 95 YEAS, 0 NAYS, 0 EXCUSED, 3 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; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleason; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Huether; 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; Solberg; Stefonowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Warner; Weisz; Wentz; Wikenheiser; Winrich; Acting Speaker Timm

ABSENT AND NOT VOTING: Gunter; Tollefson; Wald

SB 2135 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2150: A BILL for an Act to create and enact a new paragraph to subdivision h of subsection 17 of section 52-01-01 of the North Dakota Century Code, relating to exempting services performed by certain election workers for unemployment compensation purposes.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 95 YEAS, 0 NAYS, 0 EXCUSED, 3 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; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleason; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Huether; 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; Solberg; Stefonowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Warner; Weisz; Wentz; Wikenheiser; Winrich; Acting Speaker Timm

ABSENT AND NOT VOTING: Gunter; Tollefson; Wald

SB 2150 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2156: A BILL for an Act to create and enact a new section to chapter 26.1-02 of the North Dakota Century Code, relating to adoption of the national association of insurance commissioners accounting practices and procedures manual.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 95 YEAS, 0 NAYS, 0 EXCUSED, 3 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; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleason; Haas; Hanson; Hawken; Henegar; Herbel;

Hoffner; Huether; 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; Solberg; Stefonowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Warner; Weisz; Wentz; Wikenheiser; Winrich; Acting Speaker Timm

ABSENT AND NOT VOTING: Gunter; Tollefson; Wald

Engrossed SB 2156 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2194: A BILL for an Act to amend and reenact sections 32-09.1-07, 32-09.1-20, and 32-09.1-21 of the North Dakota Century Code, relating to garnishment of wages.

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, 3 NAYS, 0 EXCUSED, 3 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; Drovda; Eckre; Ekstrom; Fairfield; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Grumbo; Gullerson; 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; Solberg; Stefonowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Warner; Weisz; Wentz; Wikenheiser; Winrich; Acting Speaker Timm

NAYS: Delzer; Froelich; Huether

ABSENT AND NOT VOTING: Gunter; Tollefson; Wald

Engrossed SB 2194 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2241: A BILL for an Act to amend and reenact subsection 3 of section 28-22-03.1 of the North Dakota Century Code, relating to the absolute exemption of Roth individual retirement accounts in process, levy, and sale proceedings.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 95 YEAS, 0 NAYS, 0 EXCUSED, 3 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; Gullerson; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Huether; 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; Solberg; Stefonowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Warner; Weisz; Wentz; Wikenheiser; Winrich; Acting Speaker Timm

ABSENT AND NOT VOTING: Gunter; Tollefson; Wald

SB 2241 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2251: A BILL for an Act to amend and reenact sections 26.1-38.1-01, 26.1-38.1-02, 26.1-38.1-03, 26.1-38.1-05, 26.1-38.1-06; subsection 5 of section 26.1-38.1-07, subsection 3 of section 26.1-38.1-08; sections 26.1-38.1-09, 26.1-38.1-10, 26.1-38.1-11, 26.1-38.1-12, and 26.1-38.1-16 of the North Dakota Century Code, relating to the life and health insurance guaranty association and the related duties and powers of the insurance commissioner.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 94 YEAS, 0 NAYS, 0 EXCUSED, 4 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; Gulleason; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; 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; Solberg; Stefonowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Warner; Weisz; Wentz; Wikenheiser; Winrich; Acting Speaker Timm

ABSENT AND NOT VOTING: Gunter; Kerzman; Tollefson; Wald

SB 2251 passed and the title was agreed to.

SECOND READING OF SENATE BILL

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.

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; 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; Grosz; Grumbo; Gulleason; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Huether; 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; Solberg; Stefonowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Warner; Weisz; Wentz; Wikenheiser; Winrich; Acting Speaker Timm

ABSENT AND NOT VOTING: Grande; Gunter; Tollefson; Wald

Engrossed SB 2263 passed and the title was agreed to.

MOTION

REP. DORSO MOVED that SB 2272, which is on the Fourteenth order, be laid over one legislative day, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2286: A BILL for an Act to create and enact a new section to chapter 43-23.3 and a new subsection to section 43-23.3-03 of the North Dakota Century Code, relating to confidentiality of real estate appraiser records.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 95 YEAS, 0 NAYS, 0 EXCUSED, 3 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; Gulleon; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Huether; 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; Solberg; Stefonowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Warner; Weisz; Wentz; Wikenheiser; Winrich; Acting Speaker Timm

ABSENT AND NOT VOTING: Gunter; Tollefson; Wald

Engrossed SB 2286 passed and the title was agreed to.

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS ON CONSENT CALENDAR

HCR 3065: A concurrent resolution directing the Legislative Council to study the uses of funding provided to the Children's Services Coordinating Committee.

HCR 3075: A concurrent resolution directing the Legislative Council to study insurance discrimination against victims of domestic violence.

The question being on the final adoption of the resolutions, which have been read.

HCR 3065 and HCR 3075 were declared adopted on a voice vote.

ANNOUNCEMENT

CHIEF CLERK HAGEN ANNOUNCED that the reports received by the House under statutory requirements that reports be filed with the Legislative Assembly are filed with the Legislative Council.

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

MADAM PRESIDENT: The House has failed to pass: SB 2364.

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

MADAM PRESIDENT: The House has passed unchanged: SB 2028, SB 2033, SB 2034, SB 2049, SB 2062, SB 2072, SB 2078, SB 2083, SB 2109, SB 2117, SB 2118, SB 2137, SB 2169, SB 2174, SB 2176, SB 2211, SB 2265, SCR 4006.

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

MADAM PRESIDENT: The House has amended and subsequently passed: SB 2108.

MOTION

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

MOTION

REP. MONSON MOVED that the House be on the Fifth and Twelfth orders of business and at the conclusion of those orders, the House stand adjourned until 1:00 p.m., Friday, February 26, 1999, which motion prevailed.

REPORT OF STANDING COMMITTEE

HCR 3052: Transportation Committee (Rep. Keiser, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (12 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). HCR 3052 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3055: Natural Resources Committee (Rep. Grosz, Chairman) recommends **DO PASS** (14 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HCR 3055 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3059: Government and Veterans Affairs Committee (Rep. Klein, Chairman) recommends **DO NOT PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3059 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3062: Judiciary Committee (Rep. DeKrey, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HCR 3062 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3063: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HCR 3063 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3066: Natural Resources Committee (Rep. Grosz, Chairman) recommends **DO NOT PASS** (9 YEAS, 4 NAYS, 2 ABSENT AND NOT VOTING). HCR 3066 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3067: Judiciary Committee (Rep. DeKrey, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HCR 3067 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3068: Judiciary Committee (Rep. DeKrey, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HCR 3068 was placed on the Sixth order on the calendar.

Page 1, line 14, after the first comma insert "the Clerk of Court Association,"

Page 1, line 24, after the first comma insert "the Clerk of Court Association, the"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HCR 3069: Natural Resources Committee (Rep. Grosz, Chairman) recommends **DO NOT PASS** (11 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). HCR 3069 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3070: Human Services Committee (Rep. Price, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3070 was placed on the Sixth order on the calendar.

Page 1, line 4, after "care" insert "including health care insurance"

Page 1, line 10, replace "includes" with "may include"

Page 1, after line 11, insert:

"**WHEREAS**, continual increases in health care insurance premiums create an economic burden upon the citizens of this state; and"

Page 1, line 18, after "care" insert "including health care insurance"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HCR 3073: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (13 YEAS, 0 NAYS,

2 ABSENT AND NOT VOTING). HCR 3073 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2051: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING). SB 2051 was placed on the Sixth order on the calendar.

Page 1, line 2, after "in" insert "negotiations and"

Page 3, line 6, after "During" insert "the negotiation and"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2052: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2052 was placed on the Sixth order on the calendar.

Page 3, line 9, remove "county" and replace "tax equalization" with "county commissioners"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2056: Government and Veterans Affairs Committee (Rep. Klein, Chairman) recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2056 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2077: Transportation Committee (Rep. Keiser, Chairman) recommends **DO PASS** (12 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). SB 2077 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2085: Transportation Committee (Rep. Keiser, Chairman) recommends **DO PASS** (12 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). SB 2085 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2086: Judiciary Committee (Rep. DeKrey, Chairman) recommends **DO PASS** (11 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING). SB 2086 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2089: Natural Resources Committee (Rep. Grosz, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2089 was placed on the Sixth order on the calendar.

Page 1, line 1, after "to" insert "create and enact a new section to chapter 20.1-03 and a new subsection to section 20.1-03-12 of the North Dakota Century Code, relating to a nonresident spring white goose license; to", after "reenact" insert "sections 20.1-03-02, 20.1-03-07, 20.1-03-07.1,", and after "20.1-03-11" insert ", and section 20.1-03-12.1"

Page 1, line 2, after "to" insert "establishment of a nonresident spring white goose license and to"

Page 1, after line 4, insert:

"SECTION 1. AMENDMENT. Section 20.1-03-02 of the North Dakota Century Code is amended and reenacted as follows:

20.1-03-02. General game license - Stamps allowed for specific licenses.
~~No~~ Except as provided in section 4 of this Act, a person may not:

1. Acquire any resident or nonresident license to hunt, catch, take, or kill any small game or big game animal unless that person first obtains an annual general game license.

2. Hunt, catch, take, trap, or kill any small game or big game animal unless that person has in that person's possession an annual general game license together with the specific license required.

The director shall design and furnish, for sale to residents and nonresidents, an annual general game license. A stamp may be prepared by the director to be affixed to a general game license in place of each separate small game or big game hunting license.

SECTION 2. AMENDMENT. Section 20.1-03-07 of the 1997 Supplement to the North Dakota Century Code is amended and reenacted as follows:

20.1-03-07. Licenses to hunt, trap, or fish required of nonresidents.

Nonresidents, except as provided in sections 20.1-02-05, section 4 of this Act, and 20.1-03-08, may not:

1. Hunt, catch, take, or kill any small game without a nonresident small game license.
2. Trap, catch, attempt to catch, take, or kill any protected fur-bearing animal except that nonresidents holding a valid nonresident fur-bearer and nongame hunting license may hunt only fox and coyote and residents of a state that allows North Dakota residents to trap within that state may purchase a nonresident reciprocal trapping license to trap in this state. However, a nonresident holding a valid nonresident reciprocal trapping license may not trap, catch, attempt to catch, take, or kill bobcats.
3. Catch, attempt to catch, take, or kill any fish without having a nonresident fishing license.
4. Hunt, catch, take, or kill any unprotected bird or animal without having a nonresident nongame hunting license or nonresident fur-bearer and nongame hunting license.
5. Hunt, catch, take, or kill any big game animal without having the respective nonresident big game license.

Each violation of this section is a distinct and separate offense.

SECTION 3. AMENDMENT. Section 20.1-03-07.1 of the 1997 Supplement to the North Dakota Century Code is amended and reenacted as follows:

20.1-03-07.1. Nonresident waterfowl hunting license required. Except as provided in ~~section~~ sections 20.1-03-07.2 and section 4 of this Act, a nonresident may not hunt waterfowl unless that person first obtains a nonresident waterfowl hunting license, in addition to a nonresident small game hunting license. The nonresident waterfowl hunting license entitles the nonresident to hunt waterfowl for any period of fourteen consecutive days or any two periods of seven consecutive days each and in specified waterfowl hunting zones. A license authorizing two 7-day hunting periods may allow hunting in a different zone during each period. The governor, in the governor's proclamation, shall specify various waterfowl hunting zones for which nonresident waterfowl hunting licenses will be available, and may specify the number of licenses which may be issued in each zone and the manner in which they are to be issued. A nonresident is entitled to purchase only one nonresident waterfowl hunting license per year.

SECTION 4. A new section to chapter 20.1-03 of the North Dakota Century Code is created and enacted as follows:

Nonresident spring white goose license. A nonresident may purchase a nonresident spring white goose license to hunt white geese during a spring season as determined by the governor by proclamation. The governor, in the governor's proclamation, may specify the number of licenses that may be issued and the manner in which they are to be issued. Nonresidents are not required to purchase any other license to hunt white geese during a spring white goose season. A nonresident is entitled to purchase only one nonresident spring white goose license per year; however, a nonresident may still purchase a nonresident waterfowl hunting license under section 20.1-03-07.1."

Page 6, after line 12, insert:

"**SECTION 6.** A new subsection to section 20.1-03-12 of the 1997 Supplement to the North Dakota Century Code is created and enacted as follows:

For a nonresident spring white goose license, fifty dollars.

SECTION 7. AMENDMENT. Section 20.1-03-12.1 of the 1997 Supplement to the North Dakota Century Code is amended and reenacted as follows:

20.1-03-12.1. Habitat restoration stamp required - Use of revenue - ~~No land~~ Land purchases not allowed. A ~~Except for~~ licenses issued under section 4 of this Act, a habitat restoration stamp is required for every resident and nonresident general game license for which a stamp fee of five dollars must be charged. The habitat restoration stamp fee is in addition to the annual general game license fee charged under section 20.1-03-12. ~~No land~~ Land may not be purchased with habitat restoration stamp moneys. All moneys generated by habitat restoration stamp fees must be placed in the game and fish private land habitat and access improvement fund."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2091: Natural Resources Committee (Rep. Grosz, Chairman) recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2091 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2099, as engrossed: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2099 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2100: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2100 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2106: Natural Resources Committee (Rep. Grosz, Chairman) recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2106 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2111: Appropriations Committee (Rep. Dalrymple, Chairman) recommends **DO PASS** (16 YEAS, 1 NAY, 3 ABSENT AND NOT VOTING). SB 2111 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2120, as engrossed: Judiciary Committee (Rep. DeKrey, Chairman) recommends **DO PASS** (11 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2120 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2138: Education Committee (Rep. R. Kelsch, Chairman) recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2138 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2139: Education Committee (Rep. R. Kelsch, Chairman) recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2139 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2145, as engrossed: Government and Veterans Affairs Committee (Rep. Klein, Chairman) recommends **DO PASS** (14 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). Engrossed SB 2145 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2146: Education Committee (Rep. R. Kelsch, Chairman) recommends **DO PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2146 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2179: Government and Veterans Affairs Committee (Rep. Klein, Chairman) recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2179 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2209: Government and Veterans Affairs Committee (Rep. Klein, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2209 was placed on the Sixth order on the calendar.

Page 1, line 10, overstrike "of the senate"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2266: Human Services Committee (Rep. Price, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2266 was placed on the Sixth order on the calendar.

Page 2, line 28, replace "two committee members" with "one member from each house of the legislative assembly"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2291, as engrossed: Government and Veterans Affairs Committee (Rep. Klein, Chairman) recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2291 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2360: Government and Veterans Affairs Committee (Rep. Klein, Chairman) recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2360 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4001: Appropriations Committee (Rep. Dalrymple, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (18 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SCR 4001 was placed on the Tenth order on the calendar.

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

MR. SPEAKER: The President has signed and your signature is respectfully requested on: SB 2065, SB 2090, SCR 4004.

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 4015, SCR 4016, SCR 4017, SCR 4018, SCR 4019, SCR 4020, SCR 4021, SCR 4023, SCR 4024, SCR 4025, SCR 4029, SCR 4036.

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

LANCE HAGEN, Chief Clerk