

**JOURNAL OF THE HOUSE**

**Fifty-sixth Legislative Assembly**

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**Bismarck, March 3, 1999**

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

The prayer was offered by Chaplain Bernie Kunz, Medcenter One, Bismarck.

The roll was called and all members were present except Representatives Glassheim, Gunter, Maragos, and Tollefson.

A quorum was declared by the Speaker.

**MOTION**

**REP. DORSO MOVED** that Engrossed SB 2058, which is on the Sixth order, be rereferred to the **Appropriations Committee**, which motion prevailed. Pursuant to Rep. Dorso's motion, Engrossed SB 2058 was rereferred.

**SIXTH ORDER OF BUSINESS**

**REP. DORSO MOVED** that the amendments on the Sixth order of business to HCR 3064, SB 2054, SB 2087, SB 2132, SB 2271, SB 2275, SB 2309, SB 2388, and SB 2407 be adopted, which motion prevailed.

HCR 3064, as amended, was placed on the Tenth order of business on the calendar for the succeeding legislative day.

SB 2054, SB 2087, SB 2132, SB 2271, SB 2275, SB 2309, SB 2388, and SB 2407, as amended, were placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

**SECOND READING OF HOUSE CONCURRENT RESOLUTION**

**HCR 3060:** A concurrent resolution directing the Legislative Council to study the feasibility and desirability of enhanced funding under the state aid distribution fund to provide property tax relief and to equalize funding for political subdivisions that do not impose home rule sales taxes.

**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 35 YEAS, 60 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Boucher; Brandenburg; Brekke; Cleary; Eckre; Ekstrom; Fairfield; Froelich; Grumbo; Gulleston; Hoffner; Huether; Kelsh, S.; Kerzman; Kroeber; Lemieux; Lundgren; Mahoney; Martinson; Metcalf; Meyer; Mueller; Nelson; Nichols; Niemeier; Nowatzki; Rose; Sandvig; Schmidt; Severson; Solberg; Stefonowicz; Thorpe; Warner

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

**ABSENT AND NOT VOTING:** Gunter; Maragos; Tollefson

HCR 3060 was declared lost.

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**SECOND READING OF HOUSE CONCURRENT RESOLUTION**

**HCR 3077:** A concurrent resolution directing the Legislative Council to study the feasibility and desirability of establishing and funding alternative high schools in rural areas.

**ROLL CALL**

The question being on the adoption of the resolution, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 91 YEAS, 5 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; Delmore; Delzer; Devlin; Disrud; Dorso; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleson; Gunter; 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; Nichols; Niemeier; Nottestad; Nowatzki; Poolman; Porter; Price; Renner; Rennerfeldt; Rose; Sandvig; Schmidt; Severson; Solberg; Stefonowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Warner; Wentz; Wikenheiser; Winrich; Speaker Wald

**NAYS:** DeKrey; Haas; Nelson; Pollert; Weisz

**ABSENT AND NOT VOTING:** Maragos; Tollefson

HCR 3077 was declared adopted.

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**SECOND READING OF SENATE BILL**

**SB 2041:** A BILL for an Act to amend and reenact subsection 1 of section 15-60-10 of the North Dakota Century Code, relating to school construction loans.

**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 96 YEAS, 1 NAY, 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; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleson; 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; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

**NAYS:** Drovdal

**ABSENT AND NOT VOTING:** Tollefson

SB 2041 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2112:** A BILL for an Act to create and enact section 26.1-45-08.1 of the North Dakota Century Code, relating to nonforfeiture benefits of long-term care insurance.

**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 24 YEAS, 73 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Boucher; Cleary; Delmore; Ekstrom; Fairfield; Froelich; Glassheim; Hoffner; Kelsh, S.; Kerzman; Lemieux; Lundgren; Mahoney; Martinson; Niemeier; Rose; Sandvig; Schmidt; Solberg; Stefonowicz; Thorpe; Warner; Winrich

**NAYS:** Belter; Berg; Bernstein; Boehm; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Dalrymple; DeKrey; Delzer; Devlin; Disrud; Dorso; Drovdal; Eckre; Froseth; Galvin; Gorder; Grande; Grosz; Grumbo; Gulleson; Gunter; Haas; Hanson;

Hawken; Henegar; Herbel; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kempenich; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lloyd; Maragos; Metcalf; Meyer; Mickelson; Monson; Mueller; Nelson; Nicholas; Nichols; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Severson; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Timm; Weisz; Wentz; Wikenheiser; Speaker Wald

**ABSENT AND NOT VOTING:** Tollefson

SB 2112 was declared lost.

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#### SECOND READING OF SENATE BILL

**SB 2133:** A BILL for an Act to amend and reenact sections 12-47-21 and 12-47-37 of the North Dakota Century Code, relating to contraband at the penitentiary and escapes from the penitentiary; and to repeal sections 12-47-03, 12-47-07, 12-47-19, 12-47-20, and 12-47-32 of the North Dakota Century Code, relating to service of process at the penitentiary, oath and bond of the warden, inmates' food, beds, and clothing at the penitentiary, and warrants for cash payments to inmates at the penitentiary.

#### 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 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; Drovda; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glasheim; Gorder; Grande; Grosz; Grumbo; Gullerson; 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; Stefanowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

**ABSENT AND NOT VOTING:** Tollefson

Engrossed SB 2133 passed and the title was agreed to.

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#### SECOND READING OF SENATE BILL

**SB 2142:** A BILL for an Act to amend and reenact section 15-41-25 of the North Dakota Century Code, relating to teaching high school courses under previously granted minor equivalency authority.

#### 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 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; Drovda; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glasheim; Gorder; Grande; Grosz; Grumbo; Gullerson; 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; Stefanowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

**ABSENT AND NOT VOTING:** Tollefson

SB 2142 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2149:** A BILL for an Act to amend and reenact sections 43-07-04, 43-07-09, 43-07-10, 43-07-17, 43-07-18, and 43-07-19 of the North Dakota Century Code, relating to licensing of contractors, revoking a contractor's license, appointing an agent for service of process for a nonresident contractor, and civil penalties.

**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 96 YEAS, 1 NAY, 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; Drovda; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleson; 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.; Timm; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

**NAYS:** Thorpe

**ABSENT AND NOT VOTING:** Tollefson

SB 2149 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2214:** A BILL for an Act to amend and reenact subsection 3 of section 65-05-08 and sections 65-05-09, 65-05-10, and 65-05.2-01 of the North Dakota Century Code, relating to maximum wage-loss benefits payable by the workers compensation bureau and the waiting period for supplementary workers compensation benefits; to provide for a study of long-term 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 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; Drovda; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleson; 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; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

**ABSENT AND NOT VOTING:** Tollefson

Engrossed SB 2214 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2219:** A BILL for an Act to amend and reenact subsection 4 of section 28-32-02 of the North Dakota Century Code, relating to the filing of proposed administrative rules with the legislative council.

**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 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; Glasheim; Gorder; Grande; Grosz; Grumbo; Gulleston; 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; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

**ABSENT AND NOT VOTING:** Tollefson

SB 2219 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2221:** A BILL for an Act to create and enact three new sections to chapter 26.1-12.1 of the North Dakota Century Code, relating to foreign mutual insurance holding companies; and to amend and reenact sections 26.1-12.1-01 and 26.1-12.1-09 of the North Dakota Century Code, relating to definitions and approval of a reorganization by eligible members of a domestic mutual insurance company.

**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 96 YEAS, 0 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; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glasheim; Gorder; Grande; Grosz; Grumbo; Gulleston; 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; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

**ABSENT AND NOT VOTING:** Tollefson; Warner

SB 2221 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2295:** A BILL for an Act to amend and reenact subsection 5 of section 26.1-17-33.1 of the North Dakota Century Code, relating to formation of insurance companies for administration of medicare claims.

**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, 7 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; Froelich; Froseth; Galvin; Glasheim; Gorder; Grande; Grosz; Grumbo; Gulleston; Gunter; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kempenich; Kerzman; Klein; 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; Sandvig; Schmidt; Severson; Solberg; Stefonowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Timm; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

**NAYS:** Boucher; Fairfield; Kelsh, S.; Lemieux; Mahoney; Rose; Thorpe

**ABSENT AND NOT VOTING:** Tollefson

SB 2295 passed and the title was agreed to.

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### SECOND READING OF SENATE BILL

**SB 2303:** A BILL for an Act relating to the liability of financial institutions and credit unions for malfunctions or failures of computer or other electronic systems as the result of a year 2000 disruption; and to provide an expiration 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 95 YEAS, 2 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; Drovda; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Grumbo; Gullerson; 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; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

**NAYS:** Solberg; Stefonowicz

**ABSENT AND NOT VOTING:** Tollefson

Engrossed SB 2303 passed and the title was agreed to.

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### SECOND READING OF SENATE BILL

**SB 2315:** A BILL for an Act to adopt the Uniform Preservation of Private Business Records Act.

### 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 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; Drovda; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Grumbo; Gullerson; 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; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

**ABSENT AND NOT VOTING:** Tollefson

SB 2315 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2370:** A BILL for an Act to create and enact a new chapter to title 51 of the North Dakota Century Code, relating to pawnshops and certain secondhand stores; 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 5 YEAS, 91 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Froelich; Nottestad; Thoreson, L.; Winrich

**NAYS:** Belter; Berg; Bernstein; Boehm; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Drovdal; Eckre; Ekstrom; Fairfield; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleson; 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; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Rose; Sandvig; Schmidt; Severson; Solberg; Stefonowicz; Svedjan; Sveen; Thoreson, B.; Thorpe; Timm; Warner; Weisz; Wentz; Wikenheiser; Speaker Wald

**ABSENT AND NOT VOTING:** Boucher; Tollefson

Engrossed SB 2370 was declared lost.

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**SECOND READING OF SENATE BILL**

**SB 2376:** A BILL for an Act to create and enact a new section to chapter 26.1-41 of the North Dakota Century Code, relating to noneconomic loss for serious, accidental bodily injury; to provide for a report to the legislative council; and to provide an expiration 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 87 YEAS, 9 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

**NAYS:** Delmore; Fairfield; Kelsh, S.; Kerzman; Mahoney; Meyer; Stefonowicz; Thorpe; Winrich

**ABSENT AND NOT VOTING:** Boucher; Tollefson

Engrossed SB 2376 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2328:** A BILL for an Act to amend and reenact section 4-05.1-05 of the North Dakota Century Code, relating to industrial hemp and alternative industrial use crops research.

**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, 6 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Belter; Berg; Bernstein; Boehm; Brandenburg; Brekke; Brusegaard; 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; 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, L.; Thorpe; Timm; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

**NAYS:** Byerly; Carlisle; Carlson; Clark; Grande; Thoreson, B.

**ABSENT AND NOT VOTING:** Boucher; Tollefson

Engrossed SB 2328 passed and the title was agreed to.

\*\*\*\*\*

**SECOND READING OF HOUSE CONCURRENT RESOLUTIONS ON CONSENT  
CALENDAR**

**HCR 3072:** A concurrent resolution directing the Legislative Council to study the state of the law in this state and other states dealing with the administration of discipline in public schools.

**HCR 3078:** A concurrent resolution directing the Legislative Council to study the equitable delivery of education services to students in this state and methods of accurately calculating and disbursing state funding for education.

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

HCR 3072 and HCR 3078 were declared adopted on a voice vote.

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**MOTION**

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

**MOTION**

**REP. MONSON MOVED** that the House be on the Fifth, Twelfth, and Sixteenth orders of business and at the conclusion of those orders, the House stand adjourned until 1:00 p.m., Thursday, March 4, 1999, which motion prevailed.

**REPORT OF STANDING COMMITTEE**

**SB 2042, as engrossed: Education Committee (Rep. R. Kelsch, Chairman)** recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2042 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2064: Industry, Business and Labor Committee (Rep. Berg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2064 was placed on the Sixth order on the calendar.

Page 1, line 7, replace "does not have a duty to disclose" with "is not liable for any action resulting from any disclosure or nondisclosure relating to the registration of sexual offenders"

Page 1, remove line 8

Page 1, line 9, remove "made"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2079: Education Committee (Rep. R. Kelsch, Chairman)** recommends **DO PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2079 was placed on the Fourteenth order on the calendar.



**REPORT OF STANDING COMMITTEE**

**SB 2096: Industry, Business and Labor Committee (Rep. Berg, Chairman)** recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2096 was rereferred to the **Appropriations Committee**.

**REPORT OF STANDING COMMITTEE**

**SB 2141, as engrossed: Education Committee (Rep. R. Kelsch, Chairman)** recommends **DO PASS** (9 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2141 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2197: Judiciary Committee (Rep. DeKrey, Chairman)** recommends **DO PASS** (9 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING). SB 2197 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2236: Finance and Taxation Committee (Rep. Belter, Chairman)** recommends **DO PASS** (8 YEAS, 6 NAYS, 1 ABSENT AND NOT VOTING). SB 2236 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2242: Industry, Business and Labor Committee (Rep. Berg, Chairman)** recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (13 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2242 was rereferred to the **Appropriations Committee**.

**REPORT OF STANDING COMMITTEE**

**SB 2249, as engrossed: Judiciary Committee (Rep. DeKrey, Chairman)** recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2249 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2257, as engrossed: Education Committee (Rep. R. Kelsch, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2257 was placed on the Sixth order on the calendar.

Page 1, after line 21, insert:

"3. The total special education payments to which a school district that ceased to exist between the completion of the 1996-97 school year and the commencement of the 1997-98 school year is entitled must be distributed as provided in subsection 1 on or before June 30, 1999."

ReNUMBER accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2318: Finance and Taxation Committee (Rep. Belter, Chairman)** recommends **DO PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2318 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2334: Finance and Taxation Committee (Rep. Belter, Chairman)** recommends **DO PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2334 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2368, as engrossed: Industry, Business and Labor Committee (Rep. Berg, Chairman)** recommends **DO NOT PASS** (11 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2368 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2389, as engrossed: Industry, Business and Labor Committee (Rep. Berg, Chairman)** recommends **DO PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2389 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2421: Finance and Taxation Committee (Rep. Belter, Chairman)** recommends **DO PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2421 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2437: Industry, Business and Labor Committee (Rep. Berg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). SB 2437 was placed on the Sixth order on the calendar.

Page 3, line 3, replace the second "December" with "January"

Page 3, line 4, replace "31, 1999" with "1, 2000"

Renumber accordingly

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

**MADAM PRESIDENT:** The House has amended and subsequently passed: SB 2067, SB 2092, SB 2136, SB 2143, SB 2198, SB 2229, SB 2270, SB 2280, SB 2326.

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

**MADAM PRESIDENT:** The House has passed and your favorable consideration is requested on: HCR 3057, HCR 3061.

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

**MADAM PRESIDENT:** The House has passed unchanged: SB 2102, SB 2103, SB 2104, SB 2147, SB 2155.

**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 4053.

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

**MR. SPEAKER:** The Senate has amended and subsequently passed: HB 1416.

**SENATE AMENDMENTS TO HOUSE BILL NO. 1416**

Page 1, line 7, overstrike "giving an"

Page 1, line 8, overstrike "audible signal by bell, siren, or exhaust whistle" and remove ", or"

Page 1, line 12, overstrike "such" and insert immediately thereafter "that"

Renumber accordingly

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

**MR. SPEAKER:** The Senate has passed unchanged: HB 1119, HB 1205, HB 1473, HCR 3006.

**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 2089.

**SIGNING OF BILLS AND RESOLUTIONS**

The Speaker signed the following enrolled bill: SB 2089.

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

**MADAM PRESIDENT:** The Speaker has signed: SB 2089.

**SIGNING OF BILLS AND RESOLUTIONS**

The Speaker signed the following enrolled bills and resolution: SB 2056, SB 2077, SB 2085, SB 2086, SB 2091, SB 2099, SB 2100, SB 2106, SB 2111, SB 2138, SB 2139, SB 2145, SB 2179, SB 2272, SB 2291, SB 2360, SCR 4001.

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

**MADAM PRESIDENT:** The Speaker has signed: SB 2056, SB 2077, SB 2085, SB 2086, SB 2091, SB 2099, SB 2100, SB 2106, SB 2111, SB 2138, SB 2139, SB 2145, SB 2179, SB 2272, SB 2291, SB 2360, SCR 4001.

**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 2063, SB 2070, SB 2110, SB 2130, SB 2131, SB 2146, SB 2157, SB 2178, SB 2190, SB 2231, SB 2292.

**SIGNING OF BILLS AND RESOLUTIONS**

The Speaker signed the following enrolled bills and resolution: HB 1044, HB 1050, HB 1053, HB 1074, HB 1076, HB 1078, HB 1085, HB 1088, HB 1098, HB 1107, HB 1110, HB 1111, HB 1113, HB 1114, HB 1116, HB 1117, HB 1125, HB 1180, HB 1181, HB 1201, HB 1208, HB 1215, HB 1216, HB 1222, HB 1247, HB 1271, HB 1318, HB 1337, HB 1343, HB 1351, HB 1363, HB 1459, HB 1474, HCR 3010.

**MESSAGE TO THE SENATE FROM THE HOUSE (LANCE HAGEN, CHIEF CLERK)**  
**MADAM PRESIDENT:** The Speaker has signed and your signature is respectfully requested on: HB 1044, HB 1050, HB 1053, HB 1074, HB 1076, HB 1078, HB 1085, HB 1088, HB 1098, HB 1107, HB 1110, HB 1111, HB 1113, HB 1114, HB 1116, HB 1117, HB 1125, HB 1180, HB 1181, HB 1201, HB 1208, HB 1215, HB 1216, HB 1222, HB 1247, HB 1271, HB 1318, HB 1337, HB 1343, HB 1351, HB 1363, HB 1459, HB 1474, HCR 3010.

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

**LANCE HAGEN, Chief Clerk**