

## JOURNAL OF THE HOUSE

## Fifty-sixth Legislative Assembly

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Bismarck, January 25, 1999

The House convened at 8:30 a.m., with Acting Speaker Timm presiding.

The prayer was offered by Pastor Vicki Rau, Nordland Lutheran Church, Rutland and Havana Trinity Lutheran Church, Havana.

The roll was called and all members were present except Representatives DeKrey, Jensen, and Thorpe.

A quorum was declared by Acting Speaker Timm.

## ANNOUNCEMENT

**THE SPEAKER ANNOUNCED** that the Journal would reflect that Rep. Timm was present and Speaker Wald thanked Rep. Timm for calling the House to order in his absence.

## MOTION

**REP. PRICE MOVED** that HB 1190 be returned to the House floor from the **Human Services Committee** for the purpose of withdrawal, which motion prevailed.

## REQUEST

**REP. HOFFNER REQUESTED** the unanimous consent of the House to withdraw HB 1190. There being no objection, it was so ordered by the Speaker.

## REQUEST

**REP. MEYER REQUESTED** that the record show that she was present and intended to vote "Yea" on HB 1297, which request was granted.

## SIXTH ORDER OF BUSINESS

**REP. DORSO MOVED** that the amendments on the Sixth order of business to HB 1068, HB 1132, and HB 1133 be adopted, which motion prevailed.

HB 1068, HB 1132, and HB 1133, as amended, were placed on the Eleventh order of business on the calendar for the succeeding legislative day.

## SECOND READING OF HOUSE BILL

**HB 1042:** A BILL for an Act to amend and reenact sections 11-17-04, 11-26-04, 26.1-02-19, 28-20.1-05, 30.1-21-08, 30.1-32-02, 35-18-04, 35-21-05, 43-01-19, and 57-22-32 of the North Dakota Century Code, relating to filing fees charged by the clerk of district court; to provide an effective date; and to declare an emergency.

## ROLL CALL

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

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

**ABSENT AND NOT VOTING:** DeKrey; Jensen; Thorpe

Engrossed HB 1042 passed, the title was agreed to, and the emergency clause was declared carried.

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**SECOND READING OF HOUSE BILL**

**HB 1064:** A BILL for an Act to amend and reenact sections 15-34.1-12 and 15-34.1-12.1 of the North Dakota Century Code, relating to the provision of home education to developmentally disabled children with autism.

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

**ABSENT AND NOT VOTING:** Jensen; Thorpe

Engrossed HB 1064 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1271:** A BILL for an Act to create and enact a new section to chapter 57-02 of the North Dakota Century Code, relating to the protection of certain commercial information provided for assessment purposes.

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

**ABSENT AND NOT VOTING:** Jensen; Thorpe

Engrossed HB 1271 passed and the title was agreed to.

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**MOTION**

**REP. DORSO MOVED** that HB 1296, which is on the Eleventh order, be rereferred to the **Appropriations Committee**, which motion prevailed. Pursuant to Rep. Dorso's motion, HB 1296 was rereferred.

**SECOND READING OF HOUSE BILL**

**HB 1027:** A BILL for an Act to amend and reenact section 14-09-08 of the North Dakota Century Code, relating to judicial authority to create a child support contribution trust.

**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 8 YEAS, 88 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Boehm; Delzer; Fairfield; Glassheim; Huether; Keiser; Kelsch, R.; Timm

**NAYS:** Aarsvold; Belter; Berg; Bernstein; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; DeKrey; Delmore; Devlin; Disrud; Dorso; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Galvin; Gorder; Grande; Grosz; Grumbo; Gulleston; Gunter; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Johnson, D.; Johnson, N.; Kelsh, S.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; Mahoney; Maragos; Martinson; Metcalf; Meyer; Mickelson; Monson; Mueller; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Rose; Sandvig; Schmidt; Severson; Solberg; Stefonowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

**ABSENT AND NOT VOTING:** Jensen; Thorpe

HB 1027 was declared lost.

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**SECOND READING OF HOUSE BILL**

**HB 1029:** A BILL for an Act to amend and reenact subdivision a of subsection 1 of section 14-09-09.7 of the North Dakota Century Code, relating to gross income under child support guidelines of the department of human services.

**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 21 YEAS, 75 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Delmore; Ekstrom; Fairfield; Glassheim; Grumbo; Gulleston; Hawken; Keiser; Kelsh, S.; Lemieux; Lundgren; Mahoney; Mickelson; Nowatzki; Solberg; Stefonowicz; Sveen; Timm; Warner; Winrich

**NAYS:** Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; DeKrey; Delzer; Devlin; Disrud; Dorso; Drovdal; Eckre; Froelich; Froseth; Galvin; Gorder; Grande; Grosz; Gunter; Haas; Hanson; Henegar; Herbel; Hoffner; Huether; Johnson, D.; Johnson, N.; Kelsch, R.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lloyd; Maragos; Martinson; Metcalf; Meyer; Monson; Mueller; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Rose; Sandvig; Schmidt; Severson; Svedjan; Thoreson, B.; Thoreson, L.; Tollefson; Weisz; Wentz; Wikenheiser; Speaker Wald

**ABSENT AND NOT VOTING:** Jensen; Thorpe

HB 1029 was declared lost.

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**SECOND READING OF HOUSE BILL**

**HB 1142:** A BILL for an Act to amend and reenact subsection 7 of section 50-11.1-02 of the North Dakota Century Code, relating to the definition of group child care home or group child care facility for early childhood services purposes.

**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; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleston; Gunter; Haas; Hawken; Henegar; Herbel; Hoffner; Huether; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd;

Lundgren; Mahoney; Maragos; Martinson; Metcalf; Meyer; Mickelson; Monson; Mueller; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Rose; Sandvig; Schmidt; Severson; Solberg; Stefonowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Timm; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

**ABSENT AND NOT VOTING:** Hanson; Jensen; Thorpe

HB 1142 was declared lost.

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#### SECOND READING OF HOUSE BILL

**HB 1159:** A BILL for an Act to amend and reenact sections 43-13-17 and 43-13-18 of the North Dakota Century Code, relating to licensure of optometrists by examination and endorsement.

#### 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 86 YEAS, 10 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Belter; Bernstein; Boucher; Brandenburg; Brekke; Byerly; Carlisle; Clark; Cleary; Dalrymple; DeKrey; Delmore; Devlin; Disrud; Dorso; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Gorder; Grande; Grumbo; Gulleon; Gunter; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Huether; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kerzman; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lundgren; Mahoney; Maragos; Martinson; Metcalf; Meyer; Mickelson; Monson; Mueller; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Nowatzki; Pollert; Porter; Price; Rennerfeldt; Rose; Sandvig; Schmidt; Severson; Solberg; Stefonowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Timm; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

**NAYS:** Berg; Boehm; Brusegaard; Carlson; Delzer; Grosz; Kempenich; Lloyd; Poolman; Renner

**ABSENT AND NOT VOTING:** Jensen; Thorpe

HB 1159 passed and the title was agreed to.

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#### SECOND READING OF HOUSE BILL

**HB 1215:** A BILL for an Act to amend and reenact subsection 1 of section 39-29-01 of the North Dakota Century Code, relating to all-terrain vehicles.

#### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 96 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

**ABSENT AND NOT VOTING:** Jensen; Thorpe

HB 1215 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1255:** A BILL for an Act to provide a self-critical insurance analysis privilege.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 96 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

**ABSENT AND NOT VOTING:** Jensen; Thorpe

HB 1255 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1298:** A BILL for an Act to create and enact a new section to chapter 61-16.1 of the North Dakota Century Code, relating to maintenance of natural watercourses and debrisment of bridges and low water crossings.

**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 24 YEAS, 71 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Belter; Boucher; Delmore; Eckre; Ekstrom; Glassheim; Grumbo; Hawken; Hoffner; Huether; Kelsh, S.; Kerzman; Nicholas; Nichols; Niemeier; Nottestad; Rose; Schmidt; Svedjan; Sveen; Warner; Wentz; Winrich

**NAYS:** Berg; Bernstein; Boehm; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Dalrymple; DeKrey; Delzer; Devlin; Disrud; Dorso; Drovda; Fairfield; Froelich; Froseth; Galvin; Gorder; Grande; Grosz; Gulleson; Gunter; Haas; Hanson; Henegar; Herbel; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kempenich; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; Mahoney; Maragos; Martinson; Metcalf; Meyer; Mickelson; Monson; Mueller; Nelson; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Sandvig; Severson; Solberg; Stefonowicz; Thoreson, B.; Thoreson, L.; Timm; Tollefson; Weisz; Wikenheiser; Speaker Wald

**ABSENT AND NOT VOTING:** Cleary; Jensen; Thorpe

HB 1298 was declared lost.

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**MOTION**

**REP. DORSO MOVED** that HB 1309 be placed at the bottom of the calendar, which motion prevailed.

**MOTION**

**REP. DORSO MOVED** that HB 1312, which is on the Eleventh order, be rereferred to the **Appropriations Committee**, which motion prevailed. Pursuant to Rep. Dorso's motion, HB 1312 was rereferred.

**SECOND READING OF HOUSE BILL**

**HB 1318:** A BILL for an Act to amend and reenact subsection 2 of section 40-05.1-06 of the North Dakota Century Code, relating to removal of authority of home rule cities to impose income taxes.

**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 62 YEAS, 32 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Belter; Berg; Bernstein; Boehm; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Dalrymple; Delzer; Devlin; Disrud; Dorso; Drovdal; Froseth; Gorder; Grande; Grosz; Gunter; Haas; Henegar; Herbel; Johnson, D.; Keiser; Kelsch, R.; Kempenich; Klein; Klemin; Kliniske; Koppang; Koppelman; Lloyd; Mahoney; Martinson; Mickelson; Monson; Nelson; Nicholas; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Schmidt; Severson; Svedjan; Thoreson, B.; Thoreson, L.; Timm; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Speaker Wald

**NAYS:** Boucher; DeKrey; Delmore; Eckre; Ekstrom; Fairfield; Galvin; Glassheim; Grumbo; Gulleon; Hanson; Hawken; Hoffner; Huether; Johnson, N.; Kelsh, S.; Kerzman; Kroeber; Lemieux; Lundgren; Maragos; Metcalf; Meyer; Mueller; Nichols; Niemeier; Rose; Sandvig; Solberg; Stefonowicz; Sveen; Winrich

**ABSENT AND NOT VOTING:** Cleary; Froelich; Jensen; Thorpe

HB 1318 passed and the title was agreed to.

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

**MADAM PRESIDENT:** The House has passed and your favorable consideration is requested on: HB 1209, HB 1216, HB 1269, HB 1270.

**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 8:30 a.m., Tuesday, January 26, 1999, which motion prevailed.

**REPORT OF STANDING COMMITTEE**

**HB 1050: Natural Resources Committee (Rep. Grosz, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1050 was placed on the Sixth order on the calendar.

Page 1, line 11, replace "effect of taxation laws on North Dakota telecommunications law" with "effects of federal universal service support mechanisms on telecommunications companies and consumers in this state and may review the preservation and advancement of universal service in this state, consistent with the Communications Act of 1934 [47 U.S.C. 151 et seq.], as amended by the Telecommunications Act of 1996 [Pub. L. 104-104; 110 Stat. 56]"

Page 1, line 12, remove "with respect to its"

Page 1, line 13, remove "review of the effect of taxation laws on North Dakota telecommunications law"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1057: Government and Veterans Affairs Committee (Rep. Klein, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (9 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). HB 1057 was placed on the Sixth order on the calendar.

Page 2, line 10, remove "for purposes other than capital construction projects"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1201: Government and Veterans Affairs Committee (Rep. Klein, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO**

**PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1201 was placed on the Sixth order on the calendar.

Page 1, line 1, after "to" insert "create and enact a new subsection to section 18-10-06 of the North Dakota Century Code, relating to powers of rural fire protection districts; and to"

Page 1, line 2, after the fourth comma insert "18-05-08, 18-05-09,"

Page 1, line 5, after "departments" insert "and rural fire protection districts"

Page 1, line 16, after "city" insert "or rural fire protection district"

Page 1, line 19, after "municipality" insert "or rural fire protection district"

Page 1, line 21, after "municipality" insert "or rural fire protection district", underscore the period, and after "municipality" insert "or rural fire protection district"

Page 1, line 23, remove the underscore from the period

Page 2, line 9, after "~~which~~" insert "or rural fire protection district"

Page 2, line 29, after "city" insert "**or rural fire protection district**"

Page 2, line 30, after "~~having~~" insert "or the treasurer of a rural fire protection district"

Page 3, line 3, after "city's" insert "or rural fire protection district's"

Page 3, line 5, after "auditor" insert "or the rural fire protection district's board of directors may direct the treasurer"

Page 3, line 16, after "municipality" insert "or the rural fire protection district"

Page 4, line 3, after "municipality" insert "or rural fire protection district"

Page 4, line 9, after "department" insert "or rural fire protection district department"

Page 4, line 20, after "municipality" insert "or rural fire protection district"

Page 5, after line 2, insert:

**"SECTION 9. AMENDMENT.** Section 18-05-08 of the North Dakota Century Code is amended and reenacted as follows:

**18-05-08. Pensions to be uniform - Reduction or increase in pensions authorized.** All pensions granted in a municipality or rural fire protection district under the provisions of this chapter must be uniform in amount. Every association, however, ~~shall have the right at all times to~~ may reduce or increase the amount of pensions, within the limitations contained in this chapter, whenever the amount of funds on hand or other good reason renders such action advisable.

**SECTION 10. AMENDMENT.** Section 18-05-09 of the North Dakota Century Code is amended and reenacted as follows:

**18-05-09. Who deemed firefighter.** ~~No~~ A substitute firefighter, ~~no~~ a person serving on probation, and ~~no~~ a firefighter in a municipality or rural fire protection district having a relief association in its fire department who is not a member of ~~such~~ the association may not be deemed a firefighter within the meaning of this chapter."

Page 5, line 21, after "situated" insert "or in the case of a rural fire protection district the office of the county auditor of the county in which the rural fire protection district is located"

Page 6, after line 4, insert:

**"SECTION 14.** A new subsection to section 18-10-06 of the North Dakota Century Code is created and enacted as follows:

To establish a firefighters relief association under chapter 18-05."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1227: Government and Veterans Affairs Committee (Rep. Klein, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1227 was placed on the Sixth order on the calendar.

Page 1, line 1, after "Act" insert "to create and enact a new section to chapter 43-35 of the North Dakota Century Code, relating to water well contractor continuing education requirements;"

Page 1, line 2, after "requirements" insert "; and to provide an effective date"

Page 1, after line 14, insert:

**"SECTION 2.** A new section to chapter 43-35 of the North Dakota Century Code is created and enacted as follows:

**Continuing education - Preapproval requirements.** Each certificate holder shall earn at least six hours of board-approved continuing education annually to qualify for certificate renewal, except a new certificate holder is not required to earn continuing education until the second renewal year following initial certification. Continuing education coursework may be provided by the national water well association, the North Dakota well drillers association, incorporated, a board-sponsored workshop, or by any board-approved course provider. A continuing education course must be preapproved by the board unless otherwise provided under this section. A continuing education course provider or a certificate holder shall request preapproval of continuing education coursework by submitting to the board a course outline, the instructor's name, the length of the training, and an explanation of how the training relates to the construction and service of water wells. A certificate holder may request approval of education that was not preapproved by submitting to the board verification of attendance, a course outline, and an explanation of why preapproval was not obtained. The board shall determine on a case-by-case basis whether to approve education that was not preapproved.

**SECTION 3. EFFECTIVE DATE.** This Act becomes effective January 1, 2000, and applies to all applications for certificate renewal beginning with the 2001 certificate year."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1236: Natural Resources Committee (Rep. Grosz, Chairman)** recommends **DO NOT PASS** (11 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). HB 1236 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1279: Government and Veterans Affairs Committee (Rep. Klein, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1279 was placed on the Sixth order on the calendar.

Page 1, line 14, after "requirements" insert "and the period of noncompliance with the education requirements does not exceed three years"

Page 1, line 15, remove "shall pay" and after the second underscored comma insert "shall submit quarterly"

Page 1, line 20, overstrike "shall pay," and after the second comma insert "shall submit quarterly"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1306: Natural Resources Committee (Rep. Grosz, Chairman)** recommends **DO NOT PASS** (11 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). HB 1306 was placed on the Eleventh order on the calendar.



**REPORT OF STANDING COMMITTEE**

**HB 1319: Natural Resources Committee (Rep. Grosz, Chairman)** recommends **DO NOT PASS** (11 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). HB 1319 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1342: Finance and Taxation Committee (Rep. Belter, Chairman)** recommends **DO PASS** (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1342 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1351: Finance and Taxation Committee (Rep. Belter, Chairman)** recommends **DO PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1351 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1363: Finance and Taxation Committee (Rep. Belter, Chairman)** recommends **DO PASS** (12 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING). HB 1363 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1375: Finance and Taxation Committee (Rep. Belter, Chairman)** recommends **DO PASS** (11 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING). HB 1375 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1391: Human Services Committee (Rep. Price, Chairman)** recommends **DO PASS** (10 YEAS, 3 NAYS, 2 ABSENT AND NOT VOTING). HB 1391 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HCR 3010: Government and Veterans Affairs Committee (Rep. Klein, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3010 was placed on the Sixth order on the calendar.

Page 1, line 5, replace "30" with "45"

Page 1, line 7, replace "50" with "260"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HCR 3016: Human Services Committee (Rep. Price, Chairman)** recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HCR 3016 was placed on the Tenth order on the calendar.

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

**MR. SPEAKER:** The Senate has passed and your favorable consideration is requested on: SB 2056, SB 2069, SB 2072, SB 2078, SB 2079, SB 2084, SB 2087, SB 2097, SB 2108, SB 2114, SB 2154, SB 2187, SB 2190, SB 2192, SB 2194, SB 2197, SB 2204, SB 2219, SCR 4003.

**FIRST READING OF HOUSE CONCURRENT RESOLUTION**

Reps. Hoffner, Aarsvold, Maragos and Sens. DeMers, Holmberg, Kringstad introduced:

**HCR 3026:** A concurrent resolution directing the Legislative Council to study the feasibility and desirability of implementing a state college savings plan providing a state tuition tax credit or providing for a prepaid college tuition program.

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

**FIRST READING OF SENATE BILLS**

**SB 2054:** A BILL for an Act to amend and reenact section 57-02-27.2 of the North Dakota Century Code, relating to inclusion of a production cost factor in the formula for valuation and assessment of agricultural land for property tax purposes; and to provide an effective date.

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

**SB 2056:** A BILL for an Act to amend and reenact section 15-10-14.2 of the North Dakota Century Code, relating to reports by the state board of higher education to the legislative council and the governor.

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

**SB 2065:** A BILL for an Act to provide for the issuance and sale of self-liquidating, tax-exempt bonds for renovating and expanding the student union at Dickinson state university; to provide an appropriation; and to declare an emergency.

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

**SB 2069:** A BILL for an Act to create and enact a new section to chapter 15-39.1 of the North Dakota Century Code, relating to postretirement benefit adjustments under the teachers' fund for retirement; to amend and reenact subsection 2 of section 15-39.1-10 of the North Dakota Century Code, relating to the computation of benefits under the teachers' fund for retirement; and to provide for application.

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

**SB 2072:** A BILL for an Act to amend and reenact subsection 1 of section 54-52.1-02 of the North Dakota Century Code, relating to determination of health insurance premiums for retired public employees not eligible for medicare.

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

**SB 2078:** A BILL for an Act to amend and reenact section 27-09.1-05.1 of the North Dakota Century Code, relating to selection of jurors from a judicial district in the event of a natural disaster.

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

**SB 2079:** A BILL for an Act to amend and reenact subsection 6 of section 15-27.2-04 of the North Dakota Century Code, or in the alternative to amend and reenact subsection 11 of section 15.1-12-05 of the North Dakota Century Code, relating to state board of public school education annexation appeals.

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

**SB 2084:** A BILL for an Act to amend and reenact section 37-07.1-03 of the North Dakota Century Code, relating to tuition waivers granted to national guard members by state-controlled schools.

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

**SB 2087:** A BILL for an Act to amend and reenact sections 12-59-01, 12-59-02, subsection 2 of section 12-59-15, subsection 17 of section 12.1-34-02 of the North Dakota Century Code, relating to membership, meetings, and compensation of the parole board, parole revocation proceedings, and fair treatment standards for victims and witnesses of crimes.

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

**SB 2097:** A BILL for an Act to amend and reenact sections 13-04.1-02, 13-04.1-07, and 13-04.1-09.1 of the North Dakota Century Code, relating to money broker license requirements, records, and fees.

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

**SB 2104:** A BILL for an Act to amend and reenact subsection 1 of section 57-39.2-12, subsection 1 of section 57-39.2-12.1, subsection 7 of section 57-40.2-07, and subsection 1 of section 57-40.2-07.1 of the North Dakota Century Code, relating to the monthly filing of sales and use tax returns in the event of a business reorganization and reimbursement of administrative expenses for monthly filing of sales and use tax returns.

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

**SB 2108:** A BILL for an Act to create and enact a new section to chapter 44-08 of the North Dakota Century Code, relating to prepayment of out-of-state lodging expenses for state officers and employees.

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

**SB 2114:** A BILL for an Act to amend and reenact subsection 1 of section 50-09-29 of the North Dakota Century Code, relating to requirements for temporary assistance for needy families.

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

**SB 2154:** A BILL for an Act to create and enact a new subsection to section 15-40.1-07.6 of the North Dakota Century Code, relating to authority of the superintendent of public

instruction to withhold state funds; and to amend and reenact section 15-59-02.1 of the North Dakota Century Code, relating to special education policies.  
Was read the first time and referred to the **Education Committee**.

**SB 2157:** A BILL for an Act to authorize the department of human services to convey certain land in Stutsman County, North Dakota.  
Was read the first time and referred to the **Political Subdivisions Committee**.

**SB 2158:** A BILL for an Act to amend and reenact 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**.

**SB 2187:** A BILL for an Act to provide for a special fund; to amend and reenact sections 36-01-30, 36-05-12, 36-09-18, 36-22-03, 36-22-04, and 36-22-08 of the North Dakota Century Code, relating to feedlot registration fees, brand recording and inspection fees, and estray inspections; to repeal section 36-22-05 of the North Dakota Century Code, relating to the estray fund; to provide for a continuing appropriation; and to declare an emergency.  
Was read the first time and referred to the **Agriculture Committee**.

**SB 2190:** A BILL for an Act to amend and reenact sections 43-36-04, 43-36-07, 43-36-11, and 43-36-15 of the North Dakota Century Code, relating to the state board of registration for professional soil classifiers, reciprocal registration, and registration fees.  
Was read the first time and referred to the **Agriculture Committee**.

**SB 2192:** A BILL for an Act to amend and reenact section 15-49-12 of the North Dakota Century Code, relating to the scope of school weapons policies.  
Was read the first time and referred to the **Judiciary Committee**.

**SB 2194:** A BILL for an Act to amend and reenact sections 32-09.1-07, 32-09.1-20, and 32-09.1-21 of the North Dakota Century Code, relating to garnishment of wages.  
Was read the first time and referred to the **Industry, Business and Labor Committee**.

**SB 2197:** A BILL for an Act to create and enact a new section to chapter 14-07.1 of the North Dakota Century Code, relating to false allegations of domestic abuse.  
Was read the first time and referred to the **Judiciary Committee**.

**SB 2204:** A BILL for an Act to amend and reenact section 15-39.1-09 of the North Dakota Century Code, relating to membership in the teachers' fund for retirement.  
Was read the first time and referred to the **Education Committee**.

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

#### **FIRST READING OF SENATE CONCURRENT RESOLUTION**

**SCR 4003:** A concurrent resolution urging the Department of Human Services to implement recommendations to improve its administrative structure and enhance its budget presentation methods and to report to the Legislative Council and directing the Legislative Council to monitor the implementation of the recommendations.  
Was read the first time and referred to the **Human Services Committee**.

#### **SIGNING OF BILLS AND RESOLUTIONS**

The Speaker signed the following enrolled bills: HB 1106, HB 1109.

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

**MADAM PRESIDENT:** The Speaker has signed and your signature is respectfully requested on: HB 1106, HB 1109.

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

**MR. SPEAKER:** The President has signed: HB 1106, HB 1109.

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

**LANCE HAGEN, Chief Clerk**