

## JOURNAL OF THE HOUSE

## Fifty-seventh Legislative Assembly

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Bismarck, February 2, 2001

The House convened at 12:30 p.m., with Speaker Bernstein presiding.

The prayer was offered by Rev. Chuck Galloway, Prairie Rose Lutheran Parish, Makoti, Roseglen and Ryder.

The roll was called and all members were present except Representatives L. Thoreson and Timm.

A quorum was declared by the Speaker.

**MOTION**

**REP. BELTER MOVED** that HB 1005 and HB 1307, which are on the Sixth order, be laid over one legislative day, which motion prevailed.

**MOTION**

**REP. BELTER MOVED** that House Rule 402 be suspended and allow all resolutions which were in the possession of the Bill Clerk at the close of business yesterday to be introduced and recorded in today's journal as if they were introduced yesterday.

**REQUEST**

**REP. KEISER REQUESTED** the unanimous consent of the House to withdraw HB 1253. There being no objection, it was so ordered by the Speaker.

**MOTION**

**REP. M. KLEIN MOVED** that HCR 3027, which is on the Eighth order, be rereferred to the **Natural Resources Committee**, which motion prevailed. Pursuant to Rep. M. Klein's motion, HCR 3027 was rereferred.

**MOTION**

**REP. M. KLEIN MOVED** that HCR 3028, which is on the Eighth order, be rereferred to the **Political Subdivisions Committee**, which motion prevailed. Pursuant to Rep. M. Klein's motion, HCR 3028 was rereferred.

**SIXTH ORDER OF BUSINESS**

**REP. BELTER MOVED** that the amendments on the Sixth order of business to HB 1001 HB 1002, HB 1010, HB 1086, HB 1128, HB 1196, HB 1303, HB 1307, HB 1321, HB 1385, HB 1427, HB 1437, HB 1449, and HB 1466 be adopted, which motion prevailed.

HB 1196 and HB 1321, as amended, were rereferred to the **Appropriations Committee**.

HB 1001 HB 1002, HB 1010, HB 1086, HB 1128, HB 1303, HB 1307, HB 1385, HB 1427, HB 1437, HB 1449, and HB 1466, as amended, were placed on the Eleventh order of business on the calendar for the succeeding legislative day.

**SIXTH ORDER OF BUSINESS**

**HB 1128: REP. R. KELSCH (Education Committee) MOVED** that the amendments be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

**REQUEST**

**REP. DROVDAL REQUESTED** a recorded roll call vote on the motion to adopt the proposed amendments to HB 1128, which request was granted.

**ROLL CALL**

The question being on the motion to adopt the amendments to HB 1128, the roll was called and there were 58 YEAS, 38 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Belter; Berg; Boucher; Brusegaard; Clark; Cleary; DeKrey; Devlin; Disrud; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Glassheim; Haas; Hanson; Hawken; Herbel; Hunskor; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kingsbury; Klemin; Kliniske; Koppang; Kretschmar; Kroeber; Lemieux; Lloyd; Mahoney; Maragos;

Martinson; Metcalf; Monson; Mueller; Nelson; Nicholas; Nottestad; Onstad; Pietsch; Pollert; Porter; Price; Severson; Svedjan; Thorpe; Tieman; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Bernstein

**NAYS:** Aarsvold; Bellew; Boehm; Brandenburg; Brekke; Byerly; Carlisle; Carlson; Delmore; Delzer; Dosch; Drovdal; Galvin; Grande; Grosz; Grumbo; Gulleston; Gunter; Huether; Kasper; Kempenich; Kerzman; Klein, F.; Klein, M.; Koppelman; Meier; Niemeier; Renner; Rennerfeldt; Ruby; Sandvig; Schmidt; Skarphol; Solberg; Thoreson, B.; Wald; Weiler; Wrangham

**ABSENT AND NOT VOTING:** Thoreson, L.; Timm

The motion to adopt the amendments to HB 1128 passed.

#### MOTION

**REP. BELTER MOVED** that the rules be suspended and that HB 1128, as amended, be deemed properly engrossed and placed on the Eleventh order for the succeeding legislative day, which motion prevailed.

#### MOTION

**REP. BELTER MOVED** that HB 1128 and HB 1427 be placed at the top of the calendar, which motion prevailed.

#### SECOND READING OF HOUSE BILL

**HB 1128:** 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 display of cultural, legal, historical, and religious documents in public schools.

#### 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 91 YEAS, 5 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Belter; Berg; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; DeKrey; Delmore; Delzer; Devlin; Disrud; Dosch; Drovdal; Eckre; 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; Lloyd; Mahoney; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Nottestad; Onstad; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Skarphol; Solberg; Svedjan; Thoreson, B.; Thorpe; Tieman; Wald; Warner; Weiler; Weisz; Wentz; Wikenheiser; Wrangham; Speaker Bernstein

**NAYS:** Aarsvold; Bellew; Ekstrom; Niemeier; Winrich

**ABSENT AND NOT VOTING:** Thoreson, L.; Timm

HB 1128, as amended, passed and the title was agreed to.

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#### SECOND READING OF HOUSE BILL

**HB 1427:** A BILL for an Act to amend and reenact section 51-07-24 of the North Dakota Century Code, relating to prohibition of insurance claims for excessive charges.

#### 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 91 YEAS, 5 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Bellew; Belter; Berg; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; 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; Lloyd; Mahoney; Maragos; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Nottestad; Onstad; Pietsch; Pollert; Porter; Price;

Renner; Rennerfeldt; Ruby; Sandvig; Schmidt; Skarphol; Solberg; Svedjan; Tieman; Wald; Warner; Weiler; Weisz; Wentz; Wikenheiser; Winrich; Wrangham; Speaker Bernstein

**NAYS:** Carlisle; Martinson; Severson; Thoreson, B.; Thorpe

**ABSENT AND NOT VOTING:** Thoreson, L.; Timm

HB 1427, as amended, passed and the title was agreed to.

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### SECOND READING OF HOUSE BILL

**HB 1380:** A BILL for an Act to amend and reenact subsection 4 of section 25-01.3-02 of the North Dakota Century Code, relating to the membership of the committee on protection and advocacy.

### 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 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; Lloyd; Mahoney; Maragos; 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.; Thorpe; Tieman; Wald; Warner; Weiler; Weisz; Wentz; Wikenheiser; Winrich; Wrangham; Speaker Bernstein

**ABSENT AND NOT VOTING:** Thoreson, L.; Timm

Engrossed HB 1380 passed and the title was agreed to.

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### SECOND READING OF HOUSE BILL

**HB 1465:** A BILL for an Act to create and enact two new sections to chapter 15-47 of the North Dakota Century Code or in the alternative to create and enact two new sections to chapter 15.1-18 of the North Dakota Century Code, relating to the special education strategist credential.

### 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 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; Lloyd; Mahoney; Maragos; 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.; Thorpe; Tieman; Wald; Warner; Weiler; Weisz; Wentz; Wikenheiser; Winrich; Wrangham; Speaker Bernstein

**ABSENT AND NOT VOTING:** Thoreson, L.; Timm

Engrossed HB 1465 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1121:** A BILL for an Act to repeal section 57-06-17.2 of the North Dakota Century Code, relating to state payments in lieu of taxes for tax-exempt carbon dioxide pipeline property.

**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 0 YEAS, 95 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**NAYS:** 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; 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; Lloyd; Mahoney; Maragos; Martinson; Meier; Metcalf; Mueller; Nelson; Nicholas; Niemeier; Nottestad; Onstad; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Skarphol; Solberg; Svedjan; Thoreson, B.; Thorpe; Tieman; Wald; Warner; Weiler; Weisz; Wentz; Wikenheiser; Winrich; Wrangham; Speaker Bernstein

**ABSENT AND NOT VOTING:** Monson; Thoreson, L.; Timm

HB 1121 was declared lost.

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**SECOND READING OF HOUSE BILL**

**HB 1149:** 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 agreements between school districts for students who attend vocational education courses; and to amend and reenact sections 15-40.1-16.1 and 15-41-24 of the North Dakota Century Code or in the alternative to amend and reenact sections 15.1-21-02 and 15.1-27-28 of the North Dakota Century Code, relating to state transportation payments and minimum curriculum requirements.

**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 0 YEAS, 95 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**NAYS:** Aarsvold; Bellew; 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; 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; Lloyd; Mahoney; Maragos; 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.; Thorpe; Tieman; Wald; Warner; Weiler; Weisz; Wentz; Wikenheiser; Winrich; Wrangham; Speaker Bernstein

**ABSENT AND NOT VOTING:** Belter; Thoreson, L.; Timm

HB 1149 was declared lost.

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**SECOND READING OF HOUSE BILL**

**HB 1172:** 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 authorizing the superintendent of public instruction to waive any statutes or rules relating to education to encourage innovative schools.

**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 0 YEAS, 96 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**NAYS:** 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; Lloyd; Mahoney; Maragos; 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.; Thorpe; Tieman; Wald; Warner; Weiler; Weisz; Wentz; Wikenheiser; Winrich; Wrangham; Speaker Bernstein

**ABSENT AND NOT VOTING:** Thoreson, L.; Timm

HB 1172 was declared lost.

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### SECOND READING OF HOUSE BILL

**HB 1250:** A BILL for an Act to amend and reenact sections 4-10.1-06, 4-10.2-05, 4-10.3-05, 4-10.4-05, 4-10.5-04, 4-10.6-04, and 4-10.7-05, subsection 4 of section 4-18.1-04, subsection 3 of section 4-27-05, and sections 4-28-05 and 4-34-07 of the North Dakota Century Code, relating to compensation for agricultural commodity council members.

### ROLL CALL

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

**YEAS:** 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; Lloyd; Mahoney; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Niemeier; Nottestad; Onstad; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Skarphol; Solberg; Svedjan; Thoreson, B.; Thorpe; Tieman; Wald; Warner; Weiler; Weisz; Wentz; Wikenheiser; Winrich; Wrangham; Speaker Bernstein

**ABSENT AND NOT VOTING:** Nicholas; Thoreson, L.; Timm

HB 1250 passed and the title was agreed to.

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### SECOND READING OF HOUSE BILL

**HB 1258:** A BILL for an Act to create and enact a new section to chapter 4-10.2 of the North Dakota Century Code, relating to canola districts; to amend and reenact section 4-10.2-03 of the North Dakota Century Code, relating to membership of the oilseed council; 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 94 YEAS, 0 NAYS, 0 EXCUSED, 4 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; Lloyd; Mahoney; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Niemeier; Nottestad; Onstad; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Skarphol; Solberg; Svedjan; Thoreson, B.; Thorpe; Tieman; Warner; Weiler; Weisz; Wentz; Wikenheiser; Winrich; Wrangham; Speaker Bernstein

**ABSENT AND NOT VOTING:** Nicholas; Thoreson, L.; Timm; Wald

HB 1258 passed, the title was agreed to, and the emergency clause was declared carried.

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### SECOND READING OF HOUSE BILL

**HB 1351:** A BILL for an Act to amend and reenact section 6-03-38 of the North Dakota Century Code, relating to the powers of state-chartered banks.

### 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 93 YEAS, 2 NAYS, 0 EXCUSED, 3 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.; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Kliniske; Koppang; Koppelman; Kretschmar; Kroeber; Lemieux; Lloyd; Mahoney; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Niemeier; Nottestad; Onstad; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Skarphol; Solberg; Svedjan; Thoreson, B.; Thorpe; Tieman; Wald; Warner; Weiler; Weisz; Wentz; Wikenheiser; Winrich; Wrangham; Speaker Bernstein

**NAYS:** Kasper; Keiser

**ABSENT AND NOT VOTING:** Nicholas; Thoreson, L.; Timm

HB 1351 passed and the title was agreed to.

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### SECOND READING OF HOUSE BILL

**HB 1353:** A BILL for an Act to create and enact a new section to chapter 44-01 of the North Dakota Century Code, relating to filing of oaths of office; and to amend and reenact sections 44-01-05 and 44-05-04 of the North Dakota Century Code, relating to oaths of civil officers.

### ROLL CALL

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

**YEAS:** 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; Lloyd; Mahoney; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Niemeier; Nottestad; Onstad; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Skarphol; Solberg; Svedjan; Thoreson, B.; Thorpe; Tieman; Wald; Warner; Weiler; Weisz; Wentz; Wikenheiser; Winrich; Wrangham; Speaker Bernstein

**ABSENT AND NOT VOTING:** Nicholas; Thoreson, L.; Timm

HB 1353 passed and the title was agreed to.

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### SECOND READING OF HOUSE BILL

**HB 1354:** A BILL for an Act to amend and reenact sections 16.1-07-09 and 16.1-15-19 and subsections 5 and 6 of section 16.1-16-01 of the North Dakota Century Code, relating to the counting of absentee ballots.

**ROLL CALL**

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

**YEAS:** 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; 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; Lloyd; Mahoney; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Niemeier; Nottestad; Onstad; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Skarphol; Solberg; Svedjan; Thoreson, B.; Thorpe; Tieman; Wald; Warner; Weiler; Weisz; Wentz; Wikenheiser; Winrich; Wrangham; Speaker Bernstein

**ABSENT AND NOT VOTING:** Nicholas; Thoreson, L.; Timm

HB 1354 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1359:** A BILL for an Act to amend and reenact subsection 6 of section 57-15-12.2 of the North Dakota Century Code, relating to park district levies for comprehensive health care programs for employees; 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 NOT PASS, the roll was called and there were 6 YEAS, 89 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Bellew; Boucher; Cleary; Maragos; Mueller

**NAYS:** Belter; Berg; Boehm; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; DeKrey; Delmore; Delzer; Devlin; Disrud; Dosch; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; 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; Lloyd; Mahoney; Martinson; Meier; Metcalf; Monson; Nelson; Niemeier; Nottestad; Onstad; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Skarphol; Solberg; Svedjan; Thoreson, B.; Thorpe; Tieman; Wald; Warner; Weiler; Weisz; Wentz; Wikenheiser; Winrich; Wrangham; Speaker Bernstein

**ABSENT AND NOT VOTING:** Nicholas; Thoreson, L.; Timm

HB 1359 was declared lost.

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**SECOND READING OF HOUSE BILL**

**HB 1361:** A BILL for an Act to amend and reenact section 15.1-06-04 of the North Dakota Century Code, relating to discretionary days in the school calendar.

**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 37 YEAS, 58 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Bellew; Boucher; Cleary; Delmore; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Glassheim; Grumbo; Gulleon; Gunter; Hanson; Hawken; Huether; Hunskor; Kelsh, S.; Kerzman; Klein, F.; Koppang; Koppelman; Kroeber; Lemieux; Mahoney; Metcalf; Mueller; Niemeier; Onstad; Price; Ruby; Sandvig; Solberg; Thorpe; Warner; Winrich

**NAYS:** Belter; Berg; Boehm; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; DeKrey; Delzer; Devlin; Disrud; Dosch; Drovdal; Galvin; Grande; Grosz; Haas; Herbel; Jensen; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kempenich;

Kingsbury; Klein, M.; Klemin; Kliniske; Kretschmar; Lloyd; Maragos; Martinson; Meier; Monson; Nelson; Nottestad; Pietsch; Pollert; Porter; Renner; Rennerfeldt; Schmidt; Severson; Skarphol; Svedjan; Thoreson, B.; Tieman; Wald; Weiler; Weisz; Wentz; Wikenheiser; Wrangham; Speaker Bernstein

**ABSENT AND NOT VOTING:** Nicholas; Thoreson, L.; Timm

HB 1361 was declared lost.

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### SECOND READING OF HOUSE BILL

**HB 1365:** A BILL for an Act to create and enact a new section to chapter 26.1-36 and a new section to chapter 54-52.1 of the North Dakota Century Code, relating to issuance of uniform prescription drug cards.

### ROLL CALL

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

**YEAS:** 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.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Kliniske; Koppang; Koppelman; Kretschmar; Kroeber; Lemieux; Lloyd; Mahoney; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Niemeier; Nottestad; Onstad; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Skarphol; Solberg; Svedjan; Thoreson, B.; Thorpe; Tieman; Wald; Warner; Weiler; Weisz; Wentz; Wikenheiser; Winrich; Wrangham; Speaker Bernstein

**ABSENT AND NOT VOTING:** Nicholas; Thoreson, L.; Timm

HB 1365 passed and the title was agreed to.

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### SECOND READING OF HOUSE BILL

**HB 1373:** A BILL for an Act to amend and reenact sections 16.1-15-06, 27-09.1-03, and 27-09.1-05 of the North Dakota Century Code, relating to jury selection and voter lists.

### 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 14 YEAS, 81 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Boehm; Byerly; Carlson; Delzer; Galvin; Grande; Grosz; Klein, F.; Meier; Pietsch; Renner; Ruby; Skarphol; Weisz

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

**ABSENT AND NOT VOTING:** Nicholas; Thoreson, L.; Timm

HB 1373 was declared lost.

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**SECOND READING OF HOUSE BILL**

**HB 1389:** A BILL for an Act to amend and reenact subsection 2 of section 26.1-41-13 of the North Dakota Century Code, relating to payment of no-fault benefits for injuries incurred on buses.

**ROLL CALL**

The question being on the final passage of the resolution, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 1 YEA, 94 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** DeKrey

**NAYS:** Aarsvold; Bellew; Belter; Berg; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Delmore; Delzer; Devlin; Disrud; Dosch; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; 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; Lloyd; Mahoney; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Niemeier; Nottestad; Onstad; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Skarphol; Solberg; Svedjan; Thoreson, B.; Thorpe; Tieman; Wald; Warner; Weiler; Weisz; Wentz; Wikenheiser; Winrich; Wrangham; Speaker Bernstein

**ABSENT AND NOT VOTING:** Nicholas; Thoreson, L.; Timm

HB 1389 was declared lost.

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**SECOND READING OF HOUSE BILL**

**HB 1050:** A BILL for an Act to amend and reenact section 54-07-01.5 of the North Dakota Century Code, relating to the filing of bills enacted by the Legislative Assembly; 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 95 YEAS, 0 NAYS, 0 EXCUSED, 3 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; 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; Lloyd; Mahoney; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Niemeier; Nottestad; Onstad; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Skarphol; Solberg; Svedjan; Thoreson, B.; Thorpe; Tieman; Wald; Warner; Weiler; Weisz; Wentz; Wikenheiser; Winrich; Wrangham; Speaker Bernstein

**ABSENT AND NOT VOTING:** Nicholas; Thoreson, L.; Timm

HB 1050 passed, the title was agreed to, and the emergency clause was declared carried.

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**MOTION**

**REP. BELTER MOVED** that HB 1382 and HCR 3009, which are on the Eleventh order, be laid over one legislative day, which motion prevailed.

**CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. M. KLEIN MOVED** that the House do concur in the Senate amendments to HB 1050 as printed on HJ pages 279-280, which motion prevailed on a voice vote.

HB 1050, as amended, was placed on the Eleventh order of business.

**CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. M. KLEIN MOVED** that the House do concur in the Senate amendments to HCR 3003 as printed on HJ page 310.

**REQUEST**

**REP. DELZER REQUESTED** a recorded roll call vote on the motion to concur in the Senate amendments to HCR 3003, which request was granted.

**ROLL CALL**

The question being on the motion to concur in the Senate amendments to HCR 3003, the roll was called and there were 4 YEAS, 91 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Glassheim; Maragos; Warner; Wentz

**NAYS:** 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; 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.; Klemm; Kliniske; Koppang; Koppelman; Kretschmar; Kroeber; Lemieux; Lloyd; Mahoney; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Niemeier; Nottestad; Onstad; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Skarphol; Solberg; Svedjan; Thoreson, B.; Thorpe; Tieman; Wald; Weiler; Weisz; Wikenheiser; Winrich; Wrangham; Speaker Bernstein

**ABSENT AND NOT VOTING:** Nicholas; Thoreson, L.; Timm

The House did not concur in the Senate amendments to HCR 3003.

**REPORT OF STANDING COMMITTEE**

**HB 1017: Appropriations Committee (Rep. Timm, Chairman)** recommends **DO PASS** (20 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1017 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1031: Finance and Taxation Committee (Rep. Carlson, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1031 was placed on the Sixth order on the calendar.

Page 1, line 5, after the semicolon insert "to repeal section 57-15-37 of the North Dakota Century Code, relating to a tax levy for airport purposes in park districts;"

Page 4, line 16, replace "forty" with "thirty-five"

Page 6, line 27, remove "3.", remove "Levying", and overstrike "a tax for airport purposes in accordance with section"

Page 6, line 28, overstrike "57-15-37", remove "in an amount", and overstrike "not exceeding four mills."

Page 6, line 29, after "5." insert "3.", after "levying" insert "Levying", and remove the overstrike over "a tax for parks and recreational facilities in accordance with"

Page 6, line 30, remove the overstrike over "section 57-15-12-3", after "tax" insert "in an amount", and remove the overstrike over "not exceeding five mills."

Page 7, line 9, remove the overstrike over "not exceeding"

Page 7, line 10, remove the overstrike over "the limitation in subsection", after "5" insert "3", remove the overstrike over "of section 57-15-12-2", and remove "within the general fund levy authority of"

Page 7, line 11, remove "section 57-15-12"

Page 7, line 13, remove the overstrike over "The tax is to be levied, spread, and collected in the same"

Page 7, remove the overstrike over lines 14 through 21

Page 9, after line 28, insert:

"**SECTION 12. REPEAL.** Section 57-13-37 of the North Dakota Century Code is repealed."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1221: Finance and Taxation Committee (Rep. Carlson, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1221 was placed on the Sixth order on the calendar.

Page 1, line 4, remove "and" and after "date" insert "; and to declare an emergency"

Page 1, line 14, after "facility" insert ", on which construction is completed before January 1, 2011"

Page 2, line 3, after "facility" insert ", on which construction is completed before January 1, 2011"

Page 2, after line 8, insert:

"**SECTION 4. EMERGENCY.** This Act is declared to be an emergency measure."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1222: Finance and Taxation Committee (Rep. Carlson, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1222 was placed on the Sixth order on the calendar.

Page 2, line 26, after "more" insert ", on which construction is completed before January 1, 2011,"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1223: Finance and Taxation Committee (Rep. Carlson, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1223 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "subsection 1 of"

Page 1, line 5, replace "Subsection 1 of section" with "Section"

Page 1, after line 6, insert:

"**57-38-01.8. Income tax credit for installation of geothermal, solar, or wind energy devices.**"

Page 1, line 9, after "installed" insert "before January 1, 2001,"

Page 1, line 11, overstrike "five" and insert immediately thereafter "three" and overstrike "three" and insert immediately thereafter "five"

Page 1, after line 14, insert:

"2. For the purposes of this section:

- a. "Geothermal energy device" means a system or mechanism or series of mechanisms designed to provide heating or cooling or to produce electrical or mechanical power, or any combination of these, by a method which extracts or converts the energy naturally occurring beneath the earth's surface in rock structures, water, or steam.

- b. "Solar or wind energy device" means a system or mechanism or series of mechanisms designed to provide heating or cooling or to produce electrical or mechanical power, or any combination of these, or to store any of these, by a method which converts the natural energy of the sun or wind.
3. If a geothermal, solar, or wind energy device is a part of a system which uses other means of energy, only that portion of the total system directly attributable to the cost of the geothermal, solar, or wind energy device may be included in determining the amount of the credit. The costs of installation may not include costs of redesigning, remodeling, or otherwise altering the structure of a building in which a geothermal, solar, or wind energy device is installed.
4. A partnership, subchapter S corporation, limited partnership, limited liability company, or any other passthrough entity that installs a geothermal, solar, or wind energy device in a building or on property owned or leased by the passthrough entity must be considered to be the taxpayer for purposes of this section, and the amount of the credit allowed with respect to the entity's investments must be determined at the passthrough entity level. The amount of the total credit determined at the entity level must be passed through to the partners, shareholders, or members in proportion to their respective interests in the passthrough entity.

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1239: Transportation Committee (Rep. Weisz, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). HB 1239 was placed on the Sixth order on the calendar.

Page 3, remove lines 3 and 4

Page 3, line 5, remove "the state school fund."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1243: Transportation Committee (Rep. Weisz, Chairman)** recommends **DO NOT PASS** (10 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING). HB 1243 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1245: Transportation Committee (Rep. Weisz, Chairman)** recommends **DO NOT PASS** (7 YEAS, 6 NAYS, 1 ABSENT AND NOT VOTING). HB 1245 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1261: Transportation Committee (Rep. Weisz, Chairman)** recommends **DO NOT PASS** (12 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). HB 1261 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1295: Transportation Committee (Rep. Weisz, Chairman)** recommends **DO NOT PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1295 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1323: Political Subdivisions Committee (Rep. Froseth, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1323 was placed on the Sixth order on the calendar.

Page 1, line 1, after "to" insert "provide for legislative council correction of references by the fifty-seventh legislative assembly to the North Dakota firemen's association; and to"

Page 3, line 20, overstrike "Has" and replace "a basic" with "Meets the minimum requirements for class 9 protection or better"

Page 3, line 21, remove "minimum standard of ISO rating 9"

Page 5, after line 2, insert:

**"SECTION 13. MEASURES ENACTED BY THE FIFTY-SEVENTH LEGISLATIVE ASSEMBLY RELATING TO THE NORTH DAKOTA FIREMEN'S ASSOCIATION.** The legislative council may replace appropriate references to the North Dakota firemen's association in any measure enacted by the fifty-seventh legislative assembly with references to the North Dakota firefighter's association, as appropriate. References inserted may be adjusted to suit context and grammar of the sections and must be inserted so as to harmonize the legislative measure with regard to the name change provided by this Act."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1335: Political Subdivisions Committee (Rep. Froseth, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1335 was placed on the Sixth order on the calendar.

Page 2, line 9, replace "thirty" with "fifty-five" and replace "county's publishing deadline" with "election"

Page 3, line 21, replace "thirty" with "fifty-five" and replace "county's publishing deadline" with "election"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1332: Political Subdivisions Committee (Rep. Froseth, Chairman)** recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1332 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1357: Government and Veterans Affairs Committee (Rep. M. Klein, Chairman)** recommends **DO NOT PASS** (13 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). HB 1357 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1366: Transportation Committee (Rep. Weisz, Chairman)** recommends **DO NOT PASS** (10 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). HB 1366 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1438: Natural Resources Committee (Rep. Rennerfeldt, Chairman)** recommends **DO NOT PASS** (8 YEAS, 7 NAYS, ABSENT AND NOT VOTING). HB 1438 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1439: Government and Veterans Affairs Committee (Rep. M. Klein, Chairman)** recommends **DO NOT PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1439 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1408: Transportation Committee (Rep. Weisz, Chairman)** recommends **DO PASS** (11 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1408 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1467: Natural Resources Committee (Rep. Rennerfeldt, Chairman)** recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (15 YEAS, 0 NAYS, ABSENT AND NOT VOTING). HB 1467 was rereferred to the **Appropriations Committee**.

#### REPORT OF STANDING COMMITTEE

**HCR 3011: Natural Resources Committee (Rep. Rennerfeldt, Chairman)** recommends **DO NOT PASS** (10 YEAS, 5 NAYS, ABSENT AND NOT VOTING). HCR 3011 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HCR 3013: Transportation Committee (Rep. Weisz, Chairman)** recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HCR 3013 was placed on the Tenth order on the calendar.

**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 2039, SB 2044, SB 2067, SB 2161, SB 2178, SB 2189, SB 2202, SB 2231, SB 2318, SB 2359, SCR 4008.

**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 1007, HB 1016, HB 1160, HB 1183, HB 1201, HB 1290, HB 1364.

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

**MR. PRESIDENT:** The Speaker has signed and your signature is respectfully requested on: HB 1169, HCR 3004.

**FIRST READING OF HOUSE CONCURRENT RESOLUTIONS**

Reps. Koppang, Grumbo, Hawken, Skarphol and Sens. Freborg, O'Connell introduced:

**HCR 3024:** A concurrent resolution urging Congress to raise the level of federal funding for the education of children with disabilities.

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

Reps. Aarsvold, Weiler, Wentz and Sen. C. Nelson introduced:

**HCR 3025:** A concurrent resolution directing the Legislative Council to study safety issues related to cell phones and driving.

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

Reps. Ekstrom, Boucher, Gulleson, S. Kelsh, Mueller and Sen. Krauter introduced:

**HCR 3026:** A concurrent resolution directing the Legislative Council to study the feasibility and desirability of wind energy development in North Dakota.

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

Reps. Schmidt, Boucher, Nicholas and Sens. Tomac, Wanzek, Wardner introduced:

**HCR 3027:** A concurrent resolution urging Congress to correct the inequities of international trade policy.

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

Reps. Brusegaard, Lloyd, Pietsch introduced:

**HCR 3028:** A concurrent resolution requesting that the Congress of the United States propose for ratification by the states an amendment to the Constitution of the United States to repeal the seventeenth amendment.

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

Reps. Wentz, Carlisle, Timm, Wrangham and Sens. Bercier, Schobinger introduced:

**HCR 3029:** A concurrent resolution designating United States Highway 83 through the state of North Dakota as the "Veterans of Foreign Wars Memorial Highway".

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

Reps. Porter, Berg, Drovdal, Galvin, Pollert, Severson introduced:

**HCR 3030:** A concurrent resolution urging Congress to increase Medicare reimbursement for rural health care providers and to use an appropriate amount of the federal budget surplus to equalize Medicare rates between eastern and western North Dakota.

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

Reps. Carlson, Grande, Koppelman, Wald introduced:

**HCR 3031:** A concurrent resolution making application to Congress to submit to the states an amendment to the Constitution of the United States to prohibit the United States Supreme Court and any federal court from ordering a state or political subdivision to levy or increase taxes.

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

Reps. Kretschmar, Wikenheiser and Sen. Erbele introduced:

**HCR 3032:** A concurrent resolution urging the director of the Department of Transportation place into the state highway system the route from the South Dakota border through Venturia, Ashley, and Lehr to Interstate 94.

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

Reps. Monson, Huether, D. Johnson, R. Kelsch, Lemieux, Nelson introduced:

**HCR 3033:** A concurrent resolution urging Congress to acknowledge the difference between marijuana and industrial hemp; to acknowledge that allowing and encouraging farmers to produce industrial hemp will improve the balance of trade by promoting domestic sources of industrial hemp; and to assist United States producers by clearly authorizing the commercial production of industrial hemp and by being the leading advocate for the industrial hemp industry.

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

Rep. Boucher and Sen. Cook introduced:

**HCR 3034:** A concurrent resolution urging Congress to eliminate the Social Security disability insurance offset and supplemental security insurance offset for recipients of workers' compensation benefits.

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

Reps. Fairfield, Boehm, Kerzman, Lemieux and Sens. Bowman, Tomac introduced:

**HCR 3035:** A concurrent resolution urging Congress to support efforts to prohibit meatpackers from owning or feeding livestock for more than 14 days before slaughter.

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

Reps. B. Thoreson, Clark, Kasper, Weiler and Sen. Robinson introduced:

**HCR 3036:** A concurrent resolution designating the state crime laboratory building as the "Aaron Rash Crime Lab".

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

Reps. Mahoney, Onstad, Wikenheiser and Sens. Tomac, Urlacher, Wardner introduced:

**HCR 3037:** A concurrent resolution directing the Legislative Council to study the feasibility and desirability of creating cost-sharing or funding mechanisms for the unexpected discovery of cultural resources within local road projects.

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

Reps. Kempenich, Koppang and Sen. Bowman introduced:

**HCR 3038:** A concurrent resolution urging the Industrial Commission and the Lignite Energy Council to promote the location of any new lignite-fired electricity generating facility constructed in North Dakota at or near the Gascoyne mine.

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

Reps. Disrud, Wikenheiser and Sen. Urlacher introduced:

**HCR 3039:** A concurrent resolution to encourage the Secretary of State to appoint a committee to conduct a comprehensive study of North Dakota election laws.

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

Reps. Lemieux, Fairfield, Nelson and Sens. Kroeplin, D. Mathern introduced:

**HCR 3040:** A concurrent resolution urging the Federal Reserve Board to complete and make available to the public an analysis regarding the effects of its policy of promotion of the high-valued United States dollar and the impact that policy has had on United States producers and the prices received in the international marketplace for commodities produced in this country.

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

Reps. Lemieux, Fairfield, Mueller and Sens. Kroeplin, O'Connell, Solberg introduced:

**HCR 3041:** A concurrent resolution urging Congress to hold hearings regarding pricing structures and practices within the agricultural sector, giving particular attention to wheat prices, and to initiate an investigation by the United States Department of Justice regarding the pricing structures and practices within the agricultural sector, giving particular attention to the organizational structure of and relationships between large corporate participants in the purchasing and pricing of agricultural commodities, especially wheat and grains.

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

Reps. Lemieux, Brandenburg, D. Johnson introduced:

**HCR 3042:** A concurrent resolution urging Congress to ensure the economic viability and competitiveness of American farmers by adopting legislation that would grant states the authority to issue state registrations to parties who wish to import Canadian crop protection products that are identical or substantially similar to products registered with the Environmental Protection Agency for use in the United States.

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

**FIRST READING OF SENATE BILLS**

**SB 2045:** A BILL for an Act to amend and reenact section 14-09-06.4 of the North Dakota Century Code, relating to immunity for guardians ad litem and child custody investigators.

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

**SB 2063:** A BILL for an Act to amend and reenact section 57-39.2-23 of the North Dakota Century Code, relating to confidentiality of sales and use tax information.

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

**SB 2068:** A BILL for an Act to amend and reenact subsection 6 of section 57-02-27.2 of the North Dakota Century Code, relating to the valuation and assessment of inundated agricultural land for property tax purposes; to provide an effective date; and to declare an emergency.

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

**SB 2074:** A BILL for an Act to create and enact a new section to chapter 60-02 and a new section to chapter 60-02.1 of the North Dakota Century Code, relating to cease and desist orders against grain warehouses and grain buyers; and to amend and reenact sections 60-02-07, 60-02.1-07, 60-02.1-30, and 60-04-03.1 of the North Dakota Century Code, relating to the licensing fees for public warehouses and for grain buyers and assets of the trust fund upon the insolvency of a grain warehouse or grain buyer licensee.

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

**SB 2097:** A BILL for an Act to create and enact a new section to chapter 50-24.4 of the North Dakota Century Code, relating to nursing home reporting requirements; to amend and reenact sections 50-24.4-23 and 50-24.4-08 of the North Dakota Century Code, relating to reporting requirements for nursing homes; to repeal sections 50-24.4-23 and 50-24.4-25 of the North Dakota Century Code, relating to extending reporting deadlines to nursing homes; to provide an effective date; and to provide an expiration date.

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

**SB 2101:** A BILL for an Act to amend and reenact section 54-18-11 of the North Dakota Century Code, relating to execution of instruments by the North Dakota mill and elevator association; and to declare an emergency.

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

**SB 2104:** A BILL for an Act to amend and reenact sections 4-09-03, 4-09-13, 4-09-14.3, 4-09-14.4, 4-09-16, 4-09-17, 4-09-17.1, and 4-09-18 of the North Dakota Century Code, relating to state seed commission membership, seed labeling, and seed fees.

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

**SB 2150:** A BILL for an Act to create and enact chapter 26.1-33.2 of the North Dakota Century Code, relating to viatical settlement contracts; to amend and reenact subdivision a of subsection 16 of section 10-04-02 of the North Dakota Century Code, relating to viatical settlement contracts; to repeal chapter 26.1-33.1 of the North Dakota Century Code, relating to viatical settlement contracts; and to provide a penalty.

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

**SB 2174:** A BILL for an Act to require a legislative council study.

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

**SB 2228:** A BILL for an Act to amend and reenact section 47-14-05 and subsection 2 of section 51-13-02 of the North Dakota Century Code, relating to fees for late payment of consumer debt.

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

**SB 2249:** A BILL for an Act to create and enact a new subsection to section 43-11-02 of the North Dakota Century Code, relating to an exemption for certain medical professionals from laws governing the practice of cosmetology.

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

**FIRST READING OF SENATE CONCURRENT RESOLUTION**

**SCR 4013:** A concurrent resolution approving the location, construction, and operation of a hydroelectric transmission facility from Rugby to the Canadian border.

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

**MOTION**

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



**MOTION**

**REP. MONSON MOVED** that the House be on the Fifth, Ninth, Twelfth, Thirteenth, and Sixteenth orders of business and at the conclusion of those orders, the House stand adjourned until 1:00 p.m., Monday, February 5, 2001, which motion prevailed.

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

**MARK L. JOHNSON, Chief Clerk**

