

## JOURNAL OF THE HOUSE

## Fifty-seventh Legislative Assembly

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Bismarck, January 16, 2001

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

The prayer was offered by Father Jeffrey Wald, St. Joseph's Church, Devils Lake.

The roll was called and all members were present except Representative Lloyd.

A quorum was declared by the Speaker.

## CORRECTION AND REVISION OF THE JOURNAL

**MR. SPEAKER:** Your **Committee on Correction and Revision of the Journal (Rep. Kretschmar, Chairman)** has carefully examined the Journal of the Fifth Day and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 105, remove lines 28 through 30.

**REP. KRETSCHMAR MOVED** that the report be adopted, which motion prevailed.

## FIRST READING OF SENATE CONCURRENT RESOLUTION

**SCR 4007:** A concurrent resolution designating Senate and House employment positions and fixing compensation.

Was read the first time.

## MOTION

**REP. R.KELSCH MOVED** that the rules be suspended, that SCR 4007 not be printed, not be referred to committee, not be read in its entirety, be printed in the Journal and placed on the calendar for second reading and final passage, which motion prevailed.

Sens. Stenehjem, Christenson, Cook, Mutch, O'Connell and Rep. R. Kelsch introduced:

## SENATE CONCURRENT RESOLUTION NO. 4007

A concurrent resolution designating Senate and House employment positions and fixing compensation.

## BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That for the Fifty-seventh Legislative Assembly, the following positions are designated as employee positions of the Senate and House and are to be paid the wages indicated:

| SENATE                                      |          |
|---|----------|
| Secretary of the Senate                     | \$109.00 |
| Assistant secretary of the Senate           | 95.00    |
| Journal reporter                            | 106.00   |
| Calendar clerk                              | 95.00    |
| Bill clerk                                  | 90.00    |
| Sergeant-at-arms                            | 84.00    |
| Administrative assistant to majority leader | 99.00    |
| Staff assistant to majority leader          | 84.00    |
| Administrative assistant to minority leader | 99.00    |
| Staff assistant to minority leader          | 84.00    |
| Chief committee clerk                       | 99.00    |
| Appropriations Committee clerk              | 99.00    |
| Assistant Appropriations Committee clerk    | 95.00    |
| Committee clerk for three-day committee     | 95.00    |
| Committee clerk for two-day committee       | 88.00    |
| Assistant committee clerk                   | 78.00    |
| Deputy sergeant-at-arms                     | 69.00    |
| Chief page and bill book clerk              | 77.00    |
| Legislative assistant                       | 65.00    |

## HOUSE

|   |          |
|---|----------|
| Chief Clerk                                 | \$109.00 |
| Assistant chief clerk                       | 95.00    |
| Desk reporter                               | 106.00   |
| Calendar clerk                              | 95.00    |
| Bill clerk                                  | 90.00    |
| Sergeant-at-arms                            | 84.00    |
| Administrative assistant to majority leader | 99.00    |
| Staff assistant to majority leader          | 84.00    |
| Administrative assistant to minority leader | 99.00    |
| Staff assistant to minority leader          | 84.00    |
| Administrative assistant to Speaker         | 84.00    |
| Chief committee clerk                       | 99.00    |
| Appropriations Committee clerk              | 99.00    |
| Assistant Appropriations Committee clerk    | 95.00    |
| Committee clerk for three-day committee     | 95.00    |
| Committee clerk for two-day committee       | 88.00    |
| Assistant committee clerk                   | 78.00    |
| Payroll clerk                               | 80.00    |
| Deputy sergeant-at-arms                     | 69.00    |
| Chief page and bill book clerk              | 77.00    |
| Telephone attendant                         | 67.00    |
| Legislative assistant                       | 65.00    |

**BE IT FURTHER RESOLVED**, that each employee of the Fifty-seventh Legislative Assembly is entitled to an additional \$1 per day for each previous regular session of the Legislative Assembly during which that employee was paid for at least 45 days, as either an employee of the Senate or the House, and to receive this additional compensation, which may not exceed \$10 per day, that employee must certify to the Legislative Council the year of each regular session during which that employee was employed as required by this resolution; and

**BE IT FURTHER RESOLVED**, that each majority leader and each minority leader is entitled to two staff assistants, but each majority or minority leader may hire fewer or more assistants so long as the total daily compensation for the assistants hired does not exceed the total daily amount authorized for those positions by this resolution; and

**BE IT FURTHER RESOLVED**, that the report of the Employment Committee of the respective house identify the number of employees in each position by listing every employee and the position for which employed; and

**BE IT FURTHER RESOLVED**, that with the approval of the Employment Committee of the respective house, a position may be converted to a part-time position, with the daily compensation converted to a per hour rate of pay; and

**BE IT FURTHER RESOLVED**, that if any employee resigns, is discharged, or for other reasons terminates employment, the compensation provided by this resolution for that employee ceases effective the last day of employment.

#### **SECOND READING OF SENATE CONCURRENT RESOLUTION**

**SCR 4007:** A concurrent resolution designating Senate and House employment positions and fixing compensation.

#### **ROLL CALL**

The question being on the final adoption of the resolution, which has been read, the roll was called and there were 96 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Bellew; Belter; Berg; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; DeKrey; Delmore; Delzer; Devlin; Disrud; Dosch; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glasheim; Grande; Grosz; Grumbo; Gulleston; Gunter; Haas; Hanson; Hawken; Herbel; Huether; Hunskor; Jensen; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Kliniske; Koppang; Koppelman; Kretschmar; Kroeber; Lemieux; Mahoney; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Nottestad; Onstad; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Skarphol; Solberg; Svedjan; Thoreson, B.; Thoreson, L.; Thorpe; Tieman; Timm; Wald; Warner; Weiler; Weisz; Wentz; Wikenheiser; Winrich; Wrangham; Speaker Bernstein

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

SCR 4007 was declared adopted on a recorded roll call vote.

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**REPORT OF PROCEDURAL COMMITTEE**

**MR. SPEAKER:** Your procedural **Employment Committee (Rep. R. Kelsch, Chairman)** recommends the following House employees for the Fifty-seventh Legislative Assembly:

**2001 HOUSE EMPLOYEES**

|                  |  |           |
|------------------|--|-----------|
|                  | <u>Chief Clerk</u>                                     |           |
| Mark Johnson     |  | Oakes     |
|                  | <u>Assistant Chief Clerk</u>                           |           |
| Lowell Fruhwirth |  | Bismarck  |
|                  | <u>Journal Reporter</u>                                |           |
| Judy Hoffman     |  | Bismarck  |
|                  | <u>Bill Clerk</u>                                      |           |
| Carl Strum       |  | Beach     |
|                  | <u>Calendar Clerk</u>                                  |           |
| Gary Yantzer     |  | Bismarck  |
|                  | <u>Sergeant-at-Arms</u>                                |           |
| Jerry Moszer     |  | Bismarck  |
|                  | <u>Administrative Assistant to the Speaker</u>         |           |
| Erma Hauglie     |  | Bismarck  |
|                  | <u>Administrative Assistant to the Majority Leader</u> |           |
| Sharon Renfrow   |  | Bismarck  |
|                  | <u>Staff Assistant to the Majority Leader</u>          |           |
| Tom Nelson       |  | Casselton |
|                  | <u>Administrative Assistant to the Minority Leader</u> |           |
| Julie VanHuizen  |  | Lincoln   |
|                  | <u>Staff Assistant to the Minority Leader</u>          |           |
| Carmen Best      |  | Rolette   |
|                  | <u>Chief Committee Clerk</u>                           |           |
| Tom Ness         |  | Menoken   |
|                  | <u>Appropriations Committee Clerk</u>                  |           |
| Larry Dorrheim   |  | Mandan    |
|                  | <u>Assistant Appropriations Committee Clerks</u>       |           |
| Judy Schock      |  | Bismarck  |
| Mickie Schmidt   |  | Mandan    |
| Kathleen Hall    |  | Bismarck  |
|                  | <u>Committee Clerks</u>                                |           |
| Corinne Easton   |  | Bismarck  |
| Lisa Gilbertson  |  | Bismarck  |
| Heidi Lee        |  | Bismarck  |
| Janice Stein     |  | Mandan    |
| Joan Diers       |  | Minot     |
| Sue Bartholomew  |  | Mandan    |
| Pam Dever        |  | Bismarck  |
| Edward Ellefson  |  | Bismarck  |
| Vern Zink        |  | Bismarck  |
| Robin Small      |  | Bismarck  |
|                  | <u>Assistant Committee Clerk</u>                       |           |
| Lisa Horner      |  | Mandan    |
|                  | <u>Deputy Sergeant-at-Arms</u>                         |           |
| Bernie Meyer     |  | Mandan    |

Assistant Sergeant-at-Arms

Pam Washburn  
Peggy Puetz

Grand Forks  
Bismarck

Chief Page and Bill Book Clerk

Arlene Flanders

Robinson

Desk Page

Elvira Rogstad

Bismarck

Page and Bill Book Clerks

Elizabeth Stenehjerm  
David Schneider  
Karen Karls  
Brenda Huff

Bismarck  
Bismarck  
Bismarck  
Bismarck

Payroll Clerk

Georgia Clement

Bismarck

Parking Lot Attendant

Dan Brynjolfson

Bismarck

**REP. R. KELSCH MOVED** that the report be adopted, which motion prevailed.

**SIXTH ORDER OF BUSINESS**

**REP. BELTER MOVED** that the amendments on the Sixth order of business to HB 1114, HB 1132, and HB 1156 be adopted, which motion prevailed.

HB 1114, HB 1132, and HB 1156, as amended, were placed on the Eleventh order of business on the calendar for the succeeding legislative day.

**MOTION**

**REP. WEISZ MOVED** that HB 1218, which is on the Eighth order, be rereferred to the **Judiciary**, which motion prevailed. Pursuant to Rep. Weisz's motion, HB 1218 was rereferred.

**MOTION**

**REP. BELTER MOVED** that the rules be suspended and that bills that were filed with the Bill Clerk by 5:00 p.m., on Monday, January 15, be introduced without affecting the five-bill per member limitation in House Rule 402(1), and the motion prevailed.

**MOTION**

**REP. BELTER MOVED** that House Rule 402(1) be amended to read "Tenth Legislative Day" in place of "Fifteenth Legislative Day," and the motion prevailed.

**MOTION**

**REP. BELTER MOVED** that HB 1054, which is on the Eleventh order, be laid over one legislative day, which motion prevailed.

**SECOND READING OF HOUSE RESOLUTION**

**HB 1076:** A BILL for an Act to create and enact a new subsection to section 57-38-57 of the North Dakota Century Code, relating to disclosure of identifying information to the board of university and school lands; and to amend and reenact section 57-39.2-23 of the North Dakota Century Code, relating to disclosure of identifying information to the board of university and school lands.

**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; Bellew; Belter; Berg; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; DeKrey; Delmore; Delzer; Devlin; Disrud; Dosch; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Grumbo; Gulleson; Gunter; Haas; Hanson; Hawken; Herbel; Huether; Hunskor; Jensen; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsch, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Kliniske; Koppang; Koppelman; Kretschmar; Kroeber; Lemieux; Mahoney; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Nottestad; Onstad; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Skarphol;

Solberg; Svedjan; Thoreson, B.; Thoreson, L.; Thorpe; Tieman; Timm; Wald; Warner; Weiler; Weisz; Wentz; Wikenheiser; Winrich; Wrangham; Speaker Bernstein

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

HB 1076 passed and the title was agreed to.

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#### SECOND READING OF HOUSE BILL

**HB 1077:** A BILL for an Act to amend and reenact section 57-38-34 and subsection 8 of section 57-38-38 of the North Dakota Century Code, relating to the filing date of exempt organization income tax returns regarding unrelated business taxable income and tax assessment extension agreements; 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 96 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Bellew; Belter; Berg; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; DeKrey; Delmore; Delzer; Devlin; Disrud; Dosch; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glasheim; Grande; Grosz; Grumbo; Gulleon; Gunter; Haas; Hanson; Hawken; Herbel; Huether; Hunskor; Jensen; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Kliniske; Koppang; Koppelman; Kretschmar; Kroeber; Lemieux; Mahoney; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Nottestad; Onstad; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Skarphol; Solberg; Svedjan; Thoreson, B.; Thoreson, L.; Thorpe; Tieman; Timm; Wald; Warner; Weiler; Weisz; Wentz; Wikenheiser; Winrich; Wrangham; Speaker Bernstein

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

HB 1077 passed and the title was agreed to.

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#### SECOND READING OF HOUSE BILL

**HB 1078:** A BILL for an Act to amend and reenact subsections 1 and 3 of section 57-38-62 of the North Dakota Century Code, relating to estimated income tax payment requirements; 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 96 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Bellew; Belter; Berg; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; DeKrey; Delmore; Delzer; Devlin; Disrud; Dosch; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glasheim; Grande; Grosz; Grumbo; Gulleon; Gunter; Haas; Hanson; Hawken; Herbel; Huether; Hunskor; Jensen; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Kliniske; Koppang; Koppelman; Kretschmar; Kroeber; Lemieux; Mahoney; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Nottestad; Onstad; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Skarphol; Solberg; Svedjan; Thoreson, B.; Thoreson, L.; Thorpe; Tieman; Timm; Wald; Warner; Weiler; Weisz; Wentz; Wikenheiser; Winrich; Wrangham; Speaker Bernstein

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

HB 1078 passed and the title was agreed to.

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#### SECOND READING OF HOUSE BILL

**HB 1083:** A BILL for an Act to amend and reenact subsection 1 of section 52-06-02 of the North Dakota Century Code, relating to disqualification for purposes of determining

unemployment compensation benefits; to provide an effective date; and to declare an emergency.

#### 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; Bellew; Belter; Berg; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; DeKrey; Delmore; Delzer; Devlin; Disrud; Dosch; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Grumbo; Gulleston; Gunter; Haas; Hanson; Hawken; Herbel; Huether; Hunskor; Jensen; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Kliniske; Koppang; Koppelman; Kretschmar; Kroeber; Lemieux; Mahoney; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Nottestad; Onstad; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Skarphol; Solberg; Svedjan; Thoreson, B.; Thoreson, L.; Thorpe; Tieman; Timm; Wald; Warner; Weiler; Weisz; Wentz; Wikenheiser; Winrich; Wrangham; Speaker Bernstein

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

HB 1083 and the emergency clause was declared carried.

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#### SECOND READING OF HOUSE BILL

**HB 1169:** A BILL for an Act to amend and reenact section 54-27-22 of the North Dakota Century Code, relating to the revolving fund for prepayment of planning and consulting fees for capital improvements.

#### 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, 1 NAY, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Bellew; Belter; Berg; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; DeKrey; Delmore; Devlin; Disrud; Dosch; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Grumbo; Gulleston; Gunter; Haas; Hanson; Hawken; Herbel; Huether; Hunskor; Jensen; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Kliniske; Koppang; Koppelman; Kretschmar; Kroeber; Lemieux; Mahoney; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Nottestad; Onstad; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Skarphol; Solberg; Svedjan; Thoreson, B.; Thoreson, L.; Thorpe; Tieman; Timm; Wald; Warner; Weiler; Weisz; Wentz; Wikenheiser; Winrich; Wrangham; Speaker Bernstein

**NAYS:** Delzer

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

HB 1169 passed and the title was agreed to.

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#### SECOND READING OF HOUSE BILL

**HB 1180:** A BILL for an Act to amend and reenact section 37-10-03.2 of the North Dakota Century Code, relating to the authority of the adjutant general to lease or vacate property.

#### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 92 YEAS, 4 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Bellew; Belter; Berg; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; DeKrey; Delmore; Delzer; Devlin; Disrud; Dosch; Drovdal; Eckre; Ekstrom; Fairfield; Froseth; Galvin; Glassheim; Grande; Grosz; Grumbo; Gulleston; Gunter; Haas; Hanson; Hawken; Herbel; Huether; Hunskor; Jensen;

Johnson, D.; Johnson, N.; Kasper; Kelsch, R.; Kelsh, S.; Kempenich; Kingsbury; Klein, F.; Klein, M.; Klemin; Kliniske; Koppang; Koppelman; Kretschmar; Kroeber; Lemieux; Mahoney; Martinson; Meier; Metcalf; Mueller; Nelson; Nicholas; Niemeier; Nottestad; Onstad; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Skarphol; Solberg; Svedjan; Thoreson, B.; Thoreson, L.; Thorpe; Tieman; Timm; Wald; Warner; Weiler; Weisz; Wentz; Wikenheiser; Winrich; Wrangham; Speaker Bernstein

**NAYS:** Froelich; Keiser; Kerzman; Monson

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

HB 1180 passed and the title was agreed to.

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#### SECOND READING OF HOUSE BILL

**HB 1185:** A BILL for an Act to amend and reenact section 39-01-16, subdivision b of subsection 2 of section 39-04-18, subdivision a of subsection 1 of section 39-05-05, and subsection 1 of section 39-05-09.2 of the North Dakota Century Code, relating to motor vehicle registration and titling.

#### 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; Bellew; Belter; Berg; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; DeKrey; Delmore; Devlin; Disrud; Dosch; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Grumbo; Gulleson; Gunter; Haas; Hanson; Hawken; Herbel; Huether; Hunskor; Jensen; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Kliniske; Koppang; Koppelman; Kretschmar; Kroeber; Lemieux; Mahoney; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Nottestad; Onstad; Pietsch; Pollert; Porter; Price; Ruby; Sandvig; Schmidt; Severson; Solberg; Svedjan; Thoreson, B.; Thoreson, L.; Thorpe; Tieman; Timm; Wald; Warner; Weiler; Weisz; Wentz; Wikenheiser; Winrich; Speaker Bernstein

**NAYS:** Boehm; Delzer; Renner; Rennerfeldt; Skarphol; Wrangham

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

HB 1185 passed and the title was agreed to.

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**SPEAKER BERNSTEIN ACKNOWLEDGED** former Representatives Kunkel and Aas.

#### MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK)

**MR. PRESIDENT:** The House has passed and your favorable consideration is requested on: HB 1050, HB 1079, HB 1095, HCR 3003, HCR 3004.

#### MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK)

**MR. PRESIDENT:** The House has passed unchanged: SCR 4007.

#### MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)

**MR. SPEAKER:** The Senate has passed and your favorable consideration is requested on: SB 2085, SB 2103, SB 2136, SB 2165.

#### MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)

**MR. SPEAKER:** The Senate has passed, the emergency clause carried, and your favorable consideration is requested on: SB 2048.

#### REPORT OF STANDING COMMITTEE

**HB 1027: Judiciary Committee (Rep. DeKrey, Chairman)** recommends **DO PASS** (11 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING). HB 1027 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1036: Human Services Committee (Rep. Price, Chairman)** recommends **DO NOT PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1036 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1092: Judiciary Committee (Rep. DeKrey, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1092 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "12-47-34 and a new"

Page 1, line 2, remove "subsection to section" and remove "from"

Page 1, line 3, remove "the custody of the warden"

Page 1, remove lines 8 through 15

Page 1, line 20, remove the underscored comma

Page 1, line 21, after "state" insert an underscored comma, after "and" insert "is", and after "County" insert "or in the county in which the order committing the person to official detention was entered"

Page 1, line 22, remove "In all other cases, the jurisdiction of a violation of this section is within"

Page 1, remove lines 23 and 24

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1096: Industry, Business and Labor Committee (Rep. Berg, Chairman)** recommends **DO PASS** (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1096 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1117: Human Services Committee (Rep. Price, Chairman)** recommends **DO PASS** (13 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1117 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1131: Finance and Taxation Committee (Rep. Carlson, Chairman)** recommends **DO NOT PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1131 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1134: Finance and Taxation Committee (Rep. Carlson, Chairman)** recommends **DO NOT PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1134 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1176: Industry, Business and Labor Committee (Rep. Berg, Chairman)** recommends **DO PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1176 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1144: Industry, Business and Labor Committee (Rep. Berg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1144 was placed on the Sixth order on the calendar.

Page 1, line 10, after "coverage" insert "on an individual, group, blanket, or franchise basis"

Page 1, line 13, replace "individually guaranteed renewable" with "individual or group"

Renumber accordingly



**FIRST READING OF HOUSE BILLS**

Reps. Brandenburg, Kempenich, Lemieux, Nicholas and Sens. Nichols, Wanzek introduced:

**HB 1286:** A BILL for an Act to provide for agricultural product inspections; and to provide an appropriation.

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

Reps. Brandenburg, Kempenich, Lemieux, Nicholas and Sens. Nichols, Wanzek introduced:

**HB 1287:** A BILL for an Act to create and enact a new section to chapter 4-35 of the North Dakota Century Code, relating to the presence of chemicals in agricultural products; and to provide a penalty.

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

Reps. Brandenburg, Grande, Grumbo, Herbel and Sens. Flakoll, Wanzek introduced:

**HB 1288:** A BILL for an Act to create and enact a new section to chapter 15.1-09 of the North Dakota Century Code, relating to teacher salary increases; and to amend and reenact section 15.1-09-55 of the North Dakota Century Code, relating to the employment of school district superintendents.

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

Reps. Mueller, Disrud, Drovdal and Sens. Krauter, Lyson introduced:

**HB 1289:** A BILL for an Act to create and enact a new section to chapter 39-04 of the North Dakota Century Code, relating to motor vehicle number plates bearing a logo identifying members of the North Dakota firemen's association.

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

Reps. Nottestad, Cleary introduced:

**HB 1290:** A BILL for an Act to amend and reenact subdivision e of subsection 5 of section 6-06-06 of the North Dakota Century Code, relating to the limitation on credit union investment in certain notes or bonds.

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

Reps. Berg, Brusegaard, Nelson and Sen. Wanzek introduced:

**HB 1291:** A BILL for an Act to amend and reenact subsection 4 of section 57-38.5-01 of the North Dakota Century Code, relating to definition of qualified business in which an investment may be made to qualify for the seed capital investment tax credit; and to provide an effective date.

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

Reps. Brandenburg, Grande, Herbel, Nelson and Sens. Erbele, Flakoll introduced:

**HB 1292:** A BILL for an Act to amend and reenact section 15.1-09-55 of the North Dakota Century Code, relating to the joint employment of school district superintendents.

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

Reps. Berg, Haas, R. Kelsch, L. Thoreson and Sens. Freborg, G. Nelson introduced:

**HB 1293:** A BILL for an Act to create and enact six new sections to chapter 15-47 of the North Dakota Century Code or in the alternative to create and enact six new sections to chapter 15.1-21 of the North Dakota Century Code, relating to the testing of reading and mathematics.

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

Reps. Clark, Carlson and Sen. Wardner introduced:

**HB 1294:** A BILL for an Act to create and enact a new section to chapter 57-55 of the North Dakota Century Code, relating to documentation of taxes paid for transfer of title to a mobile home; and to amend and reenact section 39-18-03 of the North Dakota Century Code, relating to documentation of taxes paid for transfer of title to a mobile home.

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

Rep. Keiser introduced:

**HB 1295:** A BILL for an Act to amend and reenact section 26.1-40-15.1 of the North Dakota Century Code, relating to underinsured and uninsured motor vehicle insurance.

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

Rep. Hawken and Sen. Fischer introduced:

**HB 1296:** A BILL for an Act to amend and reenact section 23-07.5-04 of the North Dakota Century Code, relating to the human immunodeficiency virus record maintenance.

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

Reps. Porter, R. Kelsch and Sen. Cook introduced:

**HB 1297:** A BILL for an Act to create and enact a new section to chapter 23-20.3 of the North Dakota Century Code, relating to liability of property owners for hazardous waste on

their property; and to amend and reenact section 23-31-01 of the North Dakota Century Code, relating to the recovery of costs of environmental emergencies.

Was read the first time and referred to the **Natural Resources Committee**.

Rep. DeKrey introduced:

**HB 1298:** A BILL for an Act to establish an infrastructure audit task force.

Was read the first time and referred to the **Government and Veterans Affairs Committee**.

Rep. DeKrey introduced:

**HB 1299:** A BILL for an Act relating to the acquisition of land by governmental entities.

Was read the first time and referred to the **Government and Veterans Affairs Committee**.

Rep. Wald introduced:

**HB 1300:** A BILL for an Act to create and enact a new section to chapter 53-06.1 of the North Dakota Century Code, relating to sponsoring of charity night events by eligible organizations.

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

Reps. Nottestad, Aarsvold, Haas, L. Thoreson and Sen. Wardner introduced:

**HB 1301:** A BILL for an Act to amend and reenact subsection 2 of section 14 of chapter 169 of the 1999 Session Laws, relating to school district reorganization bonuses; to provide an appropriation; and to declare an emergency.

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

Reps. Carlisle, Keiser, Kliniske and Sens. G. Nelson, Stenehjem, Wardner introduced:

**HB 1302:** A BILL for an Act to amend and reenact section 47-14-09 of the North Dakota Century Code, relating to the application of state usury laws to licensed pawnbrokers.

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

Reps. Monson, Guleson, Nicholas, Wald and Sens. Kelsh, Traynor introduced:

**HB 1303:** A BILL for an Act to amend and reenact sections 26.1-13-01 and 26.1-13-02 of the North Dakota Century Code, relating to county mutual insurance companies.

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

Reps. Maragos, Brekke and Sen. Traynor introduced:

**HB 1304:** A BILL for an Act relating to the licensure of interpreters for the deaf and hard of hearing; to provide a penalty; to provide a continuing appropriation; and to provide an effective date.

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

Reps. Renner, Delmore, Hawken introduced:

**HB 1305:** A BILL for an Act to amend and reenact section 53-06.1-07.2 of the North Dakota Century Code, relating to conduct of poker under the games of chance laws.

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

Reps. Renner, Hawken and Sens. Nichols, Traynor introduced:

**HB 1306:** A BILL for an Act to amend and reenact section 53-06.1-10 of the North Dakota Century Code, relating to the limit on wagers in the game twenty-one under the games of chance laws.

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

Reps. Ekstrom, R. Kelsch, Wentz and Sens. Fischer, T. Mathern, Polovitz introduced:

**HB 1307:** A BILL for an Act to provide an appropriation to the state department of health for monitored visitation and safe exchange centers for children.

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

Reps. Ekstrom, Guleson, S. Kelsh and Sens. Christenson, Heitkamp, Lee introduced:

**HB 1308:** A BILL for an Act to amend and reenact subsection 3 of section 39-12-02 of the North Dakota Century Code, relating to the fees for special vehicle permits.

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

Reps. Brandenburg, DeKrey, Grande, Nelson and Sens. Flakoll, Klein introduced:

**HB 1309:** A BILL for an Act to create and enact a new section to chapter 15.1-06 of the North Dakota Century Code, relating to the administrative duties of school principals.

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

Reps. R. Kelsch, Haas, Monson and Sens. Freborg, Lee, Wanzek introduced:

**HB 1310:** A BILL for an Act to provide an appropriation for scholarships for retraining elementary and secondary teachers.

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

Reps. Kasper, Rennerfeldt, Weisz and Sens. Christmann, Espegard, Mutch introduced:

**HB 1311:** A BILL for an Act to amend and reenact subsection 1 of section 39-13-09 of the North Dakota Century Code, relating to tourist-oriented directional signs.

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

Reps. Lemieux, Nicholas and Sen. Erbele introduced:

**HB 1312:** A BILL for an Act to amend and reenact subsection 1 of section 57-43.2-03 of the North Dakota Century Code, relating to the rate of the special excise tax for sales of heating fuel or special fuel for an agricultural, industrial, or railroad purpose; and to provide an effective date.

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

Reps. Brandenburg, DeKrey, D. Johnson, Monson and Sens. Kroeplin, Wanzek introduced:

**HB 1313:** A BILL for an Act to create and enact a new section to chapter 15-47 of the North Dakota Century Code or in the alternative to create and enact a new section to chapter 15.1-18 of the North Dakota Century Code, relating to the waiver of student-teaching requirements for licensed teachers.

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

Reps. Porter, Pollert, Severson and Sen. Kilzer introduced:

**HB 1314:** A BILL for an Act to amend and reenact section 26.1-47-03 of the North Dakota Century Code, relating to provisions of health care preferred provider arrangements.

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

Reps. Ekstrom, Cleary, Niemeier and Sens. Bercier, T. Mathern introduced:

**HB 1315:** A BILL for an Act to create and enact a new chapter to title 14 of the North Dakota Century Code, relating to a North Dakota human rights commission; to amend and reenact sections 14-02.4-19 and 14-02.4-21 of the North Dakota Century Code, relating to actions, limitations, and mediation for discriminatory practices; to repeal section 14-02.4-12.1 and chapter 14-02.5 of the North Dakota Century Code, relating to housing discrimination; to provide a penalty; to provide an appropriation; and to provide an effective date.

Was read the first time and referred to the **Government and Veterans Affairs Committee**.

Reps. Berg, Carlson introduced:

**HB 1316:** A BILL for an Act to amend and reenact subdivision d of subsection 1 of section 57-38-01.2 and subsection 2 of section 57-38-31 of the North Dakota Century Code, relating to the filing status and reductions for married individuals filing the long-form income tax return; and to provide an effective date.

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

Reps. Ekstrom, Glassheim, Jensen and Sens. Kelsh, C. Nelson, O'Connell introduced:

**HB 1317:** A BILL for an Act to create and enact a new subsection to section 15-10-17 of the North Dakota Century Code, relating to the creation of a division of immigration within the state board of higher education; and to amend and reenact section 4-01-20 of the North Dakota Century Code and section 43 of Senate Bill No. 2032, relating to creation of a division of immigration within the department of commerce.

Was read the first time and referred to the **Government and Veterans Affairs Committee**.

Reps. Tieman, DeKrey, Eckre, Haas, Niemeier introduced:

**HB 1318:** A BILL for an Act to amend and reenact section 16.1-03-17, subsection 2 of section 16.1-05-01, subsection 2 of section 16.1-07-08, subsection 3 of section 16.1-10-01, and sections 16.1-10-02, 16.1-10-04.1, 16.1-11-18, 16.1-11-19, and 16.1-15-25 of the North Dakota Century Code, relating to political party reorganization, election officer appointment, absentee ballot affidavits, corrupt election practices, and filling vacancies; and to repeal section 16.1-12-08 of the North Dakota Century Code, relating to filling vacancies and use of stickers.

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

Reps. Koppelman, Grumbo, Kasper and Sens. Bercier, Christmann, Grindberg introduced:

**HB 1319:** A BILL for an Act to amend and reenact paragraphs 1 and 2 of subdivision a of subsection 17 of section 52-01-01 of the North Dakota Century Code, relating to unemployment compensation coverage for corporations and limited liability companies.

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

Reps. Grande, Nelson, Sandvig and Sens. O'Connell, Wanzek introduced:

**HB 1320:** A BILL for an Act to create and enact a new section to chapter 15-40.1 of the North Dakota Century Code or in the alternative to create and enact a new section to chapter

15.1-27 of the North Dakota Century Code, relating to a contingent tuition reimbursement for nonpublic school students.

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

Reps. Disrud, Hawken, Wentz and Sens. Holmberg, Lee, Wanzek introduced:

**HB 1321:** A BILL for an Act to amend and reenact section 15-40.1-07.7 of the North Dakota Century Code or in the alternative to amend and reenact section 15.1-27-12 of the North Dakota Century Code, relating to the payments for limited English proficient students; and to provide an appropriation.

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

Reps. Disrud, Nicholas introduced:

**HB 1322:** A BILL for an Act to create and enact a new section to chapter 36-09 of the North Dakota Century Code, relating to methods of applying livestock brands.

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

Reps. Disrud, Maragos, Mueller and Sens. Heitkamp, Krebsbach introduced:

**HB 1323:** A BILL for an Act to amend and reenact sections 18-03-01, 18-03-02, 18-03-03, 18-03-04, 18-03-05, 18-03-06, 18-03-07, 18-03-08, 18-04-01, 18-04-08, 18-10-16, and 26.1-01-07.5 of the North Dakota Century Code, relating to the North Dakota firefighter's association.

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

#### **FIRST READING OF HOUSE CONCURRENT RESOLUTION**

Rep. DeKrey introduced:

**HCR 3009:** A concurrent resolution for the amendment of section 9 of article I of the Constitution of North Dakota, relating to judicial review of governmental determinations that impact a person's property or activities.

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

#### **MOTION**

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

#### **MOTION**

**REP. MONSON MOVED** that the House be on the Fifth, Ninth, Twelfth, and Thirteenth orders of business and at the conclusion of those orders, the House stand adjourned until 1:00 p.m., Wednesday, January 17, 2001, which motion prevailed.

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

**MARK L. JOHNSON, Chief Clerk**