

JOURNAL OF THE HOUSE

Fifty-seventh Legislative Assembly

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Bismarck, January 31, 2001

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

The prayer was offered by Pastor Dom Vetter, Word of Faith Church, Bismarck.

The roll was called and all members were present except Representatives R. Kelsch, Onstad, Renner, and Solberg.

A quorum was declared by the Speaker.

SIXTH ORDER OF BUSINESS

REP. BELTER MOVED that the amendments on the Sixth order of business to HB 1007 HB 1115, and HB 1160 be adopted, which motion prevailed.

HB 1115, as amended, was rereferred to the **Appropriations Committee**.

HB 1007 and HB 1160, as amended, were placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MOTION

REP. BELTER MOVED that HB 1364, which is on the Eighth order, be laid over one legislative day, which motion prevailed.

REQUEST

REP. WEISZ REQUESTED the unanimous consent of the House to withdraw HB 1393. There being no objection, it was so ordered by the Speaker.

SECOND READING OF HOUSE BILL

HB 1053: A BILL for an Act to amend and reenact subsection 3 of section 10-06.1-10 of the North Dakota Century Code, relating to acquisition of farmland or ranchland by nonprofit organizations.

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; 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; Guleson; Gunter; Haas; Hanson; Hawken; Herbel; Huether; Hunskor; Jensen; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsch, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Kliniske; Koppang; Koppelman; Kretschmar; Kroeber; Lemieux; Lloyd; Mahoney; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Nottestad; Pietsch; Pollert; Porter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Skarphol; Svedjan; Thoreson, B.; Thoreson, L.; Thorpe; Tieman; Timm; Wald; Warner; Weiler; Weisz; Wentz; Wikenheiser; Winrich; Wrangham; Speaker Bernstein

ABSENT AND NOT VOTING: Onstad; Renner; Solberg

Engrossed HB 1053 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1060: A BILL for an Act to amend and reenact sections 61-21-19, 61-21-28, 61-21-29, and 61-21-50 of the North Dakota Century Code, relating to custody of drain funds.

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; 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; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Skarphol; Svedjan; Thoreson, B.; Thoreson, L.; Thorpe; Tieman; Timm; Wald; Warner; Weiler; Weisz; Wentz; Wikenheiser; Winrich; Wrangham; Speaker Bernstein

ABSENT AND NOT VOTING: Onstad; Solberg

Engrossed HB 1060 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1199: A BILL for an Act to create and enact a new subsection to section 39-06.2-06 of the North Dakota Century Code, relating to exceptions from a commercial driver's license requirements.

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; 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; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Skarphol; Svedjan; Thoreson, B.; Thoreson, L.; Thorpe; Tieman; Timm; Wald; Warner; Weiler; Weisz; Wentz; Wikenheiser; Winrich; Wrangham; Speaker Bernstein

ABSENT AND NOT VOTING: Onstad; Solberg

Engrossed HB 1199 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1206: A BILL for an Act to amend and reenact subsection 2 of section 57-23-06 of the North Dakota Century Code, relating to the hearing on an application for the abatement or refund of taxes upon real property.

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; Bellew; Belter; Berg; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; 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; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Skarphol; Svedjan;

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

ABSENT AND NOT VOTING: Byerly; Onstad; Solberg

Engrossed HB 1206 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1209: A BILL for an Act to amend and reenact subsection 4 of section 4-24-11.1 of the North Dakota Century Code, relating to the North Dakota agricultural hall of fame; 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 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; Gullekson; 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; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Skarphol; Svedjan; Thoreson, B.; Thoreson, L.; Thorpe; Tieman; Timm; Wald; Warner; Weiler; Weisz; Wentz; Wikenheiser; Winrich; Wrangham; Speaker Bernstein

ABSENT AND NOT VOTING: Onstad; Solberg

Engrossed HB 1209 passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF HOUSE BILL

HB 1240: A BILL for an Act to create and enact a new section to chapter 23-10 of the North Dakota Century Code, relating to the change in use or closure of a mobile park.

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 90 YEAS, 6 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Bellew; Belter; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Clark; Cleary; DeKrey; Delmore; Devlin; Disrud; Dosch; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Grosz; Grumbo; Gullekson; Gunter; Haas; Hanson; Hawken; Herbel; Huether; Hunskor; Jensen; Johnson, D.; Johnson, N.; Kasper; 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; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Skarphol; Svedjan; Thoreson, B.; Thoreson, L.; Thorpe; Tieman; Timm; Wald; Warner; Weiler; Weisz; Wentz; Wikenheiser; Winrich; Wrangham; Speaker Bernstein

NAYS: Berg; Carlson; Delzer; Grande; Keiser; Pietsch

ABSENT AND NOT VOTING: Onstad; Solberg

Engrossed HB 1240 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

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

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; Gulleon; Gunter; Haas; Hanson; Hawken; Herbel; Huether; Hunsakor; 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; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Skarphol; Svedjan; Thoreson, B.; Thoreson, L.; Thorpe; Tieman; Timm; Wald; Warner; Weiler; Weisz; Wentz; Wikenheiser; Winrich; Wrangham; Speaker Bernstein

ABSENT AND NOT VOTING: Onstad; Solberg

HB 1298 was declared lost.

SECOND READING OF HOUSE BILL

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

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, 90 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Brusegaard; DeKrey; Lemieux; Lloyd; Maragos; Ruby

NAYS: Aarsvold; Bellew; Belter; Berg; Boehm; Boucher; Brandenburg; Brekke; 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; Hunsakor; Jensen; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Kliniske; Koppang; Koppelman; Kretschmar; Kroeber; Mahoney; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Nottestad; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Sandvig; Schmidt; Severson; Skarphol; Svedjan; Thoreson, B.; Thoreson, L.; Thorpe; Tieman; Timm; Wald; Warner; Weiler; Weisz; Wentz; Wikenheiser; Winrich; Wrangham; Speaker Bernstein

ABSENT AND NOT VOTING: Onstad; Solberg

HB 1299 was declared lost.

SECOND READING OF HOUSE BILL

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

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 30 YEAS, 66 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Boucher; Cleary; Delmore; Disrud; Ekstrom; Fairfield; Froelich; Glassheim; Grumbo; Gulleon; Hanson; Huether; Hunsakor; Jensen; Kelsh, S.; Kerzman; Kroeber; Lemieux; Mahoney; Maragos; Martinson; Metcalf; Mueller; Niemeier; Sandvig; Schmidt; Thorpe; Warner; Winrich

NAYS: Bellew; Belter; Berg; Boehm; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; DeKrey; Delzer; Devlin; Dosch; Drovdal; Eckre; Froseth; Galvin; Grande; Grosz; Gunter; Haas; Hawken; Herbel; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kempenich; Kingsbury; Klein, F.; Klein, M.; Klemin; Kliniske; Koppang; Koppelman; Kretschmar; Lloyd; Meier; Monson; Nelson; Nicholas; Nottestad; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Severson; Skarphol; Svedjan; Thoreson, B.; Thoreson, L.; Tieman; Timm; Wald; Weiler; Weisz; Wentz; Wikenheiser; Wrangham; Speaker Bernstein

ABSENT AND NOT VOTING: Onstad; Solberg

HB 1315 was declared lost.

SECOND READING OF HOUSE BILL

HB 1320: A BILL for an Act to create and enact a new section to chapter 15-40.1 of the North Dakota Century Code or in the alternative to create and enact a new section to chapter 15.1-27 of the North Dakota Century Code, relating to a contingent tuition reimbursement for nonpublic school students.

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 40 YEAS, 56 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Bellew; Belter; Boehm; Brandenburg; Brusegaard; Byerly; Carlson; Clark; Cleary; DeKrey; Delzer; Dosch; Froelich; Galvin; Grande; Grosz; Gunter; Kasper; Kerzman; Klein, F.; Klein, M.; Koppelman; Lemieux; Lloyd; Mahoney; Maragos; Nelson; Pietsch; Pollert; Renner; Rennerfeldt; Ruby; Sandvig; Skarphol; Thoreson, B.; Timm; Wald; Weiler; Wrangham; Speaker Bernstein

NAYS: Aarsvold; Berg; Boucher; Brekke; Carlisle; Delmore; Devlin; Disrud; Drovdal; Eckre; Ekstrom; Fairfield; Froseth; Glassheim; Grumbo; Gulleson; Haas; Hanson; Hawken; Herbel; Huether; Hunsakor; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kingsbury; Klemin; Kliniske; Koppang; Kretschmar; Kroeber; Martinson; Meier; Metcalf; Monson; Mueller; Nicholas; Niemeier; Nottestad; Porter; Price; Schmidt; Severson; Svedjan; Thoreson, L.; Thorpe; Tieman; Warner; Weisz; Wentz; Wikenheiser; Winrich

ABSENT AND NOT VOTING: Onstad; Solberg

HB 1320 was declared lost.

SECOND READING OF HOUSE BILL

HB 1340: A BILL for an Act to create and enact a new subsection to section 57-02-08 of the North Dakota Century Code, relating to a property tax exemption for a teacher's residence in a teacher-shortage school district; 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 7 YEAS, 89 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Cleary; Froelich; Haas; Hunsakor; Kerzman; Klein, F.; Klemin

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

ABSENT AND NOT VOTING: Onstad; Solberg

HB 1340 was declared lost.

SECOND READING OF HOUSE BILL

HB 1392: A BILL for an Act to amend and reenact subsection 4 of section 57-39.2-04 of the North Dakota Century Code, relating to sales tax application to educational, religious, or charitable activities held in a publicly owned facility; and to provide an effective date.

ROLL CALL

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

YEAS: Aarsvold; Bellew; Belter; Berg; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; DeKrey; Delmore; Delzer; Devlin; Disrud; Dosch; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Grumbo; Gullekson; 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; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Skarphol; Svedjan; Thoreson, B.; Thoreson, L.; Thorpe; Tieman; Timm; Wald; Warner; Weiler; Weisz; Wentz; Wikenheiser; Winrich; Wrangham; Speaker Bernstein

ABSENT AND NOT VOTING: Onstad; Solberg

HB 1392 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1415: A BILL for an Act to amend and reenact sections 25-03.2-03.1 and 50-11-02.3 of the North Dakota Century Code, relating to a needs assessment and a moratorium on the expansion of residential treatment center for children and residential child care facility bed capacity; to provide an expiration date; and to declare an emergency.

ROLL CALL

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

YEAS: Aarsvold; Bellew; Belter; Berg; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; DeKrey; Delmore; Delzer; Devlin; Disrud; Dosch; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Grumbo; Gullekson; 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; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Skarphol; Svedjan; Thoreson, B.; Thoreson, L.; Thorpe; Tieman; Timm; Wald; Warner; Weiler; Weisz; Wentz; Wikenheiser; Winrich; Wrangham; Speaker Bernstein

ABSENT AND NOT VOTING: Onstad; Solberg

HB 1415 passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF HOUSE BILL

HB 1424: A BILL for an Act to amend and reenact section 43-07-10 of the North Dakota Century Code, relating to licensing of contractors.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 95 YEAS, 1 NAY, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Bellew; Belter; Berg; 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; Hunsakor; 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; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Skarphol; Svedjan; Thoreson, B.; Thoreson, L.; Thorpe; Tieman; Timm; Wald; Warner; Weiler; Weisz; Wentz; Wikenheiser; Winrich; Wrangham; Speaker Bernstein

NAYS: Boehm

ABSENT AND NOT VOTING: Onstad; Solberg

HB 1424 passed and the title was agreed to.

REPORT OF STANDING COMMITTEE

HB 1016: Appropriations Committee (Rep. Timm, Chairman) recommends **DO PASS** (20 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1016 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1094: Education Committee (Rep. R. Kelsch, Chairman) recommends **DO NOT PASS** (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1094 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1128: Education Committee (Rep. R. Kelsch, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1128 was placed on the Sixth order on the calendar.

Page 1, line 2, replace "the Ten Commandments" with "cultural, legal, historical, and religious documents"

Page 1, replace lines 6 through 14 with:

"Documents - Display. The board of a school district may authorize the display of cultural, legal, historical, and religious documents in a classroom or elsewhere in a public school. The display of religious documents, if authorized, may not be in a manner that calls attention to or otherwise promotes any particular document."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1183: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends **DO PASS** (14 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1183 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1201: Finance and Taxation Committee (Rep. Carlson, Chairman) recommends **DO PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1201 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1265: Finance and Taxation Committee (Rep. Carlson, Chairman) recommends **DO NOT PASS** (12 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1265 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1268: Education Committee (Rep. R. Kelsch, Chairman) recommends **DO NOT PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1268 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1275: Education Committee (Rep. R. Kelsch, Chairman) recommends **DO NOT PASS** (14 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1275 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1290: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1290 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1310: Education Committee (Rep. R. Kelsch, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1310 was placed on the Sixth order on the calendar.

Page 1, after line 17, insert:

"3. Teachers who receive scholarship assistance under this section must teach in North Dakota for at least two years after completing the scholarship coursework."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1314: Human Services Committee (Rep. Price, Chairman) recommends **DO NOT PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1314 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1351: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends **DO PASS** (13 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1351 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1380: Human Services Committee (Rep. Price, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1380 was placed on the Sixth order on the calendar.

Page 1, line 7, overstrike "association for retarded citizens" and insert immediately thereafter "arc"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1382: Finance and Taxation Committee (Rep. Carlson, Chairman) recommends **DO NOT PASS** (11 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). HB 1382 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1465: Education Committee (Rep. R. Kelsch, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1465 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "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."

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. If House Bill No. 1045 does not become effective, a new section to chapter 15-47 of the North Dakota Century Code is created and enacted as follows:

Special education strategist credential. In addition to any other credential, the superintendent of public instruction shall implement a special education strategist credential, effective August 1, 2001. Any individual who obtains a special education strategist credential and meets all other teacher licensure requirements imposed by statute may provide special education services in the areas of mental retardation, emotional disturbance, and learning disabilities.

SECTION 2. If House Bill No. 1045 does not become effective, a new section to chapter 15-47 of the North Dakota Century Code is created and enacted as follows:

Provisional special education strategist credential. Beginning August 1, 2001, upon application the superintendent of public instruction shall issue a provisional special education strategist credential to any individual who is licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board and who holds a credential applicable to the areas of mental retardation, emotional disturbance, or learning disabilities. The provisional credential must be made available to the individual for the lesser of three years or the period of time required by the individual to complete the requirements for a special education strategist credential.

SECTION 3. A new section to chapter 15.1-18 of the North Dakota Century Code is created and enacted as follows:

Special education strategist credential. In addition to any other credential, the superintendent of public instruction shall implement a special education strategist credential, effective August 1, 2001. Any individual who obtains a special education strategist credential and meets all other teacher licensure requirements imposed by statute may provide special education services in the areas of mental retardation, emotional disturbance, and learning disabilities.

SECTION 4. A new section to chapter 15.1-18 of the North Dakota Century Code is created and enacted as follows:

Provisional special education strategist credential. Beginning August 1, 2001, upon application the superintendent of public instruction shall issue a provisional special education strategist credential to any individual who is licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board and who holds a credential applicable to the areas of mental retardation, emotional disturbance, or learning disabilities. The provisional credential must be made available to the individual for the lesser of three years or the period of time required by the individual to complete the requirements for a special education strategist credential."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1472: Human Services Committee (Rep. Price, Chairman) recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (13 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1472 was rereferred to the **Appropriations Committee**.

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 2063, SB 2074, SB 2104, SB 2150, SB 2228, SB 2249.

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

MR. SPEAKER: The Senate has passed, the emergency clause carried, and your favorable consideration is requested on: SB 2068.

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

MR. SPEAKER: The Senate has amended, subsequently passed, and the emergency clause carried: HB 1050.

SENATE AMENDMENTS TO HOUSE BILL NO. 1050

Page 1, line 2, after "Assembly" insert "; and to declare an emergency"

Page 1, after line 12, insert:

"SECTION 2. EMERGENCY. This Act is declared to be an emergency measure."

Renumber accordingly

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

MR. SPEAKER: The Senate has passed unchanged: HB 1169, HCR 3004.

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 1035, HB 1106, HB 1168, HB 1262, HB 1266, HB 1271, HB 1274, HB 1279, HB 1289, HB 1294, HB 1329, HB 1331.

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

MR. SPEAKER: The President has signed: HCR 3005.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following resolution was delivered to the Secretary of State for filing on January 31, 2001: HCR 3005.

FIRST READING OF SENATE BILLS

SB 2010: A BILL for an Act to provide an appropriation for defraying the expenses of the council on the arts and an appropriation of funds from the cultural endowment fund.

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

SB 2026: A BILL for an Act to amend and reenact section 54-59-11 of the North Dakota Century Code, relating to state agency information technology plans and telecommuting.

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

SB 2046: A BILL for an Act to create and enact a new section to chapter 12.1-18 and five new sections to chapter 14-05 of the North Dakota Century Code, relating to the removal of children from the state, to decrees of separation, and the duty to support children; to amend and reenact sections 14-04-04, 14-05-03, 14-05-08, 14-05-10, 14-05-17, 14-05-23, 14-05-25.1, and 14-09-08 of the North Dakota Century Code, relating to decrees of separation and divorce; to repeal sections 14-05-11 and 14-05-12 and chapter 14-06 of the North Dakota Century Code, relating to separation from bed and board and grounds for divorce; to provide a penalty; and to declare an emergency.

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

SB 2047: A BILL for an Act to amend and reenact section 14-09-05.1 of the North Dakota Century Code, relating to grandparental rights of visitation of unmarried minors.

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

SB 2057: A BILL for an Act to amend and reenact section 18-11-26 of the North Dakota Century Code, relating to alternate firefighters relief association plan benefits.

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

SB 2087: A BILL for an Act to amend and reenact section 39-32-02 of the North Dakota Century Code, relating to intrastate exemptions from federal hours of service provisions for intrastate drivers.

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

SB 2088: A BILL for an Act to create and enact two new subsections to section 39-06.1-06 of the North Dakota Century Code, relating to fees for traffic offenses; to amend and reenact sections 39-06.1-05, 39-06.1-07, 39-06.1-09, and 39-06.1-10, subdivision g of subsection 2 of section 39-07-09, and subsections 1 and 2 of section 39-21-46 of the North Dakota Century Code, relating to traffic offenses; and to provide penalties.

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

SB 2112: A BILL for an Act to authorize the department of transportation to borrow funds to respond to disasters; to provide an appropriation; and to declare an emergency.

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

SB 2117: A BILL for an Act to create and enact a new subsection to section 43-17-32.1, a new subsection to section 44-04-17.1, a new subsection to section 44-04-18, a new subsection to section 44-04-18.7, and section 44-04-21.3 of the North Dakota Century Code, relating to open records and open meetings; to amend and reenact subsections 10, 12, and 13 of section 44-04-17.1, subsections 5 and 7 of section 44-04-18, subsection 1 of section 44-08-18.1, subsection 6 of section 44-04-19.1, subsection 5 of section 44-04-19.2, and subsections 1 and 3 of section 44-04-21.2 of the North Dakota Century Code, relating to open records and open meetings; and to provide a penalty.

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

SB 2138: A BILL for an Act to amend and reenact sections 23-32-01 and 23-32-03 of the North Dakota Century Code, relating to plastic products degradation and labeling; and to repeal sections 23-32-02 and 23-32-04 of the North Dakota Century Code, relating to plastic products degradation and labeling.

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

SB 2140: A BILL for an Act to amend and reenact subsection 1 of section 43-15-31.4 of the North Dakota Century Code, relating to limited prescriptive practices of pharmacists.

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

SB 2152: A BILL for an Act to amend and reenact sections 36-05.1-01, 36-05.1-02, 36-05.1-03, 36-05.1-04, 36-05.1-06, and 36-05.1-07 of the North Dakota Century Code, relating to adopting laws on satellite video livestock auctions to include the licensing of internet livestock auction markets.

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

SB 2169: A BILL for an Act to amend and reenact sections 4-09-03.1 and 4-09-20.2 of the North Dakota Century Code, relating to the composition of and petitions to the state seed arbitration board.

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

SB 2171: A BILL for an Act to amend and reenact sections 4-24-09 and 4-24-10 of the North Dakota Century Code, relating to the dry pea and lentil assessment fund.

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

SB 2187: A BILL for an Act to create and enact a new chapter to title 59 of the North Dakota Century Code, relating to trusts for individuals with disabilities.

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

SB 2190: A BILL for an Act to amend and reenact subsections 2 and 4 of section 6-08-16 and subsections 4 and 6 of section 6-08-16.2 of the North Dakota Century Code, relating to issuing a check or draft without sufficient funds or account and notice of dishonor.

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

SB 2192: A BILL for an Act to amend and reenact subsection 3 of section 26.1-38.1-01 of the North Dakota Century Code, relating to equity indexed life and annuity insurance contracts.

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

SB 2194: A BILL for an Act to amend and reenact section 6-09-15.5 of the North Dakota Century Code, relating to Bank of North Dakota loans to beginning farmers.

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

SB 2196: A BILL for an Act to create and enact a new section to chapter 28-21 of the North Dakota Century Code, relating to execution on moneys retained by garnishment.

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

SB 2197: A BILL for an Act to amend and reenact subsection 1 of section 11-07-04 of the North Dakota Century Code, relating to the terms of office of members of the board of county commissioners.

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

SB 2199: A BILL for an Act to amend and reenact section 43-13-13.3 of the North Dakota Century Code, relating to optometrist treatment of primary open-angle glaucoma.

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

SB 2206: A BILL for an Act to amend and reenact section 43-23.3-04, subsection 2 of section 43-23.3-08, subsection 1 of section 43-23.3-09, and section 43-23.3-23 of the North Dakota Century Code, relating to permits to practice as a real estate appraiser; and to provide a penalty.

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

SB 2208: A BILL for an Act to amend and reenact section 43-23-12.2 of the North Dakota Century Code, relating to the duties and liabilities of real estate brokerage firms and clients.

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

SB 2212: A BILL for an Act to amend and reenact section 1 of chapter 648 of the 1989 Session Laws and section 1 of chapter 562 of the 1991 Session Laws, relating to the sale of state land to Burleigh County.

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

SB 2215: A BILL for an Act to repeal chapter 11-26 of the North Dakota Century Code, relating to county debt adjustment boards.

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

SB 2222: A BILL for an Act to amend and reenact section 61-24.5-10 of the North Dakota Century Code, relating to the mill levy for the southwest water authority.

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

SB 2223: A BILL for an Act to amend and reenact sections 61-24.5-04 and 61-24.5-08 of the North Dakota Century Code, relating to the board of directors of the southwest water authority; and to repeal section 61-24.5-05 of the North Dakota Century Code, relating to the initial board of directors of the southwest water authority.

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

SB 2235: A BILL for an Act to create and enact a new chapter to title 4 of the North Dakota Century Code, relating to the inspection, analysis, and verification of seeds and crops; and to provide for a report.

Was read the first time and referred to the **Agriculture 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, Twelfth, and Thirteenth orders of business and at the conclusion of those orders, the House stand adjourned until 1:00 p.m., Thursday, February 1, 2001, which motion prevailed.

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

MARK L. JOHNSON, Chief Clerk