

JOURNAL OF THE HOUSE

Fifty-sixth Legislative Assembly

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Bismarck, January 27, 1999

The House convened at 8:30 a.m., with Speaker Wald presiding.

The prayer was offered by Reverend Harley Holden, Director, New Life Clinic, Bismarck.

The roll was called and all members were present.

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 1151, HB 1180, and HB 1186 be adopted, which motion prevailed.

HB 1151, HB 1180, and HB 1186, as amended, were placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SECOND READING OF HOUSE BILL

HB 1050: A BILL for an Act to create and enact a new section to chapter 49-21 of the North Dakota Century Code, relating to a regulatory reform review commission.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 97 YEAS, 0 NAYS, 0 EXCUSED, 1 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; Gulleon; Gunter; 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; Stefonowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

ABSENT AND NOT VOTING: Solberg

Engrossed HB 1050 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1057: A BILL for an Act to amend and reenact section 54-18-04 of the North Dakota Century Code, relating to the powers and duties of the industrial commission in operating the North Dakota mill and elevator association.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 61 YEAS, 37 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Belter; Berg; Bernstein; Boehm; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Dalrymple; DeKrey; Delzer; Devlin; Disrud; Dorso; Drovdal; Froseth; Galvin; 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; Nelson; Nicholas; Nottestad; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Severson; Svedjan; Thoreson, B.; Thoreson, L.; Timm; Tollefson; Weisz; Wentz; Wikenheiser; Speaker Wald

NAYS: Aarsvold; Boucher; Cleary; Delmore; Eckre; Ekstrom; Fairfield; Froelich; Glassheim; Gorder; Grumbo; Guleson; Hanson; Hoffner; Huether; Kelsh, S.; Kerzman; Kroeber; Lemieux; Lundgren; Mahoney; Maragos; Metcalf; Meyer; Mueller; Nichols; Niemeier; Nowatzki; Rose; Sandvig; Schmidt; Solberg; Stefonowicz; Sveen; Thorpe; Warner; Winrich

Engrossed HB 1057 passed and the title was agreed to.

CONFLICT OF INTEREST

REP. DROVDAL STATED that he had a conflict of interest on HB 1201 and requested permission to vote.

MOTION

REP. DORSO MOVED that all Representatives who had a conflict of interest on HB 1201 be granted permission to vote, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1201: A BILL for an Act to create and enact a new subsection to section 18-10-06 of the North Dakota Century Code, relating to powers of rural fire protection districts; and to amend and reenact sections 18-04-07, 18-05-01, 18-05-02, 18-05-03, 18-05-04, 18-05-05, 18-05-06, 18-05-07, 18-05-08, 18-05-09, 18-05-10, 18-05-12, 18-05-13, 28-22-19, subsection 70 of section 40-05-01, 40-46-01, subsection 21 of section 57-15-10, section 57-15-43, and subdivision j of subsection 1 of section 57-38-01.2 of the North Dakota Century Code, relating to the organization of firefighters relief associations by fire departments and rural fire protection districts.

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 97 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Belter; Berg; Bernstein; Boehm; 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; Guleson; Gunter; 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; Timm; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

ABSENT AND NOT VOTING: Boucher

Engrossed HB 1201 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1227: A BILL for an Act to create and enact a new section to chapter 43-35 of the North Dakota Century Code, relating to water well contractor continuing education requirements; to amend and reenact section 43-35-17 of the North Dakota Century Code, relating to water well contractor continuing education requirements; 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 80 YEAS, 18 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Berg; Bernstein; Boucher; Brandenburg; Brekke; Carlisle; Clark; Cleary; Dalrymple; Delmore; Disrud; Dorso; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Gorder; Grande; Grumbo; Gunter; 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; Martinson; Metcalf; Meyer; Mickelson; Monson; Mueller; Nicholas; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price;

Rennerfeldt; Rose; Sandvig; Schmidt; Severson; Solberg; Stefonowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Tollefson; Wentz; Wikenheiser; Winrich; Speaker Wald

NAYS: Aarsvold; Belter; Boehm; Brusegaard; Byerly; Carlson; DeKrey; Delzer; Devlin; Grosz; Gulleeson; Maragos; Nelson; Nichols; Niemeier; Renner; Warner; Weisz

Engrossed HB 1227 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1279: A BILL for an Act to amend and reenact section 43-23-13.1 of the North Dakota Century Code, relating to real estate license continuing education renewal requirements.

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 4 YEAS, 92 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Brekke; Brusegaard; Ekstrom; Kelsh, S.

NAYS: Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Drovdal; Eckre; Fairfield; Froelich; Froseth; Galvin; Gorder; Grande; Grosz; Grumbo; Gulleeson; Gunter; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Huether; 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; Solberg; Stefonowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

ABSENT AND NOT VOTING: Aarsvold; Glasheim

Engrossed HB 1279 was declared lost.

MOTION

REP. DORSO MOVED that HB 1147 be placed at the bottom of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1218: A BILL for an Act to amend and reenact sections 28-26-06 and 28-26-10 of the North Dakota Century Code, relating to costs and disbursements taxed in judgments.

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: Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brekke; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glasheim; Gorder; Grande; Grosz; Grumbo; Gunter; 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; Timm; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

ABSENT AND NOT VOTING: Aarsvold; Brusegaard; Gulleeson

HB 1218 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1236: A BILL for an Act to provide for the sharing of costs upon the discovery of a cultural resource during highway construction or maintenance.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 25 YEAS, 73 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Boehm; Boucher; Delmore; Eckre; Fairfield; Froelich; Galvin; Glassheim; Grumbo; Gulleston; Keiser; Kelsch, R.; Kerzman; Lemieux; Lloyd; Mahoney; Meyer; Nichols; Nowatzki; Porter; Renner; Thorpe; Warner; Weisz

NAYS: Belter; Berg; Bernstein; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; DeKrey; Delzer; Devlin; Disrud; Dorso; Drovdal; Ekstrom; Froseth; Gorder; Grande; Grosz; Gunter; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Kelsch, S.; Kempenich; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lundgren; Maragos; Martinson; Metcalf; Mickelson; Monson; Mueller; Nelson; Nicholas; Niemeier; Nottestad; Pollert; Poolman; Price; Rennerfeldt; Rose; Sandvig; Schmidt; Severson; Solberg; Stefonowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Timm; Tollefson; Wentz; Wikenheiser; Winrich; Speaker Wald

HB 1236 was declared lost.

MOTION

REP. DORSO MOVED that HB 1147 be placed at the top of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1147: A BILL for an Act to amend and reenact sections 4-24-10, 4-30-03.9, and subsection 1 of section 54-07-01.2 of the North Dakota Century Code, relating to references to the milk marketing board; and to repeal chapter 4-18.1 of the North Dakota Century Code, relating to elimination of the milk marketing board.

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 19 YEAS, 78 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Berg; Bernstein; Byerly; Carlisle; Carlson; Clark; Dorso; Eckre; Grande; Hawken; Keiser; Kerzman; Klein; Kliniske; Lloyd; Poolman; Thoreson, B.; Timm; Tollefson

NAYS: Aarsvold; Belter; Boehm; Boucher; Brandenburg; Brekke; Cleary; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Drovdal; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Gorder; Grosz; Grumbo; Gulleston; Gunter; Haas; Hanson; Henegar; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Kelsch, R.; Kelsch, S.; Kempenich; Klemin; Koppang; Koppelman; Kroeber; Lemieux; Lundgren; Mahoney; Maragos; Martinson; Metcalf; Meyer; Mickelson; Monson; Mueller; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Nowatzki; Pollert; Porter; Price; Renner; Rennerfeldt; Rose; Sandvig; Schmidt; Severson; Solberg; Stefonowicz; Svedjan; Sveen; Thoreson, L.; Thorpe; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

ABSENT AND NOT VOTING: Brusegaard

HB 1147 was declared lost.

SECOND READING OF HOUSE BILL

HB 1306: A BILL for an Act to amend and reenact section 20.1-03-07.1 and subsection 4 of section 20.1-03-11 of the North Dakota Century Code, relating to hunting by nonresidents.

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

YEAS: Boucher; Brekke; Byerly; Froseth; Galvin; Gorder; Grande; Gunter; Herbel; Jensen; Johnson, D.; Keiser; Klein; Kliniske; Koppelman; Lemieux; Lloyd; Mahoney; Meyer; Monson; Nelson; Nichols; Poolman; Schmidt; Sveen; Thoreson, L.; Warner; Wentz

NAYS: Aarsvold; Belter; Berg; Bernstein; Boehm; Brandenburg; Carlisle; Carlson; Clark; Cleary; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Glassheim; Grosz; Grumbo; Gulleson; Haas; Hanson; Hawken; Henegar; Hoffner; Huether; Johnson, N.; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Klemin; Koppang; Kroeber; Lundgren; Maragos; Martinson; Metcalf; Mickelson; Mueller; Nicholas; Niemeier; Nottestad; Nowatzki; Pollert; Porter; Price; Renner; Rennerfeldt; Rose; Sandvig; Severson; Solberg; Stefonowicz; Svedjan; Thoreson, B.; Thorpe; Timm; Tollefson; Weisz; Wikenheiser; Winrich; Speaker Wald

ABSENT AND NOT VOTING: Brusegaard

HB 1306 was declared lost.

SECOND READING OF HOUSE BILL

HB 1319: A BILL for an Act to amend and reenact section 20.1-03-07.1 of the North Dakota Century Code, relating to nonresident waterfowl hunting time periods.

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

YEAS: Bernstein; Boucher; Brandenburg; Brekke; Byerly; DeKrey; Dorso; Froseth; Galvin; Gorder; Grumbo; Gulleson; Gunter; Hawken; Herbel; Jensen; Johnson, D.; Keiser; Klein; Kliniske; Lemieux; Mahoney; Maragos; Meyer; Monson; Nelson; Nichols; Poolman; Schmidt; Sveen; Thoreson, L.; Thorpe; Weisz; Speaker Wald

NAYS: Aarsvold; Belter; Berg; Boehm; Carlisle; Carlson; Clark; Cleary; Dalrymple; Delmore; Delzer; Devlin; Disrud; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Glassheim; Grande; Grosz; Haas; Hanson; Henegar; Hoffner; Huether; Johnson, N.; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Klemin; Koppang; Koppelman; Kroeber; Lloyd; Lundgren; Martinson; Metcalf; Mickelson; Mueller; Nicholas; Niemeier; Nottestad; Nowatzki; Pollert; Porter; Price; Renner; Rennerfeldt; Rose; Sandvig; Severson; Solberg; Stefonowicz; Svedjan; Thoreson, B.; Timm; Tollefson; Warner; Wentz; Wikenheiser; Winrich

ABSENT AND NOT VOTING: Brusegaard

HB 1319 was declared lost.

REQUEST

REP. BOUCHER REQUESTED that the Journal show that he was present and intended to vote "Yea" on HB 1201, which request was granted.

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 1132, HB 1195, HB 1208, HB 1222, HB 1229, HB 1234, HB 1259.

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., Thursday, January 28, 1999, which motion prevailed.

REPORT OF STANDING COMMITTEE

HB 1028: 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). HB 1028 was placed on the Sixth order on the calendar.

Page 1, line 8, replace "any" with "an", replace "if" with "over which", and replace "may" with "does"

Page 1, replace lines 9 through 11 with "have significant influence or control over the nature or amount unless:

- (1) That benefit may be liquidated; and
- (2) Liquidation of that benefit does not result in the employee incurring an income tax penalty."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1188: Education Committee (Rep. R. Kelsch, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1188 was placed on the Sixth order on the calendar.

Page 10, line 8, after "~~1973~~" insert "1999" and remove the overstrike over "~~nor does this section affect vocational education~~"

Page 10, line 9, remove the overstrike over "~~certificate qualifications as provided in chapter 45-20.4~~" and remove "1999"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1202: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1202 was placed on the Sixth order on the calendar.

Page 1, line 8, replace "incurred bodily injury as a result of" with "suffers from"

Page 1, line 9, remove "a crime involving"

Page 1, line 12, remove "a pattern of"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1232: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends **DO NOT PASS** (12 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1232 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1262: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends **DO NOT PASS** (13 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). HB 1262 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1264: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends **DO NOT PASS** (11 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). HB 1264 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1283: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends **DO PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1283 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1304: 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). HB 1304 was placed on the Sixth order on the calendar.

Page 1, line 7, after the third period insert "Each correctional facility shall adopt a classification system for inmates to provide for the security, safety, and order of the correctional facility and for the safety and security of the community. If the correctional facility has adopted a classification system approved by the department of corrections and rehabilitation, the correctional facility is not required to comply with the classification system required in this section."

Page 1, line 12, remove the overstrike over "~~Persons detained for hearing or trial from inmates under sentence of~~"

Page 1, remove the overstrike over lines 13 through 17

Page 1, line 18, remove the overstrike over "5:"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1308: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends **DO NOT PASS** (10 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). HB 1308 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1313: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends **DO NOT PASS** (10 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). HB 1313 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1360: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (10 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). HB 1360 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "and"

Page 1, line 2, remove "pharmaceutical products"

Page 1, line 10, replace "a" with "an agricultural chemical"

Page 1, line 11, remove "taxable product"

Page 1, line 13, replace "a" with "an agricultural chemical"

Page 1, line 14, remove "taxable product"

Page 1, remove lines 16 through 19

Page 1, line 20, remove "**and pharmaceutical products**"

Page 1, line 22, remove "or pharmaceutical product"

Page 1, line 23, replace "a taxable product" with "an agricultural chemical"

Page 1, line 24, replace "taxable product" with "agricultural chemical"

Page 2, line 3, replace "taxable products" with "agricultural chemicals"

Page 2, line 4, replace "taxable products" with "agricultural chemicals"

Page 2, line 7, replace the first "a taxable product" with "an agricultural chemical" and replace the second "a taxable product" with "an agricultural chemical"

Page 2, line 15, replace "deposit in the property tax relief fund and allocated for property tax relief to" with "distribution"

Page 2, line 16, remove the first "counties" and replace "and allocated among counties in the same" with "to the county in which the taxable sale occurred."

Page 2, remove line 17

Page 2, line 19, after the period insert "Revenue received by the county must be deposited in the county general fund."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1378: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends **DO NOT PASS** (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1378 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1390: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (9 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING). HB 1390 was placed on the Sixth order on the calendar.

Page 1, line 6, after "severing" insert "any" and after "county" insert "which is transported by truck"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1393: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **DO PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1393 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1394: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (9 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING). HB 1394 was placed on the Sixth order on the calendar.

Page 1, line 13, replace "all" with "up to one hundred sixty acres [64.75 hectares] of"

Page 1, line 15, after the underscored period insert "Farmland or ranchland may not be granted an exemption under this section unless it contains, or is contiguous to property that contains, the residence of the farmer seeking the exemption and that residence is exempt from taxation under subsection 15 of section 57-02-08."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1409: Appropriations Committee (Rep. Dalrymple, Chairman) recommends **DO NOT PASS** (11 YEAS, 5 NAYS, 4 ABSENT AND NOT VOTING). HB 1409 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1425: Appropriations Committee (Rep. Dalrymple, Chairman) recommends **DO NOT PASS** (12 YEAS, 3 NAYS, 5 ABSENT AND NOT VOTING). HB 1425 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 2066, SB 2111, SB 2135, SB 2156, SB 2161, SB 2181, SB 2198, SB 2216, SB 2251, SB 2364, SCR 4001.

FIRST READING OF HOUSE CONCURRENT RESOLUTIONS

Reps. Fairfield, Guleson, Hoffner, S. Kelsh, Rose and Sen. Mutzenberger introduced:

HCR 3028: A concurrent resolution to create and enact a new section to the Constitution of North Dakota, relating to requiring recipients of state funding for economic development projects to pay wages at least equal to one hundred percent of the federal poverty level for a family of four.

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

Reps. Nelson, Warner, D. Johnson and Sen. Naaden introduced:

HCR 3029: A concurrent resolution urging Congress to aggressively pursue legislation that will permit substantially similar crop protection products registered in Canada to be purchased and used by farmers in the United States; to direct the administrator of the Environmental Protection Agency to work toward the harmonization of crop protection product legislation, and in the event substantial progress is not made, to disallow the

importation of any commodity into this country if the commodity contains any crop protection product not approved for use in this country; and to require that the manufacturers of crop protection products publicly justify any price discrepancies between similar products sold in Canada and in the United States.

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

Reps. Nelson, D. Johnson, Pollert and Sen. Klein introduced:

HCR 3030: A concurrent resolution urging Congress to ensure the availability of as many crop protection products as possible, to use actual scientific data to determine the safety of crop protection products, to accept scientific data generated by the North Dakota State University Main Research Center and by the research extension centers regarding the safety of crop protection products, to establish uniform policies governing the implementation of the 1996 Food Quality Protection Act, and to ensure that implementation of the 1996 Food Quality Protection Act does not negatively impact agricultural production nor the availability and affordability of food.

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

FIRST READING OF SENATE BILLS

SB 2066: A BILL for an Act to amend and reenact section 15-47-15 of the North Dakota Century Code, or in the alternative to amend and reenact section 15.1-09-34 of the North Dakota Century Code, relating to school district bid requirements for used motor vehicles.

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

SB 2111: A BILL for an Act to amend and reenact subsection 4 of section 54-44-11 of the North Dakota Century Code, relating to a continuing appropriation for the state personnel training and development operating fund.

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

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.

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

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.

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

SB 2161: A BILL for an Act to create and enact a new subsection to section 39-01-01 of the North Dakota Century Code, relating to the definition of recreational vehicle; and to amend and reenact subsection 67 of section 39-01-01, subsection 2 of section 39-04-36, section 39-05-17.2, subparagraph a of paragraph 3 of subdivision b of subsection 2 of section 39-06-14, and section 39-18-01 of the North Dakota Century Code, relating to vehicle registration fee credits, motor vehicle body damage disclosure, and correction of statutory references.

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

SB 2181: A BILL for an Act to amend and reenact sections 26.1-01-07, 26.1-11-06, 26.1-11-07, 26.1-26-01, 26.1-26-02, 26.1-26-03, 26.1-26-04, 26.1-26-05, 26.1-26-06, 26.1-26-08, 26.1-26-09, 26.1-26-10, 26.1-26-13, 26.1-26-14, 26.1-26-20, 26.1-26-21, 26.1-26-22, 26.1-26-23, 26.1-26-24, 26.1-26-25, 26.1-26-31, 26.1-26-32, 26.1-26-34, 26.1-26-37, 26.1-26-38, 26.1-26-40, 26.1-26-41, 26.1-26-42, 26.1-26-46, and 26.1-39-09.2 of the North Dakota Century Code, relating to fees charged by commissioner, reciprocal penalties of foreign insurance companies, countersignature requirements, and insurance agents; and to repeal sections 26.1-26-47 and 26.1-39-09.1 of the North Dakota Century Code, relating to insurance agents and property and casualty insurance programs.

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

SB 2198: A BILL for an Act to amend and reenact section 40-05.1-07 of the North Dakota Century Code, relating to the amendment or repeal of city home rule charters.

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

SB 2216: A BILL for an Act to create and enact a new section to chapter 5-01 of the North Dakota Century Code, relating to the shipment of alcoholic beverages; and to provide a penalty.

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

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.

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

SB 2364: A BILL for an Act to create and enact a new section to chapter 43-15 of the North Dakota Century Code, relating to parenteral pharmacists; and to amend and reenact section 43-15-01 of the North Dakota Century Code, relating to pharmacy definitions.

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

FIRST READING OF SENATE CONCURRENT RESOLUTION

SCR 4001: A concurrent resolution authorizing the Budget Section of the Legislative Council to hold the required legislative hearings on state plans for the receipt and expenditure of new or revised block grants passed by Congress.

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

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

LANCE HAGEN, Chief Clerk