

1998 (CONTINUED)

STATEMENT OF INTENT

This amendment allows the Legislative Assembly to shorten a Senate term or provide for a two-year Senate term to maintain staggered terms after legislative redistricting.

01/05 Senate	Introduced, first reading, referred Joint Constitutional Revision	SJ 57
01/28 House	Committee Hearing 04:00	
03/04 Senate	Reported back, do not pass, placed on calendar y 009 n 000	SJ 820
03/05 Senate	Second reading, failed to pass, yeas 010 nays 036	SJ 837

SCR4008

Legislative Council

(Interim Natural Resources Committee)

A concurrent resolution urging Congress to moderate enforcement of the Safe Drinking Water Act.

01/05 Senate	Introduced, first reading, referred Natural Resources	SJ 57
01/15 Senate	Committee Hearing 08:00	
01/25 Senate	Reported back amended, amendment poc y 004 n 000	SJ 214
01/26 Senate	Amendment adopted, placed on calendar	SJ 228
01/27 Senate	Second reading, passed as amended, yeas 048 nays 000	SJ 240
01/29 House	Received from Senate	HJ 340
02/01 House	Introduced, first reading, referred Natural Resources	HJ 370
02/25 House	Reported back, do pass, placed on consent calendar y 014 n 001	HJ 861
02/25 House	Committee Hearing 11:00	
02/26 House	Second reading, adopted	HJ 875
03/01 Senate	Returned to Senate	SJ 778
03/03 Senate	Signed by President	SJ 801
03/05 House	Signed by Speaker	HJ 951
03/05 Senate	Filed with Secretary of State	

SCR4009

Legislative Council

(Interim Special Education Committee)

A concurrent resolution urging the Superintendent of Public Instruction to include the provision of outcome-based services to children as a standard for accreditation of public and private schools.

01/05 Senate	Introduced, first reading, referred Education	SJ 57
01/13 Senate	Committee Hearing 09:00	
01/20 Senate	Reported back amended, amendment poc y 004 n 003	SJ 174
01/21 Senate	Referred to Education	SJ 177
01/27 Senate	Reported back amended, amendment poc y 004 n 003	SJ 243
01/28 Senate	Amendment adopted, placed on calendar	SJ 248
01/29 Senate	Laid over one legislative day	SJ 259
02/01 Senate	Second reading, failed to adopt	SJ 277

SCR4010

Sen. Mathern, Scherber
Rep. DeWitz

A concurrent resolution directing the Legislative Council to study the eligibility criteria for economic and medical assistance programs and study the feasibility and desirability of standardizing income and asset criteria for those programs, standardizing pass-through, disallowance, and disregard income criteria, and of establishing criteria to allow persons eligible for those programs to earn income without losing their eligibility for benefits.

01/05 Senate	Introduced, first reading, referred Human Services	SJ 58
01/13 Senate	Committee Hearing 10:30	
01/20 Senate	Reported back, do pass, placed on calendar y 006 n 000	SJ 174
02/03 Senate	Second reading, passed, yeas 042 nays 000	SJ 323
02/05 House	Received from Senate	HJ 435
02/08 House	Introduced, first reading, referred Human Services	HJ 497
03/02 House	Committee Hearing 08:30	
03/04 House	Reported back, do pass, placed on consent calendar y 012 n 000	HJ 947
03/09 House	Second reading, adopted	HJ1004
03/11 Senate	Returned to Senate	SJ 889
03/17 Senate	Signed by President	SJ 983
03/19 House	Signed by Speaker	HJ1264
03/19 Senate	Filed with Secretary of State	

SCR4011

Sen. Yockim, Freborg, Redlin
Rep. Soukup, Tollerfson, Kaidor

A concurrent resolution to create and enact a new section to article X of the Constitution of North Dakota, relating to deposit of certain oil extraction tax revenues in the common schools trust fund and the foundation aid stabilization fund and providing for use of the principal and income of the foundation aid stabilization fund; and to provide an effective date.

STATEMENT OF INTENT

This measure requires a portion of oil extraction tax revenues to be deposited in the common schools trust fund and an equal portion to be deposited in the foundation aid stabilization fund, with income of the foundation aid stabilization fund to be transferred to the state general fund. Beginning July 1, 1995, the amount of extraction tax revenue deposited in the two funds pursuant to this measure would equal twenty percent of the extraction tax revenue from taxable oil produced in the state.

01/07 Senate	Introduced, first reading, referred Joint Constitutional Revision	SJ 61
01/28 House	Committee Hearing 04:00	
03/11 Senate	Reported back amended, amendment poc y 009 n 001	SJ 899
03/12 Senate	Amendment adopted, placed on calendar	SJ 913
03/15 Senate	Second reading, passed as amended, yeas 049 nays 000	SJ 928

(CONTINUED)

PAGE 294

03/17 House Received from Senate
Introduced, first reading, referred Joint Constitutional Revision
Reported back, do pass, placed on calendar y 009 n 001
03/19 House Second reading, passed, yeas 095 nays 000
03/19 Senate Returned to Senate
03/23 Senate Signed by President
03/25 House Signed by Speaker
03/25 Senate Filed with Secretary of State

HJ1164
HJ1170
HJ1181
HJ1272
SJ1081
SJ1131
HJ1422

SCR4012

Sen. Evanson
Rep. Kunkel

A concurrent resolution directing the Legislative Council to study the optimum structure and staff development services necessary to meet the needs of middle-level adolescents identified as the at-risk group in North Dakota schools.

01/08 Senate Introduced, first reading, referred Human Services
01/19 Senate Reported back, do pass, placed on calendar y 006 n 000
01/19 Senate Committee Hearing 10:00
01/20 Senate Rereferred to Education
01/26 Senate Reported back, do pass, placed on consent calendar y 007 n 000
01/26 Senate Committee Hearing 09:00
02/03 Senate Second reading, passed, yeas 042 nays 000
02/05 House Received from Senate
02/08 House Introduced, first reading, referred Education
03/01 House Committee Hearing 10:45
03/08 House Reported back, do pass, placed on consent calendar y 014 n 000
03/09 House Second reading, adopted
03/11 Senate Returned to Senate
03/17 Senate Signed by President
03/19 House Signed by Speaker
03/19 Senate Filed with Secretary of State

SJ 76
SJ 160
SJ 172
SJ 233
SJ 323
HJ 435
HJ 497
HJ 991
HJ1004
SJ 889
SJ 983
HJ1264

SCR4013

Sen. DeMers, Lips, Mathern
Rep. Rydell, Kerzman, Price

A concurrent resolution directing the Legislative Council to study the establishment of a state repository for living wills, durable powers of attorney for health care, and other medical documents.

01/13 Senate Introduced, first reading, referred Human Services
01/26 Senate Reported back, do pass, placed on consent calendar y 006 n 000
01/26 Senate Committee Hearing 08:45
02/03 Senate Second reading, passed, yeas 042 nays 000
02/05 House Received from Senate
02/08 House Introduced, first reading, referred Judiciary
03/10 House Committee Hearing 11:15
03/11 House Reported back, do pass, placed on consent calendar y 010 n 001
03/15 House Second reading, adopted
03/17 Senate Returned to Senate
03/19 Senate Signed by President
03/22 House Signed by Speaker
03/22 Senate Filed with Secretary of State

SJ 104
SJ 233
SJ 323
HJ 435
HJ 497
HJ1066
HJ1108
SJ 991
SJ1059
HJ1329

SCR4014

Sen. Freborg, Keller, Lips
Rep. Gates, Mahoney, Tollerfson

A concurrent resolution for the amendment of section 21 of article X of the Constitution of North Dakota, relating to expenditures from the permanent coal trust fund for clean coal demonstration projects.

STATEMENT OF INTENT

This amendment provides that funds may be expended from the permanent coal trust fund for clean coal demonstration projects approved by the industrial commission.

01/14 Senate Introduced, first reading, referred Joint Constitutional Revision
01/28 House Committee Hearing 04:00
03/04 Senate Reported back, do pass, placed on calendar y 009 n 000
03/05 Senate Second reading, passed, yeas 045 nays 000
Motion to reconsider laid on table
03/05 House Received from Senate
03/08 House Introduced, first reading, referred Joint Constitutional Revision
Reported back, do pass, placed on calendar y 009 n 000
03/18 House Second reading, passed, yeas 083 nays 000
03/19 Senate Returned to Senate
03/23 Senate Signed by President
03/25 House Signed by Speaker
03/25 Senate Filed with Secretary of State

SJ 112
SJ 820
SJ 838
SJ 838
HJ 971
HJ 991
HJ 991
HJ1207
SJ1081
SJ1131
HJ1422

SCR4015

Sen. Maxson
Rep. Kretschmar

A concurrent resolution directing the Legislative Council to study methods for providing civil legal representation and dispute resolution services for poor citizens.

01/14 Senate Introduced, first reading, referred Judiciary
01/25 Senate Committee Hearing 10:30
01/28 Senate Reported back, do pass, placed on consent calendar y 007 n 000
02/03 Senate Second reading, passed, yeas 042 nays 000
02/05 House Received from Senate

SJ 112
SJ 256
SJ 323
HJ 435

"To accept forfeited or seized property taken in the course of the department's official duties."

Renumber accordingly

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4011: A concurrent resolution to create and enact a new section to article X of the Constitution of North Dakota, relating to deposit of certain oil extraction tax revenues in the common schools trust fund and the foundation aid stabilization fund and providing for use of the principal and income of the foundation aid stabilization fund; and to provide an effective date.

ROLL CALL

The question being on the final adoption of the amended resolution, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 49 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; DeMers; Dotzenrod; Evanson; Freborg; Goetz; Graba; Grindberg; Heinrich; Holmberg; Jerome; Keller; Kelly; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lindaas; Lindgren; Lips; Marks; Mathern; Maxson; Mushik; Mutch; Naaden; Malewaja; Nelson; Nething; O'Connell; Redlin; Robinson; Sand; Scherber; Schoenwald; Solberg; Stenehjem, B.; Stenehjem, W.; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Urlacher; Wogsland; Yockim

SCR 4011 was declared adopted and the title was agreed to.

MOTION

SEN. SCHERBER MOVED that the Senate reconsider its action whereby HB 1228 failed to pass, which motion prevailed on a verification vote.

SECOND READING OF HOUSE BILL

HB 1228: A BILL for an Act to create and enact nine new sections to chapter 43-04 of the North Dakota Century Code, relating to barber continuing education requirements; and to amend and reenact sections 43-04-01 and 43-04-39 of the North Dakota Century Code, relating to the registration of barbers by the board of barber examiners.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 22 YEAS, 27 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Evanson; Goetz; Graba; Grindberg; Heinrich; Jerome; Keller; Kelly; Kelsh; Krauter; Krebsbach; Lindgren; Lips; Mathern; Maxson; Mushik; Malewaja; Schoenwald; Tomac; Traynor; Urlacher; Wogsland

NAYS: Andrist; Bowman; DeMers; Dotzenrod; Freborg; Holmberg; Kinnoin; Langley; Lindaas; Marks; Mutch; Naaden; Nelson; Nething; O'Connell; Redlin; Robinson; Sand; Scherber; Solberg; Stenehjem, B.; Stenehjem, W.; Streibel; Tallackson; Tennefos; Thane; Yockim

HB 1228 lost.

THE SENATE RECOGNIZED THE PRESENCE OF:

Former Representative Alan Peterson

SECOND READING OF HOUSE BILL

HB 1104: A BILL for an Act to provide for the donation of accumulated annual leave between state employees; and to declare an emergency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 49 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; DeMers; Dotzenrod; Evanson; Freborg; Goetz; Graba; Grindberg; Heinrich; Holmberg; Jerome; Keller; Kelly; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lindaas; Lindgren; Lips; Marks; Mathern; Maxson; Mushik; Mutch; Naaden; Malewaja; Nelson; Nething; O'Connell; Redlin; Robinson; Sand; Scherber; Schoenwald; Solberg; Stenehjem, B.; Stenehjem, W.; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Urlacher; Wogsland; Yockim

HB 1104 passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF HOUSE BILL

HB 1216: A BILL for an Act to amend and reenact section 57-40.4-01 of the North Dakota Century Code, relating to extension of the statute of limitations regarding a refund of motor vehicle excise tax to a purchaser who is permanently physically disabled or a disabled veteran; to provide an effective date; and to provide an expiration date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 41 YEAS, 7 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; DeMers; Dotzenrod; Evanson; Freborg; Goetz; Graba; Grindberg; Holmberg; Jerome; Keller; Kelly; Kelsh; Kinnoin; Krebsbach; Langley; Lindaas; Lindgren; Lips; Mathern; Mushik; Mutch; Naaden; Malewaja; Nelson; Nething; Redlin; Robinson; Sand; Scherber; Schoenwald; Stenehjem, W.; Streibel; Tennefos; Thane; Tomac; Traynor; Urlacher; Wogsland; Yockim

NAYS: Heinrich; Krauter; Marks; Maxson; O'Connell; Solberg; Stenehjem, B.

ABSENT AND NOT VOTING: Tallackson

HB 1216 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1262: A BILL for an Act to amend and reenact subsection 29 of section 65-01-02 of the North Dakota Century Code, relating to the definition of wages for workers' compensation purposes.

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 23 YEAS, 26 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; Evanson; Freborg; Goetz; Grindberg; Holmberg; Kinnoin; Krebsbach; Lindgren; Mutch; Naaden; Malewaja; Nelson; Nething; Sand; Solberg; Stenehjem, B.; Stenehjem, W.; Streibel; Tennefos; Traynor; Urlacher

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4011: A concurrent resolution to create and enact a new section to article X of the Constitution of North Dakota, relating to deposit of certain oil extraction tax revenues in the common schools trust fund and the foundation aid stabilization fund and providing for use of the principal and income of the foundation aid stabilization fund; and to provide an effective date.

ROLL CALL

The question being on the final adoption of the resolution, which has been read, the roll was called and there were 95 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Allmaras; Austin; Bateman; Belter; Berg, J.; Bernstein; Bodine; Boehm; Boucher; Brodshaug; Brown; Byerly; Carlisle; Carlson, A.; Carlson, C.; Christopherson; Clayburgh; Cleary; Coats; DeWitz; Dobrinski; Dorso; Drovda; Freier; Froseth; Gates; Gerntholz; Glassheim; Goffe; Gorder; Gorman; Grosz; Grumbo; Gulleson; Hagle; Hanson; Hausauer; Henegar; Hokana; Holm; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Kilichowski; Klein; Kretschmar; Kroeber; Kunkel; Laughlin; Mahoney; Maragos; Martin; Martinson; Monson; Mutzenberger; Nelson; Ness; Nicholas; Nichols; Oban; Olson, A.; Payne; Poolman; Porter; Pyle; Rennerfeldt; Ring; Rydell; Schindler; Shide; Sitz; Skarphol; Soukup; St. Aubyn; Stenehjem; Stenson; Svedjan; Sveen; Thorpe; Timm; Tollefson; Torgerson; Wald; Wanzek; Wardner; Wentz; Wilkie; Speaker R. Berg

ABSENT AND NOT VOTING: Dalrymple; Olsen, D.; Price

Engrossed SCR 4011 was declared adopted and the title was agreed to on a roll call vote.

REQUEST

REP. MARTINSON REQUESTED that the record show that the members of the Appropriations Committee are excused, which request was granted.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. RYDELL MOVED that the House do not concur in the Senate amendments to HB 1267 as printed on HJ page 1161 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1267: Reps. Stenehjem, Henegar, Boucher.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. DORSO MOVED that the House do concur in the Senate amendments to Engrossed HB 1217 as printed on HJ page 1185, which motion prevailed.

Engrossed HB 1217, as amended, was placed on the Eleventh order of business on the calendar.

MOTION

REP. MARTINSON MOVED that the clincher motion be applied to all action taken on House and Senate bills acted upon this morning, which motion prevailed.

REP. MARTINSON MOVED that the rules be suspended and that the House message immediately all action taken on House and Senate bills, which motion prevailed.

REP. MARTINSON MOVED that the House stand in recess until 12:30 p.m., which motion prevailed.

The House reconvened, pursuant to recess taken, with Speaker R. Berg presiding.

SECOND READING OF HOUSE BILL

HB 1217: A BILL for an Act to create and enact a new section to chapter 9-10 of the North Dakota Century Code or, in the alternative, a new section to chapter 32-03.2 of the North Dakota Century Code, relating to liability for damages in automobile accidents.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 76 YEAS, 0 NAYS, 22 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Allmaras; Austin; Belter; Berg, J.; Bernstein; Bodine; Boehm; Boucher; Brodshaug; Brown; Carlson, A.; Carlson, C.; Christopherson; Cleary; Coats; Dobrinski; Dorso; Drovda; Freier; Froseth; Gates; Glassheim; Goffe; Gorder; Grosz; Grumbo; Gulleson; Hagle; Hanson; Henegar; Hokana; Holm; Jacobs; Johnson; Keiser; Kelsch; Kempenich; Kerzman; Kilichowski; Klein; Kretschmar; Mahoney; Maragos; Martin; Martinson; Monson; Mutzenberger; Nelson; Ness; Nicholas; Oban; Olson, D.; Olson, A.; Poolman; Porter; Price; Rennerfeldt; Ring; Rydell; Schindler; Shide; Sitz; Skarphol; Soukup; Stenehjem; Stenson; Svedjan; Sveen; Thorpe; Timm; Tollefson; Torgerson; Wanzek; Wardner; Speaker R. Berg

EXCUSED: Bateman; Byerly; Carlisle; Clayburgh; Dalrymple; DeWitz; Gerntholz; Gorman; Hausauer; Howard; Huether; Kaldor; Kroeber; Kunkel; Laughlin; Nichols; Payne; Pyle; St. Aubyn; Wald; Wentz; Wilkie

Engrossed HB 1217 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. DORSO MOVED that the House do concur in the Senate amendments to Engrossed HB 1262 as printed on HJ page 1193, which motion prevailed.

Engrossed HB 1262, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1262: A BILL for an Act to amend and reenact subsection 29 of section 65-01-02 of the North Dakota Century Code, relating to the definition of wages for workers' compensation purposes.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 76 YEAS, 0 NAYS, 22 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Allmaras; Austin; Belter; Berg, J.; Bernstein; Bodine; Boehm; Boucher; Brodshaug; Brown; Carlson, A.; Carlson, C.; Christopherson; Cleary; Coats; Dobrinski; Dorso; Drovda; Freier; Froseth; Gates; Glassheim; Goffe; Gorder; Grosz; Grumbo; Gulleson; Hagle; Hanson; Henegar; Hokana; Holm; Jacobs; Johnson; Keiser; Kelsch; Kempenich; Kerzman; Kilichowski; Klein; Kretschmar; Mahoney; Maragos; Martin; Martinson; Monson; Mutzenberger; Nelson; Ness; Nicholas; Oban; Olson, D.; Olson, A.; Poolman; Porter; Price; Rennerfeldt; Ring; Rydell; Schindler; Shide; Sitz; Skarphol; Soukup; Stenehjem; Stenson; Svedjan; Sveen; Thorpe; Timm; Tollefson; Torgerson; Wanzek; Wardner; Speaker R. Berg