

JOURNAL OF THE HOUSE

Fifty-sixth Legislative Assembly

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Bismarck, March 10, 1999

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

The prayer was offered by Emily Brandt-Koppy, Shiloh Elementary School and member of Good Shepherd Lutheran Church, Bismarck.

The roll was called and all members were present.

A quorum was declared by the Speaker.

COMMUNICATION FROM GOVERNOR EDWARD T. SCHAFER

This is to inform you that on March 8, 1999, I have signed the following: HB 1044, HB 1050, HB 1053, HB 1074, HB 1076, HB 1078, HB 1085, HB 1088, HB 1098, HB 1107, and HB 1110.

Also, on March 9, 1999, I have signed the following: HB 1111, HB 1113, HB 1114, HB 1116, HB 1117, HB 1125, HB 1168, HB 1180, HB 1181, HB 1201, HB 1208, HB 1215, HB 1216, HB 1222, HB 1247, HB 1271, HB 1318, HB 1337, HB 1351, HB 1363, HB 1459, and HB 1474.

MOTION

REP. DORSO MOVED that Engrossed SB 2305 be placed at the top of the Fourteenth order, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2305: A BILL for an Act to create and enact a new subsection to section 12.1-17-07 and a new subdivision to subsection 4 of section 12.1-32-07 of the North Dakota Century Code, relating to the crime of harassment and to the powers of a trial court.

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 91 YEAS, 7 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

NAYS: Brusegaard; Byerly; Delzer; Devlin; Glassheim; Grosz; Nelson

Engrossed SB 2305 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2159: A BILL for an Act to create and enact a new section to title 39 of the North Dakota Century Code, relating to rest area vending machine permits from the department of transportation.

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 98 YEAS, 0 NAYS, 0 EXCUSED, 0 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; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

Engrossed SB 2159, as amended, passed and the title was agreed to.

SECOND READING OF SENATE BILL

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, subsection 4 of 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.

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 98 YEAS, 0 NAYS, 0 EXCUSED, 0 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; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

Engrossed SB 2161, as amended, passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2294: A BILL for an Act to amend and reenact sections 54-40.2-01, 54-40.2-02, and 54-40.2-09 of the North Dakota Century Code, relating to agreements between Indian tribes and the state.

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; 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; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

ABSENT AND NOT VOTING: Cleary

Engrossed SB 2294, as amended, passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2357: A BILL for an Act to amend and reenact subdivision g of subsection 5 of section 39-24-09 of the North Dakota Century Code, relating to prohibited operation of snowmobiles.

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 94 YEAS, 3 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; 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; Klemmin; Kliniske; Koppang; Kroeber; 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; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

NAYS: Gulleeson; Koppelman; Lemieux

ABSENT AND NOT VOTING: Cleary

SB 2357, as amended, passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2372: A BILL for an Act to amend and reenact subsection 1 of section 44-04-21.1 of the North Dakota Century Code, relating to the administrative review procedure for a written denial of a request for public records or a denial of access to a public meeting.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 7 YEAS, 91 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Ekstrom; Fairfield; Glassheim; Hoffner; Kelsh, S.; Renner; Speaker Wald

NAYS: Aarsvold; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Drovdal; Eckre; Froelich; Froseth; Galvin; Gorder; Grande; Grosz; Grumbo; Gulleeson; Gunter; Haas; Hanson; Hawken; Henegar; Herbel; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kempenich; Kerzman; Klein; Klemmin; 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; Rennerfeldt; Rose; Sandvig; Schmidt; Severson; Solberg; Stefanowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Winrich

Engrossed SB 2372 was declared lost.

SECOND READING OF SENATE BILL

SB 2196: A BILL for an Act to amend and reenact sections 23-09.3-01.1 and 23-16-01.1 of the North Dakota Century Code, relating to a moratorium on additional basic care facility and long-term care beds and a prohibition on the creation of a bed bank.

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 98 YEAS, 0 NAYS, 0 EXCUSED, 0 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; 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; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

SB 2196 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2200: A BILL for an Act to require the health council to monitor swimming pool safety.

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 13 YEAS, 85 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Boucher; Disrud; Dorso; Eckre; Ekstrom; Fairfield; Glassheim; Hawken; Kelsh, S.; Lemieux; Maragos; Wentz

NAYS: Belter; Berg; Bernstein; Boehm; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Drovdal; Froelich; Froseth; Galvin; Gorder; Grande; Grosz; Grumbo; Gulleson; Gunter; Haas; Hanson; Henegar; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lloyd; Lundgren; Mahoney; 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; Wikenheiser; Winrich; Speaker Wald

Engrossed SB 2200 was declared lost.

SECOND READING OF SENATE BILL

SB 2215: A BILL for an Act to amend and reenact section 15-10-02 of the North Dakota Century Code, relating to membership of the state board of higher education; and to repeal sections 15-10-01.1, 15-10-03, 15-10-04, 15-10-05, 15-10-06, 15-18-03, 15-18-04.2, 15-18-05, 15-55-18, 15-55-19, and subsection 11 of section 57-15-06.7 of the North Dakota Century Code, relating to assumption of jurisdiction over junior colleges, appointments and membership of the state board of higher education, and tax levies for the financing of residual or other junior college fiscal obligations.

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 89 YEAS, 8 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Carlisle; Carlson; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleson; Gunter; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; 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; Meyer; Mickelson; Monson; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Price; Renner; Rennerfeldt; Rose; Sandvig; Schmidt; Severson; Solberg; Stefonowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Timm; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Speaker Wald

NAYS: Belter; Byerly; Clark; Metcalf; Mueller; Porter; Thorpe; Winrich

ABSENT AND NOT VOTING: Cleary

SB 2215 passed and the title was agreed to.

THE HOUSE RECOGNIZED THE PRESENCE OF:

Former Representative Gerry Wilke

SECOND READING OF SENATE BILL

SB 2306: A BILL for an Act to amend and reenact section 14-07.1-11 of the North Dakota Century Code, relating to arrest without warrant in domestic violence assaults.

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 98 YEAS, 0 NAYS, 0 EXCUSED, 0 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; 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

SB 2306 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2314: A BILL to authorize the state board of higher education to approve a lease-purchase agreement.

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 98 YEAS, 0 NAYS, 0 EXCUSED, 0 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; 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

Engrossed SB 2314 passed and the title was agreed to.

MOTION

REP. DORSO MOVED that Engrossed SB 2410, which is on the Fourteenth order, be rereferred to the **Education Committee**, which motion prevailed. Pursuant to Rep. Dorso's motion, Engrossed SB 2410 was rereferred.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. BERG MOVED that the House do concur in the Senate amendments to HB 1101 as printed on HJ page 702, which motion prevailed.

HB 1101, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1101: A BILL for an Act to create and enact a new section to chapter 6-08 of the North Dakota Century Code, relating to electronic fund transfer fees and disclosures; and to amend and reenact subsection 7 of section 6-03-02 of the North Dakota Century Code, relating to bank electronic fund transfer fees and disclosures.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 98 YEAS, 0 NAYS, 0 EXCUSED, 0 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; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

Engrossed HB 1101 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. GROSZ MOVED that the House do concur in the Senate amendments to Engrossed HB 1122 as printed on HJ page 729, which motion prevailed.

Engrossed HB 1122, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1122: A BILL for an Act to amend and reenact sections 54-44.8-01, 54-44.8-03, and 54-44.8-06 of the North Dakota Century Code, relating to administration of the program for telecommunications services for communications impaired persons.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 98 YEAS, 0 NAYS, 0 EXCUSED, 0 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; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

Reengrossed HB 1122 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. PRICE MOVED that the House do concur in the Senate amendments to Engrossed HB 1143 as printed on HJ page 729, which motion prevailed.

Engrossed HB 1143, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1143: A BILL for an Act to provide for patient copies of medical records.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 90 YEAS, 7 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Belter; Bernstein; Boehm; Boucher; Brandenburg; Brekke; Byerly; Carlisle; Carlson; Clark; Dalrymple; DeKrey; Delmore; Delzer; Dorso; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; 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; Nottestad; Nowatzki; Poolman; Porter; Price; Renner; Rennerfeldt; Sandvig; Schmidt; Severson; Solberg; Stefonowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

NAYS: Berg; Brusegaard; Cleary; Devlin; Niemeier; Pollert; Rose

ABSENT AND NOT VOTING: Gorder

Reengrossed HB 1143 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. R. KELSCH MOVED that the House do concur in the Senate amendments to Engrossed HB 1188 as printed on HJ page 729, which motion prevailed.

Engrossed HB 1188, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1188: A BILL for an Act to amend and reenact subsection 6 of section 15-19-01, sections 15-19-04, 15-21-01, 15-21-18, 15-22-02, subsections 3 and 4 of section 15-27.6-13, subsections 1 and 2 of section 15-27.6-14, subsection 10 of section 15-29-08, subsection 1 of section 15-34.1-03, subsection 2 of section 15-34.1-06, sections 15-34.1-07, 15-34.1-08, 15-34.1-09, subdivision c of subsection 3 of section 15-34.1-12, subsection 1 of section 15-34.1-12.1, sections 15-36-01, 15-36-01.1, 15-36-08, 15-36-11, 15-36-12, 15-36-14.1, 15-36-15, 15-36-16, 15-36-17, 15-36-18, 15-37-01, 15-38-16, 15-38-17, 15-38-18, 15-38-18.2, subsection 6 of section 15-38.1-02, subsection 11 of section 15-39.1-04, subsection 5 of section 15-40.1-07, section 15-40.1-08, subdivision b of subsection 2 of section 15-40.2-08, section 15-41-25, subsections 2 and 3 of section 15-41-27, subsection 1 of section 15-45-02, subsection 1 of section 15-47-27.2, sections 15-47-28 and 15-47-30, subsection 12 of section 15-47-38.2, sections 15-47-42 and 15-47-46, subsection 14 of section 54-44.3-20, and subsection 4 of section 54-52-01 of the North Dakota Century Code, or in the alternative to amend and reenact sections 15.1-01-02, 15.1-02-01, 15.1-06-07, and 15.1-11-01 of the North Dakota Century Code, relating to joint meetings involving the education standards and practices board and changing references from teachers' certificates to teachers' licenses.

ROLL CALL

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

YEAS: Aarsvold; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brekke; Byerly; Carlisle; Clark; Cleary; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Gorder; Grosz; Grumbo; Gulleson; Gunter; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; 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

NAYS: Brusegaard; Carlson; Grande

Reengrossed HB 1188 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. BERG MOVED that the House do concur in the Senate amendments to Engrossed HB 1332 as printed on HJ page 742, which motion prevailed.

Engrossed HB 1332, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1332: A BILL for an Act to amend and reenact section 65-01-02, subsection 4 of section 65-05-28, subsection 1 of section 65-05-28.2, and section 65-07-01 of the North Dakota Century Code, relating to workers compensation definitions, medical treatment, coverage; to repeal section 65-07-04 of the North Dakota Century Code, relating to calculation of the wages of a self-employed person; and to provide an effective date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 98 YEAS, 0 NAYS, 0 EXCUSED, 0 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; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

Reengrossed HB 1332 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. R. KELSCH MOVED that the House do concur in the Senate amendments to HB 1349 as printed on HJ pages 729-730, which motion prevailed.

HB 1349, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1349: A BILL for an Act to amend and reenact section 15-47-44.1 of the North Dakota Century Code, or in the alternative to amend and reenact section 15.1-19-11 of the North Dakota Century Code, relating to school safety patrols.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 98 YEAS, 0 NAYS, 0 EXCUSED, 0 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; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

Engrossed HB 1349 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. KEISER MOVED that the House do concur in the Senate amendments to HB 1416 as printed on HJ page 714, which motion prevailed.

HB 1416, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1416: A BILL for an Act to amend and reenact section 39-10-26 of the North Dakota Century Code, relating to the operation of emergency vehicles.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 86 YEAS, 12 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

NAYS: DeKrey; Devlin; Grande; Kelsch, R.; Meyer; Mickelson; Nelson; Poolman; Price; Severson; Thorpe; Weisz

Engrossed HB 1416 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. BELTER MOVED that the House do concur in the Senate amendments to HB 1456 as printed on HJ page 759, which motion prevailed.

HB 1456, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1456: A BILL for an Act to amend and reenact sections 40-57.1-03, 57-02.2-02, and 57-02.2-03 of the North Dakota Century Code, relating to tax exemptions for new industries and improvements to commercial and residential buildings; and to provide an effective date.

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, 22 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Belter; Berg; Bernstein; Boucher; Brandenburg; Brekke; Clark; Cleary; Delmore; Disrud; Dorso; Drovda; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Gorder; Grumbo; Gullerson; Gunter; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsch, S.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Mahoney; Maragos; Martinson; Metcalf; Meyer; Monson; Mueller; Nicholas; Nichols; Niemeier; Nottestad; Nowatzki; Poolman; Porter; Rose; Sandvig; Schmidt; Severson; Solberg; Stefonowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Tollefson; Warner; Wentz; Wikenheiser; Winrich; Speaker Wald

NAYS: Boehm; Brusegaard; Byerly; Carlisle; Carlson; Dalrymple; DeKrey; Delzer; Devlin; Glassheim; Grande; Grosz; Lloyd; Lundgren; Mickelson; Nelson; Pollert; Price; Renner; Rennerfeldt; Timm; Weisz

Engrossed HB 1456 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. KLEIN MOVED that the House do concur in the Senate amendments to Engrossed HB 1045 as printed on HJ pages 770-771, which motion prevailed.

Engrossed HB 1045 was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1045: A BILL for an Act to create and enact a new subsection to section 57-15-10 of the North Dakota Century Code, relating to correct placement of a reference to a city band levy; to amend and reenact sections 1-04-09, 1-08-08, 4-24-10, 9-10-06, subsection 10 of section 10-04-06, sections 10-06.1-12, 10-06.1-13, 10-19.1-05, subsections 3, 4, and 5 of section 10-19.1-10, sections 10-19.1-11, 10-19.1-23, subsection 4 of section 10-19.1-61, subsections 2 and 3 of section 10-19.1-75.2, subsection 2 of section 10-19.1-99, subsection 4 of section 10-19.1-100, subsection 2 of section 10-19.1-101, subsection 4 of section 10-19.1-103, subsection 2 of section 10-19.1-106, subsection 1 of section 10-19.1-108, sections 10-19.1-110.1, 10-19.1-112, 10-19.1-113.1, 10-19.1-129, 10-30-05, subsection 1 of section 10-30.1-04, section 10-30.5-04, subsections 2, 3, and 4 of section 10-32-07, subdivision b of subsection 5 of section 10-32-56, subsection 4 of section 10-32-107, subdivision j of subsection 5 of section 10-33-06, subsection 24 of section 10-33-21, subsection 3 of section 11-10.2-01, subdivision b of subsection 3 of section 12.1-32-15, section 16.1-01-07, subsection 3 of section 16.1-08.1-01, sections 18-08-12, 20.1-08-04.6, 21-10-06, subsection 2 of section 23-06.4-03, subsection 2 of section 23-06.5-10, subsection 12 of section 25-03.1-02, sections 26.1-17-02, 26.1-17-33, subsection 1 of section 26.1-18.1-02, subsection 1 of section 26.1-19-04, sections 26.1-49-03, 28-04-05.1, 29-12-05, 30.1-15-02, 30.1-29-26, 32-03-36, 36-01-08.1, 37-15-16, 37-15-17, 37-15-21, 38-08.1-03, subsection 3 of section 38-08.1-03.1, sections 40-51.2-05, 40-57.1-05, subsection 4 of section 41-09-16, sections 42-04-01, 43-07-19, subsection 10 of section 43-17-02, subsection 1 of section 43-17.1-06, subdivision h of subsection 1 of section 45-10.1-02, section 47-10.1-02, subsection 1 of section 47-15.1-03, subsection 3 of section 50-06-01.8, section 51-14-03.2, subsection 5 of section 53-06.2-11, subsection 1 of section 54-40-01, section 57-15-08, subdivision b of subsection 2 of section 57-35.3-05, sections 61-04.1-13, 61-04.1-14, 61-21-47, and 61-35-25 of the North Dakota Century Code, relating to technical corrections and improper, inaccurate, redundant, missing, or obsolete references; and to repeal sections 10-19.1-03, 10-19.1-131, 14-02.1-06, 28-32-22, and chapter 61-24.4 of the North Dakota Century Code, relating to obsolete provisions.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 98 YEAS, 0 NAYS, 0 EXCUSED, 0 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; 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

Reengrossed HB 1045 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. KLEIN MOVED that the House do concur in the Senate amendments to Engrossed HB 1080 as printed on HJ pages 771-772, which motion prevailed.

Engrossed HB 1080, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1080: A BILL for an Act to amend and reenact section 37-01-04 of the North Dakota Century Code, relating to the power of the governor to order out the national guard; and to declare an emergency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 98 YEAS, 0 NAYS, 0 EXCUSED, 0 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; Gulleson; Gunter; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsch, 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

Reengrossed HB 1080 passed, the title was agreed to, and the emergency clause was declared carried.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. KLEIN MOVED that the House do concur in the Senate amendments to HB 1126 as printed on HJ page 771, which motion prevailed.

HB 1126, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1126: A BILL for an Act to amend and reenact sections 44-06-11 and 44-06-13.1 of the North Dakota Century Code, relating to filing of notice of revocation of a notary commission and prohibited acts of a notary public.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 98 YEAS, 0 NAYS, 0 EXCUSED, 0 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; Gulleson; Gunter; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsch, 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

Engrossed HB 1126 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. R. KELSCH MOVED that the House do not concur in the Senate amendments to HB 1365 as printed on HJ page 758 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 1365: Reps. Nelson, Brusegaard, Mueller.

REQUEST

REP. BELTER REQUESTED that SCR 4014 be removed from the Consent Calendar, which request was granted.

SECOND READING OF SENATE CONCURRENT RESOLUTIONS ON CONSENT CALENDAR

SCR 4005: A concurrent resolution directing the Legislative Council to study the state of the law and technology with respect to legislative redistricting.

SCR 4015: A concurrent resolution directing the Legislative Council to study the adult correctional system in North Dakota, including its functions, responsibilities, funding, and operation, and the causes of past and projected future increases in the state's adult inmate population, including the impact of sentencing laws.

SCR 4032: A concurrent resolution directing the Legislative Council to study the family law process in North Dakota with a focus on a review of existing statutes, the coordination of procedures, and the further implementation of alternative dispute resolution methods.

SCR 4041: A concurrent resolution directing the Legislative Council to study potential tax incentives and regulatory relief that would encourage greater investment participation by North Dakota residents in agricultural business ownership.

Engrossed SCR 4046: A concurrent resolution directing the Legislative Council to study the appropriateness and adequacy of the laws on charitable gaming, including the financial remuneration allowed to owners of charitable gaming sites.

ROLL CALL

The question being on the final adoption of the resolutions, which have been read, the roll was called and there were 98 YEAS, 0 NAYS, 0 EXCUSED, 0 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; Klemm; 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

SCR 4005, SCR 4015, SCR 4032, SCR 4041, and Engrossed SCR 4046 were declared adopted on a recorded roll call vote.

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 in recess until 2:30 p.m., at which time the Memorial Service will be held, which motion prevailed.

REPORT OF STANDING COMMITTEE

SB 2075, 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 2075 was placed on the Sixth order on the calendar.

Page 1, line 10, remove "which are valid for sixty days and issued pursuant to rules adopted by the"

Page 1, line 11, remove "board"

Page 2, line 26, remove "The board may adopt by rule."

Page 2, remove lines 27 through 29

Re-number accordingly

REPORT OF STANDING COMMITTEE

SB 2101: 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 2101 was placed on the Sixth order on the calendar.

Page 1, line 1, after "reenact" insert "subsection 2 of section 57-34-03 and"

Page 1, line 2, after the first "to" insert "deposit and", replace "telecommunication" with "telecommunications", and after "tax" insert "; to provide a continuing appropriation; to provide for a transfer"

Page 1, after line 4, insert:

"**SECTION 1. AMENDMENT.** Subsection 2 of section 57-34-03 of the 1997 Supplement to the North Dakota Century Code is amended and reenacted as follows:

2. A telecommunications carrier's customer in this state is entitled to a refund equal to two and one-half percent of the amount of telecommunications service charges paid to telecommunications carriers by that customer in excess of eight hundred thousand dollars in a calendar year. A refund claim under this subsection must be filed with the tax commissioner before July first of the year following the calendar year for which the refund is claimed. A claim for refund must be made in the manner prescribed by the tax commissioner. Refunds under this subsection must be paid by the tax commissioner from tax collections under this chapter and are appropriated from the telecommunications carriers tax fund as a standing and continuing appropriation to the tax commissioner for that purpose."

Page 1, line 7, after the first period insert "**Deposit of tax revenues -**", after "**counties**" insert "**- Telecommunications carriers tax fund**", and after the second period insert "Net gross receipts tax revenues of up to eight million four hundred thousand dollars per taxable year under this chapter must be deposited in a special fund in the state treasury, the telecommunications carriers tax fund. Net gross receipts tax revenues under this chapter exceeding eight million four hundred thousand dollars in a taxable year must be deposited in the state general fund. For purposes of this section, "net gross receipts tax revenues" means gross receipts tax revenues minus any refunds paid under section 57-34-03."

Page 1, line 8, overstrike "net gross receipts tax revenues" and insert immediately thereafter "moneys in the telecommunications carriers tax fund"

Page 1, line 13, overstrike "Gross receipts tax revenues of" and insert immediately thereafter "The balance of the telecommunications carriers tax fund, not exceeding"

Page 1, line 14, overstrike "are" and insert immediately thereafter ", is"

Page 1, line 15, overstrike "and any gross receipts tax revenues"

Page 1, line 16, overstrike "exceeding that appropriation in any taxable year must be deposited in the state general fund"

Page 1, line 20, after the first "allocation" insert "from the telecommunications carriers tax fund"

Page 2, after line 2, insert:

"**SECTION 3. TRANSFER.** Within five days after the effective date of this Act, the state treasurer shall transfer net gross receipts tax revenues collected under chapter 57-34 for taxable year 1998 from the state general fund to the telecommunications carriers tax fund, but the transfer under this section may not exceed the limitation on deposits in the telecommunications carriers tax fund under section 57-34-05."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2119, as engrossed: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **DO PASS** (9 YEAS, 3 NAYS, 3 ABSENT AND NOT VOTING). Engrossed SB 2119 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2177, as engrossed: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **DO PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2177 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2185, as engrossed: Judiciary Committee (Rep. DeKrey, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING). Engrossed SB 2185 was placed on the Sixth order on the calendar.

Page 1, line 8, after the first "state" insert a comma

Page 1, line 9, after "12-56-01" insert a comma

Page 1, line 10, after "notified" insert "in writing"

Page 1, line 11, replace "such" with "the" and replace the comma with "of the designated officer"

Page 1, line 19, remove "or the state in which the individual is on parole or probation"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2212, as engrossed: Judiciary Committee (Rep. DeKrey, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2212 was placed on the Sixth order on the calendar.

Page 1, line 16, remove the overstrike over "~~class A misdemeanor for a~~"

Page 1, line 17, remove the overstrike over "~~first~~", remove the overstrike over "~~offense and a~~", and remove the overstrike over "~~for a subsequent offense~~"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2213: Human Services Committee (Rep. Price, Chairman) recommends **DO PASS** (11 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). SB 2213 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2235, as engrossed: Education Committee (Rep. R. Kelsch, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2235 was placed on the Sixth order on the calendar.

Page 1, line 3, after "plans" insert "; and to declare an emergency"

Page 1, after line 16, insert:

"SECTION 3. EMERGENCY. This Act is declared to be an emergency measure."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2253, as engrossed: Judiciary Committee (Rep. DeKrey, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). Engrossed SB 2253 was placed on the Sixth order on the calendar.

Page 1, line 3, after "23-07-02.1" insert "and subsection 2 of section 23-07-07.5"

Page 2, after line 14, insert:

"SECTION 3. AMENDMENT. Subsection 2 of section 23-07-07.5 of the 1997 Supplement to the North Dakota Century Code is amended and reenacted as follows:

2. The results of any positive or reactive test must be reported to the state department of health in the manner prescribed by the department and to the individual tested. Subsection 1 does not require the testing of an individual before sentencing or the testing of an individual held in a jail or correctional facility awaiting transfer to the state penitentiary."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2277, as engrossed: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **DO NOT PASS** (8 YEAS, 6 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2277 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2278, as engrossed: Education Committee (Rep. R. Kelsch, Chairman) recommends **DO NOT PASS** (10 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2278 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2284, as engrossed: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2284 was placed on the Sixth order on the calendar.

Page 1, line 12, after "reported" insert "adjusted gross"

Page 1, line 13, after "total" insert "adjusted gross"

Page 1, line 15, after "combined" insert "adjusted"

Page 1, line 16, remove "fifty"

Page 2, line 1, after "reported" insert "adjusted gross"

Page 2, line 2, after "total" insert "adjusted gross"

Page 2, line 4, after "combined" insert "adjusted"

Page 2, line 5, remove "fifty"

Page 2, line 18, after "reported" insert "adjusted gross"

Page 2, line 19, after "total" insert "adjusted gross"

Page 2, line 21, after "combined" insert "adjusted"

Page 2, line 22, remove "fifty"

Page 3, line 4, after "reported" insert "adjusted gross"

Page 3, line 5, after "total" insert "adjusted gross"

Page 3, line 7, after "combined" insert "adjusted"

Page 3, line 8, remove "fifty"

Page 3, line 14, after "that" insert "reduces or"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2320, as engrossed: Human Services Committee (Rep. Price, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2320 was placed on the Sixth order on the calendar.

Page 1, line 14, remove "valid" and remove the second "or"

Page 1, line 15, after "b." insert "Made an oral statement to the agent concerning nutrition or hydration; or

c."

Page 2, line 4, remove "valid" and remove the second "or"

Page 2, line 5, after "b." insert "Made an oral statement to the authorized person concerning nutrition or hydration; or

c."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2348: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **DO NOT PASS** (13 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). SB 2348 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2362, as engrossed: Human Services Committee (Rep. Price, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2362 was placed on the Sixth order on the calendar.

Page 1, line 6, after "under" insert "subsection 1 of" and after "12.1-16-05" insert ", except the health care provider,"

Page 1, line 9, after the period insert "This section does not preclude any claim under any other provision of law."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2374, as engrossed: Human Services Committee (Rep. Price, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (10 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2374 was placed on the Sixth order on the calendar.

Page 2, line 13, remove "or under a"

Page 2, line 14, remove "department of human services program"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2379, as engrossed: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **DO NOT PASS** (12 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2379 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2408, as engrossed: 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). Engrossed SB 2408 was placed on the Sixth order on the calendar.

Page 1, line 10, replace "for" with "in an amount equal to fifty percent of"

Page 1, line 12, after the first "or" insert "fifty percent of"

Page 2, line 2, replace "twenty-five" with "twenty"

Page 2, line 4, after "equals" insert "fifty percent of"

Page 2, line 7, after "or" insert "fifty percent of"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2420, as engrossed: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **DO PASS** (12 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING). Engrossed SB 2420 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4049: 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). SCR 4049 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4053, as engrossed: 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). Engrossed SCR 4053 was placed on the Tenth order on the calendar.

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

MADAM PRESIDENT: The House has passed unchanged: SB 2029, SB 2264, SB 2298, SB 2347, SB 2358, SB 2369, SB 2382, SB 2405, SB 2426.

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

MADAM PRESIDENT: The House has amended and subsequently passed: SB 2098, SB 2107, SB 2243, SB 2290, SB 2373.

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

MADAM PRESIDENT: The House has failed to pass: SB 2218, SB 2283.

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

MADAM PRESIDENT: The House does not concur in the Senate amendments to HB 1365 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1365: Reprs. Nelson; Brusegaard; Mueller

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

MADAM PRESIDENT: The House has concurred in the Senate amendments and subsequently passed: HB 1077.

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

MR. SPEAKER: The Senate has amended and subsequently passed: HB 1040, HB 1272, HB 1325, HB 1357.

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1040

Page 1, line 15, overstrike "activities" and insert immediately thereafter "operations"

Page 2, after line 19, insert:

"10. "Weather modification authority" means the governing body created by a board of county commissioners under section 61-04.1-22.1, 61-04.1-23, 61-04.1-27, 61-04.1-29, or 61-04.1-31."

Page 3, line 6, overstrike the comma

Page 3, line 8, overstrike "as provided in section 61-04.1-20,"

Page 4, line 30, after "authority" insert ", if a weather modification authority exists,"

Page 4, line 31, replace the underscored comma with an underscored semicolon and after "each" insert "person contracting for a"

Page 5, line 1, replace "under section 61-04.1-20," with an underscored semicolon

Page 5, line 3, remove "under" and overstrike "section 61-04.1-20"

Page 5, line 21, after "funds" insert "and funds from any other person contracting with the board for weather modification operations"

Page 6, line 2, after "funds" insert "or funds from any other person contracting with the board for weather modification operations"

Page 6, line 8, overstrike "**County appropriations**" and insert immediately thereafter "**Payment for weather modification**" and overstrike "county"

Page 6, line 9, after "~~has~~" insert "or person"

Page 6, line 11, remove "that" and overstrike "county" and insert immediately thereafter "that weather modification authority or person"

Page 6, line 13, replace "county" with "weather modification authority or person"

Page 6, line 14, remove "or geographical region"

Renumber accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1272

Page 1, line 18, remove "A", overstrike "person", and after "owning" insert "A corporation"

Page 1, line 23, replace "person" with "corporation"

Renumber accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1325

Page 3, line 10, after the period insert "The office of independent review also shall provide assistance of workers, upon request, in cases of constructive denial or after a vocational consultant's report has been issued."

Renumber accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1357

Page 1, line 7, after the first "of" insert "county commissioner,"

Renumber accordingly

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

MR. SPEAKER: The Senate has passed unchanged: HB 1028, HB 1099, HB 1209, HB 1266, HB 1303, HB 1367, HB 1393, HB 1418.

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

MR. SPEAKER: The Senate has failed to pass: HB 1410.

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

MR. SPEAKER: The Senate does not concur in the House amendments to SB 2229, SB 2275, SB 2309, and SB 2388 and the President has appointed as a conference committee to act with a like committee from the House on:

SB 2229: Sens. Klein; Sand; D. Mathern

SB 2275: Sens. Mutch; Sand; D. Mathern

SB 2309: Sens. Lee; Flakoll; Kelsh

SB 2388: Sens. Fischer; Kilzer; DeMers

SIGNING OF BILLS AND RESOLUTIONS

The Speaker signed the following enrolled bills and resolution: HB 1138, HB 1159, HB 1186, HB 1224, HB 1312, HB 1364, HB 1401, HCR 3041.

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 1138, HB 1159, HB 1186, HB 1224, HB 1312, HB 1364, HB 1401, HCR 3041.

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

MR. SPEAKER: The President has signed: HB 1138, HB 1159, HB 1186, HB 1224, HB 1312, HB 1364, HB 1401, HCR 3041.

SIGNING OF BILLS AND RESOLUTIONS

The Speaker signed the following enrolled bills: SB 2041, SB 2133, SB 2142, SB 2149, SB 2214, SB 2219, SB 2221, SB 2295, SB 2303, SB 2328, SB 2376.

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

MADAM PRESIDENT: The Speaker has signed: SB 2041, SB 2133, SB 2142, SB 2149, SB 2214, SB 2219, SB 2221, SB 2295, SB 2303, SB 2328, SB 2376.

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 2069, SB 2198, SB 2249, SB 2315, SB 2318, SB 2334, SB 2389.

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 2082, SB 2158, SB 2160, SB 2184, SB 2208, SB 2232, SB 2233, SB 2237, SB 2238, SB 2261, SB 2313, SB 2343, SB 2345, SB 2406.

THE HOUSE RECONVENED pursuant to recess taken, with Speaker Wald presiding. **SPEAKER WALD** turned the gavel over to Representatives Carlisle and Kliniski, Co-Chairmen of the Memorial Service.

HOUSE MEMORIAL SERVICE

REP. DORSO MOVED that the House be on a Special Order of Business, which motion prevailed.

The Troubadours were escorted into the House Chambers by Representatives Koppelman and Huether.

Invocation: Dr. John Keller
First Baptist Church
Valley City, North Dakota

Musical Selection: "Holy, Holy, Holy"
Valley City Troubadours
Allen W. Richter, Director
Cyndi Hill, Accompanist

MOTION

REP. DORSO MOVED that the House be on the Ninth order of business, which motion prevailed.

FIRST READING OF HOUSE MEMORIAL RESOLUTION

Memorial Resolutions Committee introduced:

HMR 7001: A memorial resolution for deceased members of the House of Representatives of North Dakota.

Was read the first time.

MOTION

REP. DORSO MOVED that the rules be suspended, that HMR 7001 not be printed, not be referred to committee, be read in its entirety, be printed in the Journal and placed on the calendar for second reading and final adoption, which motion prevailed.

Memorial Resolutions Committee introduced:

HOUSE MEMORIAL RESOLUTION NO. 7001

A memorial resolution for deceased members of the House of Representatives of North Dakota.

WHEREAS, God has summoned to eternal rest our former colleagues:

Arlo Beggs, who served in the 24th and 25th Legislative Assemblies, from District 46, died December 30, 1998;

James A. Berg, who served in the 53rd Legislative Assembly, from District 44, died September 20, 1997;

Lloyd Bjella, who served in the 34th Legislative Assembly, from District 45, died October 24, 1998;

Arne S. Boyum, who served in the 40th through the 42nd Legislative Assemblies, from District 13, died March 23, 1998;

Ralph Dewing, who served in the 31st Legislative Assembly, from District 40, died January 27, 1999;

Orin L. Dunlop, who served in the 33rd and 34th Legislative Assemblies, from District 19, died September 16, 1998;

Leonard Fagerholt, who served in the 44th Legislative Assembly, from District 16, died April 12, 1998;

Theodore Hardmeyer, who served in the 39th Legislative Assembly, from District 49, died May 5, 1998;

Brynhild Haugland, who served in the 26th through the 39th Legislative Assemblies, from District 29, in the 40th through the 44th Legislative Assemblies, from District 5, and in the 45th through the 51st Legislative Assemblies, from District 40-50, died August 9, 1998;

Ralph Hickle, who served in the 39th Legislative Assembly, from District 48, and in the 40th through the 46th Legislative Assemblies, from District 33, died February 24, 1998;

Clayton A. Lodoen, who served in the 43rd Legislative Assembly, from District 21, died May 8, 1998;

Dean Miller, who served in the 37th Legislative Assembly, from District 3, died July 15, 1997;

Norbert Muggli, who served in the 35th and 36th Legislative Assemblies, from District 31, died April 7, 1997;

Jack Murphy, who served in the 42nd through the 51st Legislative Assemblies, from District 36, died March 11, 1997;

John NeuKircher, who served in the 33rd and in the 35th through the 38th Legislative Assemblies, from District 23, died March 25, 1998;

Bill Oban, who served in the 49th through the 55th Legislative Assemblies, from District 32, died July 10, 1998;

Leslie C. Powers, who served in the 39th Legislative Assembly, from District 15, and in the 40th and 41st Legislative Assemblies, from District 24, died November 24, 1998;

F. Bruce Walker, who served in the 54th Legislative Assembly, from District 5, died December 3, 1998;

Joe Welder, who served in the 38th and 39th Legislative Assemblies, from District 36, in the 40th through the 42nd Legislative Assemblies, from District 30, and in the 43rd Legislative Assembly, from District 28, died April 4, 1997; and

WHEREAS, we now pause to mourn the passing of our former House colleagues and to honor their memories; and

WHEREAS, these legislators rendered outstanding service to the people of the state by their contributions to public service;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF NORTH DAKOTA:

That we express our sorrow on their passing and our appreciation, on behalf of the people of North Dakota, of the loyal and devoted service of our former colleagues; and

BE IT FURTHER RESOLVED, that for the perpetuation of their memory this token of respect and sympathy by their successors in trust be printed in the Journal of the House of Representatives and that the Secretary of State present enrolled copies of this resolution to the surviving families of these deceased representatives.

SECOND READING OF HOUSE MEMORIAL RESOLUTION

HMR 7001: A memorial resolution for deceased members of the House of Representatives of North Dakota.

The question being on the final adoption of the resolution, which has been read.

HMR 7001 was declared adopted on a voice vote.

Musical Selection: "God Is My Song"
Valley City Troubadours

Representative John Mahoney read the poem "Guardian Angels in the House", which he wrote for the Memorial Service.

Musical Selection: "God Bless America"
Valley City Troubadours

Benediction: Dr. John F. Keller
First Baptist Church
Valley City, North Dakota

Musical Selection: "The Blessing of Aaron"
Valley City Troubadours

MOTION

REP. MONSON MOVED that the Special Order of Business be dissolved, which motion prevailed.

MOTION

REP. MONSON MOVED that the House stand adjourned until 1:00 p.m., Thursday, March 11, 1999, which motion prevailed.

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

LANCE HAGEN, Chief Clerk