

JOURNAL OF THE HOUSE

Fifty-seventh Legislative Assembly

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Bismarck, February 19, 2001

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

The prayer was offered by Rev. Howard Jording, Retired from ND District, Missouri Synod Lutheran Church, Hankinson.

The roll was called and all members were present.

A quorum was declared by the Speaker.

POINT OF PERSONAL PRIVILEGE

REP. NIEMEIER: Mr. Speaker: I rise on a point of personal privilege.

REQUEST

REP. NIEMEIER REQUESTED that her remarks be printed in the Journal, which request was granted.

Representative Aarsvold and I wish to acknowledge and congratulate the Mayville-Portland-Clifford-Galesburg girls volleyball team for winning the State Tournament in Minot last weekend. The Patriots and their coach, Mary Chilvers, defeated fine teams from Langdon, Hettinger, and Trenton. Their victory marks the second consecutive volleyball championship for schools from Traill County and District 20, with Hillsboro winning in 2000. That success is but one of many they have achieved in statewide competition in various activities, including music, drama, debate, and athletics, as well as scholastic pursuits. Best Wishes to the Patriots in all their efforts!

MOTION

REP. RENNERFELDT MOVED that HB 1269, which is on the Sixth order, be rereferred to the **Natural Resources Committee**, which motion prevailed. Pursuant to Rep. Rennerfeldt's motion, HB 1269 was rereferred.

MOTION

REP. M. KLEIN MOVED that HB 1435, which is on the Sixth order, be rereferred to the **Judiciary Committee**, which motion prevailed. Pursuant to Rep. M. Klein's motion, HB 1435 was rereferred.

MOTION

REP. BELTER MOVED that HB 1386 be laid over one legislative day, which motion prevailed.

MOTION

REP. RENNERFELDT MOVED that HB 1333, which is on the Eleventh order, be rereferred to the **Natural Resources Committee**, which motion prevailed. Pursuant to Rep. Rennerfeldt's motion, HB 1333 was rereferred.

MOTION

REP. TIMM MOVED that HB 1419, which is on the Eleventh order, be rereferred to the **Appropriations Committee**, which motion prevailed. Pursuant to Rep. Timm's motion, HB 1419 was rereferred.

MOTION

REP. M. KLEIN MOVED that HB 1377, which is on the Eleventh order, be rereferred to the **Government and Veterans Affairs Committee**, which motion prevailed. Pursuant to Rep. M. Klein's motion, HB 1377 was rereferred.

SIXTH ORDER OF BUSINESS

REP. BELTER MOVED that the amendments on the Sixth order of business to HB 1145, HB 1173, HB 1210, HB 1220, HB 1273, HB 1318, HB 1327, HB 1338, HB 1355, HB 1386, HB 1391, HB 1400, HB 1410, HB 1423, HB 1431, HB 1447, HB 1455, HB 1456, HB 1459, HB 1468, HB 1469, HB 1474, HB 1476, HCR 3019, HCR 3026, and HCR 3032 be adopted, which motion prevailed.

HB 1145, HB 1173, HB 1210, HB 1220, HB 1273, HB 1318, HB 1327, HB 1338, HB 1355, HB 1386, HB 1391, HB 1400, HB 1410, HB 1423, HB 1431, HB 1447, HB 1455, HB 1456, HB 1459, HB 1468, HB 1469, HB 1474, HB 1476, HCR 3019, HCR 3026, and HCR 3032, as amended, were placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS ON CONSENT CALENDAR

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

HCR 3048: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of creating a State Department of Health Division of Women's Health and an Advisory Committee on Women's Health.

HCR 3007: A concurrent resolution directing the Legislative Council to study the establishment of regional water entities to manage water based on regional or watershed boundaries.

HCR 3046: A concurrent resolution directing the Legislative Council to study issues related to genetically modified wheat, including issues of segregation, liability, economic impact, and agronomic effects.

The question being on the final adoption of the resolutions, which have been read.

HCR 3007, HCR 3029, HCR 3046, and HCR 3048 passed on a voice vote, and the titles were agreed to.

SECOND READING OF HOUSE BILL

HB 1300: A BILL for an Act to amend and reenact subdivision a of subsection 1 of section 53-06.1-03 of the North Dakota Century Code, relating to charity events by public-spirited 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 92 YEAS, 6 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Belter; Berg; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Cleary; DeKrey; Delmore; 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; Nottestad; Onstad; Pietsch; Pollert; Porter; Price; Renner; Sandvig; Schmidt; Severson; Skarphol; Solberg; Svedjan; Thoreson, B.; Thoreson, L.; Thorpe; Tieman; Timm; Wald; Warner; Weiler; Weisz; Wentz; Wikenheiser; Winrich; Wrangham; Speaker Bernstein

NAYS: Bellew; Clark; Delzer; Niemeier; Rennerfeldt; Ruby

Engrossed HB 1300 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1084: A BILL for an Act to amend and reenact section 52-02-17 of the North Dakota Century Code, relating to the job insurance trust fund and a report to the legislative council.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 98 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Aarsvold; 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; Nicholas; Niemeier; Nottestad; Onstad; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Skarphol; Solberg; Svedjan; Thoreson, B.; Thoreson, L.; Thorpe; Tieman; Timm; Wald; Warner; Weiler; Weisz; Wentz; Wikenheiser; Winrich; Wrangham; Speaker Bernstein

Engrossed HB 1084 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1085: A BILL for an Act to amend and reenact section 52-04-06.1 of the North Dakota Century Code, relating to impact project incremental bonds under the unemployment compensation system.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 98 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Aarsvold; 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; Nicholas; Niemeier; Nottestad; Onstad; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Skarphol; Solberg; Svedjan; Thoreson, B.; Thoreson, L.; Thorpe; Tieman; Timm; Wald; Warner; Weiler; Weisz; Wentz; Wikenheiser; Winrich; Wrangham; Speaker Bernstein

Reengrossed HB 1085 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1229: 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 the payment of signing bonuses by school boards.

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 52 YEAS, 46 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Bellew; Belter; Berg; Brandenburg; Brusegaard; Byerly; Carlisle; Carlson; Clark; DeKrey; Delzer; Disrud; Dosch; Drovdal; Froseth; Grande; Grosz; Grumbo; Gunter; Haas; Hawken; Herbel; Jensen; Johnson, N.; Kasper; Kelsch, R.; Kempenich; Kingsbury; Klemin; Koppang; Koppelman; Kretschmar; Martinson; Meier; Monson; Nelson; Nottestad; Pietsch; Pollert; Porter; Price; Rennerfeldt; Svedjan; Thoreson, B.; Thoreson, L.; Tieman; Timm; Weisz; Wentz; Wikenheiser; Wrangham; Speaker Bernstein

NAYS: Aarsvold; Boehm; Boucher; Brekke; Cleary; Delmore; Devlin; Eckre; Ekstrom; Fairfield; Froelich; Galvin; Glassheim; Gulleson; Hanson; Huether; Hunskor; Johnson, D.; Keiser; Kelsh, S.; Kerzman; Klein, F.; Klein, M.; Kliniske; Kroeber; Lemieux; Lloyd; Mahoney; Maragos; Metcalf; Mueller; Nicholas; Niemeier; Onstad; Renner; Ruby; Sandvig; Schmidt; Severson; Skarphol; Solberg; Thorpe; Wald; Warner; Weiler; Winrich

Engrossed HB 1229 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1321: A BILL for an Act to amend and reenact section 15-40.1-07.7 of the North Dakota Century Code or in the alternative to amend and reenact section 15.1-27-12 of the

North Dakota Century Code, relating to the payments for limited English proficient students.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 98 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

Engrossed HB 1321 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1326: A BILL for an Act to amend and reenact section 15-38-17 of the North Dakota Century Code or in the alternative to amend and reenact section 15.1-13-02 and subsection 2 of section 15.1-13-29 of the North Dakota Century Code, relating to the membership of the education standards and practices board; and to provide an effective date.

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 61 YEAS, 36 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

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

NAYS: Aarsvold; Boucher; Byerly; Cleary; Delmore; Eckre; Ekstrom; Fairfield; Froelich; Glassheim; Grumbo; Gulleson; Hanson; Herbel; Huether; Hunsakor; Kelsh, S.; Kerzman; Kroeber; Mahoney; Maragos; Martinson; Metcalf; Monson; Mueller; Niemeier; Nottestad; Onstad; Sandvig; Schmidt; Solberg; Thoreson, L.; Thorpe; Tieman; Warner; Winrich

ABSENT AND NOT VOTING: Wentz

Engrossed HB 1326 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1337: A BILL for an Act to amend and reenact sections 16.1-08.1-01 and 16.1-08.1-03.3 of the North Dakota Century Code, relating to definitions with respect to campaign contributions; and to provide a penalty.

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 40 YEAS, 58 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Bellew; Belter; Berg; Brandenburg; Brekke; Brusegaard; Carlson; Clark; Delzer; Devlin; Froseth; Grande; Gunter; Haas; Hawken; Johnson, D.; Kasper; Keiser; Kempenich; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Lloyd; Monson; Nelson; Nicholas;

Pietsch; Rennerfeldt; Ruby; Severson; Skarphol; Svedjan; Thoreson, B.; Tieman; Timm; Wald; Wrangham; Speaker Bernstein

NAYS: Aarsvold; Boehm; Boucher; Byerly; Carlisle; Cleary; DeKrey; Delmore; Disrud; Dosch; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Galvin; Glassheim; Grosz; Grumbo; Guleson; Hanson; Herbel; Huether; Hunskor; Jensen; Johnson, N.; Kelsch, R.; Kelsh, S.; Kerzman; Kliniske; Koppang; Kretschmar; Kroeber; Lemieux; Mahoney; Maragos; Martinson; Meier; Metcalf; Mueller; Niemeier; Nottestad; Onstad; Pollert; Porter; Price; Renner; Sandvig; Schmidt; Solberg; Thoreson, L.; Thorpe; Warner; Weiler; Weisz; Wentz; Wikenheiser; Winrich

Engrossed HB 1337 lost.

MOTION

REP. DEKREY MOVED that HB 1350, which is on the Eleventh order, be rereferred to the **Judiciary Committee**, which motion prevailed. Pursuant to Rep. DeKrey's motion, HB 1350 was rereferred.

SECOND READING OF HOUSE BILL

HB 1358: A BILL for an Act to amend and reenact section 27-20-02, subsection 1 of section 27-20-06, sections 27-20-08, 27-20-10, and 27-20-17, subsection 2 of section 27-20-20.1, sections 27-20-22, 27-20-25, and 27-20-31, subsection 4 of section 27-20-32.2, subsection 4 of section 27-20-36, and subsection 3 of section 27-20-47, relating to definitions, filing petitions, duties of juvenile supervisors, informal adjustments, continued shelter care, termination of parental rights, and disposition of a delinquent child under the Uniform Juvenile Court Act.

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, 1 NAY, 0 EXCUSED, 1 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.; 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.; Thoreson, L.; Tieman; Timm; Wald; Warner; Weiler; Weisz; Wentz; Wikenheiser; Winrich; Wrangham; Speaker Bernstein

NAYS: Thorpe

ABSENT AND NOT VOTING: Kelsh, S.

Engrossed HB 1358 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1398: A BILL for an Act to create and enact a new section to chapter 12-44.1 of the North Dakota Century Code, relating to correctional facility files and records.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 98 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

Engrossed HB 1398 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1403: A BILL for an Act to provide for collection and review of information on economic development incentives provided by the state and political subdivisions.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 29 YEAS, 68 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Boucher; Cleary; Delmore; Ekstrom; Fairfield; Froelich; Glassheim; Grumbo; Gulleson; Hanson; Hawken; Huether; Kelsh, S.; Kerzman; Kretschmar; Kroeber; Lemieux; Mahoney; Maragos; Metcalf; Mueller; Niemeier; Onstad; Schmidt; Solberg; Thorpe; Warner; Winrich

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

ABSENT AND NOT VOTING: Lloyd

Engrossed HB 1403 lost.

SECOND READING OF HOUSE BILL

HB 1432: A BILL for an Act to create and enact a new section to chapter 57-38, two new sections to chapter 57-39.2, a new section to chapter 57-40.2, and a new section to chapter 57-40.3 of the North Dakota Century Code, relating to imposition of an income tax surtax and separate and additional sales and use and motor vehicle excise taxes and to provide for allocation of revenues to school districts; to amend and reenact section 15-45-01 or in the alternative section 15.1-22-01, sections 32-12.1-08, 52-09-08, 57-15-01.1, 57-15-14.2, 57-15-14.4, 57-16-03, 57-16-06, 57-16-07, 57-28-26, 57-38-55, 57-39.2-26, and 57-39.2-26.1 of the North Dakota Century Code, relating to elimination of school district general fund property tax levy authority and allocation of sales, use, motor vehicle, and income tax revenues; to repeal sections 15.1-09-47 and 57-15-14 of the North Dakota Century Code, relating to unlimited levy authority of the Fargo school district and general fund levy authority of school districts; to provide a continuing appropriation; and to provide an effective date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 31 YEAS, 67 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Boehm; Boucher; Brusegaard; Cleary; Devlin; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Grumbo; Herbel; Hunskor; Johnson, D.; Kerzman; Kingsbury; Kretschmar; Lemieux; Lloyd; Metcalf; Mueller; Niemeier; Onstad; Schmidt; Severson; Solberg; Tieman; Warner; Winrich

NAYS: Bellew; Belter; Berg; Brandenburg; Brekke; Byerly; Carlisle; Carlson; Clark; DeKrey; Delmore; Delzer; Disrud; Dosch; Drovdal; Eckre; Grande; Grosz; Gulleson; Gunter; Haas; Hanson; Hawken; Huether; Jensen; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Klein, F.; Klein, M.; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Mahoney; Maragos; Martinson; Meier; Monson; Nelson; Nicholas; Nottestad; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Sandvig; Skarphol; Svedjan;

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

Engrossed HB 1432 lost.

SECOND READING OF HOUSE BILL

HB 1444: A BILL for an Act to create and enact a new section to chapter 15-62.1 of the North Dakota Century Code, relating to student loan principal reductions.

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 93 YEAS, 4 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; 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; 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; Sandvig; Schmidt; Severson; Skarphol; Solberg; Svedjan; Thoreson, B.; Thoreson, L.; Thorpe; Tieman; Timm; Wald; Warner; Weiler; Weisz; Wentz; Wikenheiser; Winrich; Wrangham; Speaker Bernstein

NAYS: Bellew; Byerly; Grosz; Ruby

ABSENT AND NOT VOTING: Nicholas

Engrossed HB 1444 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1451: A BILL for an Act to provide for administrative rules committee review of existing administrative rules.

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 80 YEAS, 18 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

NAYS: Boucher; Delmore; Disrud; Ekstrom; Fairfield; Gulleson; Hanson; Hawken; Kelsh, S.; Kroeber; Lemieux; Mahoney; Metcalf; Mueller; Niemeier; Onstad; Warner; Winrich

Engrossed HB 1451 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1477: A BILL for an Act to amend and reenact subsection 1 of section 45-10.1-08, subsection 2 of section 45-10.1-09, subsection 1 of section 45-10.1-14, subsection 1 of section 45-10.1-52, subsection 3 of section 45-22-03, and subsection 1 of section 45-22-21.1 of the North Dakota Century Code, relating to reporting requirements for limited partnerships and limited liability partnerships.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 26 YEAS, 72 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Belter; Boucher; Cleary; Delmore; Ekstrom; Fairfield; Froelich; Glassheim; Grumbo; Gulleon; Hanson; Huether; Hunskor; Kelsh, S.; Kerzman; Kroeber; Lemieux; Metcalf; Mueller; Niemeier; Onstad; Schmidt; Solberg; Warner; Winrich

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

Engrossed HB 1477 lost.

SECOND READING OF HOUSE BILL

HB 1212: A BILL for an Act to create and enact a new subsection to section 10-15-33 of the North Dakota Century Code, relating to the deduction of membership dues from cooperative patronage dividends.

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 9 YEAS, 89 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Bellew; Boehm; Carlson; Keiser; Kelsch, R.; Porter; Thoreson, B.; Timm; Wald

NAYS: Aarsvold; Belter; Berg; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; 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; 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; Price; Renner; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Skarphol; Solberg; Svedjan; Thoreson, L.; Thorpe; Tieman; Timm; Wald; Weiler; Weisz; Wentz; Wikenheiser; Winrich; Wrangham; Speaker Bernstein

HB 1212 lost.

SECOND READING OF HOUSE BILL

HB 1433: A BILL for an Act to establish a cooperative education enhancement program.

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 9 YEAS, 86 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Boucher; Cleary; Grumbo; Hanson; Kelsh, S.; Monson; Niemeier; Thorpe

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

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

ABSENT AND NOT VOTING: Fairfield; Froelich; Kasper

HB 1433 lost.

SECOND READING OF HOUSE BILL

HB 1473: A BILL for an Act to create and enact a new section to chapter 49-21 of the North Dakota Century Code, relating to usage of long-distance 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 9 YEAS, 86 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Clark; Ekstrom; Fairfield; Glassheim; Gulleson; Kelsh, S.; Thoreson, B.; Warner

NAYS: Bellew; Belter; Berg; Boehm; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Cleary; DeKrey; Delmore; Delzer; Devlin; Disrud; Dosch; Drovdal; Eckre; Froelich; Froseth; Galvin; Grande; Grosz; Grumbo; Gunter; Haas; Hanson; Hawken; Herbel; Huether; Hunskor; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; 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, L.; Thorpe; Tieman; Timm; Wald; Weiler; Weisz; Wentz; Wikenheiser; Winrich; Wrangham; Speaker Bernstein

ABSENT AND NOT VOTING: Boucher; Kasper; Nicholas

HB 1473 lost.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3012: A concurrent resolution urging Congress to reject any attempt to extend the Internet Tax Freedom Act moratorium on imposition of state and local taxes on internet access and on electronic commerce transactions.

ROLL CALL

The question being on the final passage of the resolution, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 72 YEAS, 25 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Belter; Boehm; Boucher; Brekke; Brusegaard; Cleary; Delmore; Devlin; Disrud; Dosch; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Glassheim; Grumbo; Gulleson; Gunter; Haas; Hawken; Herbel; Huether; Hunskor; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppang; Koppelman; Kretschmar; Kroeber; Maragos; Martinson; Meier; Monson; Mueller; Nelson; Nicholas; Niemeier; Nottestad; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Sandvig; Schmidt; Severson; Solberg; Svedjan; Thoreson, L.; Thorpe; Tieman; Timm; Wald; Warner; Wentz; Wikenheiser; Winrich; Wrangham; Speaker Bernstein

NAYS: Bellew; Berg; Brandenburg; Byerly; Carlisle; Carlson; Clark; DeKrey; Delzer; Galvin; Grande; Grosz; Hanson; Kasper; Kelsh, S.; Kliniske; Lloyd; Mahoney; Metcalf; Onstad; Ruby; Skarphol; Thoreson, B.; Weiler; Weisz

ABSENT AND NOT VOTING: Lemieux

HCR 3012 passed and the title was agreed to.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3018: A concurrent resolution directing the Legislative Council to study alternatives, including school district income taxes, for funding sources to reduce school districts' dependence on property taxes.

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 57 YEAS, 41 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Cleary; DeKrey; Delmore; Devlin; Disrud; Drovdal; Ekstrom; Fairfield; Glassheim; Grande; Grumbo; Gulleston; Gunter; Haas; Hanson; Hawken; Herbel; Huether; Hunskor; Johnson, D.; Keiser; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Koppang; Kretschmar; Kroeber; Lemieux; Lloyd; Mahoney; Maragos; Metcalf; Monson; Mueller; Nelson; Niemeier; Nottestad; Onstad; Pollert; Price; Sandvig; Schmidt; Solberg; Svedjan; Thoreson, L.; Thorpe; Warner; Weisz; Winrich

NAYS: Bellew; Belter; Berg; Byerly; Carlisle; Carlson; Clark; Delzer; Dosch; Eckre; Froelich; Froseth; Galvin; Grosz; Jensen; Johnson, N.; Kasper; Kelsch, R.; Klein, M.; Klemin; Kliniske; Koppelman; Martinson; Meier; Nicholas; Pietsch; Porter; Renner; Rennerfeldt; Ruby; Severson; Skarphol; Thoreson, B.; Tieman; Timm; Wald; Weiler; Wentz; Wikenheiser; Wrangham; Speaker Bernstein

HCR 3018 passed and the title was agreed to.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

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.

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 5 YEAS, 93 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Bellew; Brusegaard; Carlson; Lloyd; Ruby

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

HCR 3028 lost.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

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.

ROLL CALL

The question being on the final passage of the resolution, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 70 YEAS, 27 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Bellew; Belter; Berg; Boehm; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; DeKrey; Delzer; Devlin; Disrud; Dosch; Eckre; Froseth; Galvin; Grande; Grosz; Haas; Hawken; Herbel; Huether; Jensen; Johnson, D.; Johnson, N.; Kasper;

Keiser; Kelsch, R.; Kempenich; Kingsbury; Klein, F.; Klein, M.; Klemin; Kliniske; Koppang; Koppelman; Lemieux; Lloyd; Martinson; Meier; Monson; Mueller; Nelson; Nicholas; Nottestad; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Schmidt; Severson; Skarphol; Svedjan; Thoreson, B.; Thoreson, L.; Tieman; Timm; Wald; Warner; Weiler; Weisz; Wikenheiser; Wrangham; Speaker Bernstein

NAYS: Aarsvold; Boucher; Cleary; Delmore; Ekstrom; Fairfield; Froelich; Glassheim; Grumbo; Guleson; Gunter; Hanson; Hunskor; Kelsh, S.; Kerzman; Kretschmar; Kroeber; Mahoney; Maragos; Metcalf; Niemeier; Onstad; Sandvig; Solberg; Thorpe; Wentz; Winrich

ABSENT AND NOT VOTING: Drovdal

HCR 3031 passed and the title was agreed to.

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 1066, HB 1203, HB 1225, HB 1260, HB 1277, HB 1342, HB 1363, HB 1379, HB 1401, HB 1462, HCR 3024, HCR 3030, HCR 3034, HCR 3047.

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 2021, SB 2121, SB 2181, SB 2229, SB 2299, SB 2327, SB 2372, SB 2374, SB 2415, SB 2428, SCR 4014, SCR 4022.

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 2200.

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 1087, HB 1161, HB 1249, HB 1302, HB 1322, HB 1390, HB 1406, HB 1422, HB 1426, HB 1453, HB 1460, HB 1479, HCR 3027, HCR 3037, HCR 3039.

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

MR. PRESIDENT: The House has passed, the emergency clause carried, and your favorable consideration is requested on: HB 1301, HB 1471.

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 2081, SB 2113, SB 2160, SB 2176, SB 2244, SB 2272, SB 2286, SB 2365, SB 2377, SB 2408, SB 2431, SB 2436, SB 2441, SB 2445, SB 2454, SCR 4015, SCR 4018, SCR 4019, SCR 4024, SCR 4025, SCR 4027, SCR 4028, SCR 4031.

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

MR. SPEAKER: The President has signed and your signature is respectfully requested on: SCR 4002, SCR 4039.

REPORT OF STANDING COMMITTEE

HB 1046: Education Committee (Rep. R. Kelsch, Chairman) recommends **DO PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1046 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1065: 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 1065 was placed on the Sixth order on the calendar.

Page 3, line 20, replace "Guaranteed" with "Except as otherwise provided in this subdivision, guaranteed"

Page 3, line 22, after the underscored period insert "In the case of a professional service partnership, the portion of a guaranteed payment paid to a nonresident partner attributable to a reasonable salary may not be treated as a distributive share. The portion of the guaranteed payment not treated as a distributive share that is for services performed in this state must be assigned as provided under subsection 1 of section 57-38-04. For purposes of this subdivision, "professional service partnership" means a

partnership that engages in the practice of law, accounting, medicine, and any other profession in which neither capital nor the services of employees are a material income producing factor."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1196, as engrossed and amended: Appropriations Committee (Rep. Timm, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (21 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1196, as amended, was placed on the Sixth order on the calendar.

Page 1, line 1, after "enact" insert "a new subsection to" and replace "23-27-04.5" with "21-10-06"

Page 1, line 2, after "to" insert "funds under the management of the state investment board and", after "nurses" insert "student", replace "repayment" with "payment", and remove "and"

Page 1, line 3, remove "a quick-response unit service pilot program"

Page 1, line 4, after the sixth comma insert "23-16-01.1,"

Page 1, line 6, after the second comma insert "the moratorium on the expansion of long-term care bed capacity,"

Page 1, line 9, after the first semicolon insert "to provide a statement of legislative intent; to provide for a legislative council study;"

Page 1, line 20, remove the overstrike over "~~nursing~~" and remove the underscored colon

Page 1, line 21, remove "1. Nursing"

Page 1, line 23, remove "construction or"

Page 1, remove line 24

Page 3, after line 30, insert:

"SECTION 7. A new subsection to section 21-10-06 of the 1999 Supplement to the North Dakota Century Code is created and enacted as follows:

Health care trust fund."

Page 4, line 18, replace "A nursing facility may designate up to twenty percent of its licensed bed capacity as" with "Not more than once in a twelve-month period, a nursing facility may convert licensed nursing facility bed capacity to basic care bed capacity or may convert basic care bed capacity to licensed nursing facility bed capacity. At least ninety days before the conversion, the facility shall notify the state department of health of the facility's intent to convert bed capacity. The converted beds must be located in the same block of rooms within the facility.

SECTION 9. AMENDMENT. Section 23-16-01.1 of the 1999 Supplement to the North Dakota Century Code is amended and reenacted as follows:

23-16-01.1. Moratorium on expansion of long-term care bed capacity. Notwithstanding sections 23-16-06 and 23-16-10, except when existing beds are converted for use by the alzheimer's and related dementia population under the projects provided for in section 50-06-14.4 or when nursing facilities are converting basic bed capacity to nursing facility bed capacity, the state department of health may not issue a license for any additional bed capacity above the state's gross licensed capacity of seven thousand one hundred forty beds, adjusted by any reduction in beds before July 31, 1999, during the period between August 1, 1999, and July 31, 2001. Transfers of existing beds from one municipality to another municipality must be approved if the department of health licensing requirements are met, during the period August 1, 1999, to July 31, 2001, only to the extent that for each bed transfer approved the total number of licensed beds in the state is reduced by the same number transferred. Existing licensed beds released by a facility which are not immediately transferred to another facility may not be banked for future transfer to another facility. Not more than once in a twelve-month period, a nursing facility may convert licensed nursing facility bed capacity

to basic care bed capacity or may convert basic care bed capacity to licensed nursing facility bed capacity. At least ninety days before the conversion, the facility shall notify the state department of health of the facility's intent to convert bed capacity. The converted beds must be located in the same block of rooms within the facility.

Page 4, remove lines 19 through 31

Page 5, remove lines 1 and 2

Page 5, line 5, after "nurses" insert "student" and replace "repayment"

Page 5, line 7, after "nurses" insert "student"

Page 5, line 8, after "nurses" insert "student"

Page 5, line 9, replace "repayment" with

Page 5, line 10, replace "repayment" with

Page 5, line 12, replace "repayment" with

Page 5, line 15, replace "repayment" with

Page 5, line 20, replace "to applicants who" with "monthly to institutions that own student loans of applicants who meet and continue to meet the criteria standards and eligibility standards.

1. In the case of an eligible applicant who has a student loan with forty-eight or fewer monthly scheduled payments remaining on the loan at the date of application, the monthly payment amount is equal to the regularly scheduled monthly payment amount.
2. In the case of an eligible applicant who has a student loan with more than forty-eight monthly scheduled payments remaining on the loan at the date of application, the monthly payment amount is equal to one forty-eighth of the amount of the outstanding balance of the educational loan on the date of application plus any applicable interest."

Page 5, remove lines 21 through 30

Page 6, remove lines 1 through 6

Page 6, line 7, after "nurses" insert "student", replace "repayment" with appropriation"

Page 6, line 8, replace "repayment" with

Page 6, line 10, remove "are appropriated and"

Page 6, line 11, after "council" insert "pursuant to legislative appropriations" and replace "repayment"

Page 9, line 31, overstrike "treasurer" and insert immediately thereafter "investment board"

Page 10, line 1, overstrike "such funds in interest-bearing accounts, as designated by the department" and insert immediately thereafter "moneys in the fund in accordance with chapter 21-10"

Page 10, line 2, overstrike "interest" and insert immediately thereafter "income"

Page 10, line 19, overstrike the colon

Page 10, line 20, overstrike "a." and remove "Construction or"

Page 10, line 24, overstrike "; or"

Page 10, line 25, overstrike "b."

Page 10, line 27, remove the overstrike over the period and remove "Technology projects relating to the delivery of long-term"

Page 10, remove line 28

Page 12, after line 23, insert:

"SECTION 17. LEGISLATIVE INTENT - HEALTH CARE TRUST FUND USES. It is the intent of the fifty-seventh legislative assembly that the June 30, 2003, unobligated balance in the health care trust fund and any investment earnings on that amount during the 2003-05 biennium not be appropriated but be retained in the fund to be used to continue, for periods subsequent to the 2003-05 biennium, the increased funding levels authorized in this Act for the 2001-03 biennium."

Page 13, line 1, replace "26,700,000" with "38,750,000"

Page 13, line 2, replace "18,700,000" with "27,100,000"

Page 13, line 3, replace "8,000,000" with "11,650,000"

Page 13, line 6, replace "\$18,700,000" with "\$27,100,000" and replace "16" with "18"

Page 13, after line 26, insert:

"SECTION 21. APPROPRIATION - ADMINISTRATIVE COSTS. There is appropriated out of any moneys in the health care trust fund in the state treasury, not otherwise appropriated, the sum of \$71,158, or so much of the sum as may be necessary, to the department of human services for the purpose of defraying the administrative costs associated with the intergovernmental transfer program, for the biennium beginning July 1, 2001, and ending June 30, 2003."

Page 13, line 29, replace "\$35,000,000" with "\$8,899,774"

Page 14, line 1, replace "Of the amounts available in the health care trust fund for loans, the" with "Of this amount \$3,920,000 relates to commitments made during the biennium beginning July 1, 1999, and ending June 30, 2001."

Page 14, remove lines 2 through 4

Page 15, line 3, replace "\$1,165,303" with "\$681,846"

Page 15, line 4, replace "\$2,719,040" with "\$1,590,974"

Page 15, line 7, replace "2000" with "1999"

Page 15, after line 21, insert:

"SECTION 29. LEGISLATIVE COUNCIL STUDY - LONG-TERM CARE NEEDS. The legislative council shall consider studying, during the 2001-02 interim, the long-term care needs in North Dakota. If studied, the legislative council shall receive progress reports and a final report from the department of human services on the statewide needs assessment study for long-term care."

Page 15, line 27, after "**NURSES**" insert "**STUDENT**" and replace "**REPAYMENT**" with "**PAYMENT**"

Page 15, line 29, after "nurses" insert "student" and replace "repayment" with "payment"

Page 15, replace lines 30 and 31 with:

"SECTION 32. APPROPRIATION - STATE DEPARTMENT OF HEALTH - NURSING FACILITY NURSES STUDENT LOAN PAYMENT FUND - ADDITIONAL SPENDING AUTHORITY - EMERGENCY COMMISSION APPROVAL. There is appropriated out of any moneys in the nursing facility nurses student loan payment fund in the state treasury, not otherwise appropriated, the sum of \$200,000, or so much of the sum as may be necessary, to the state department of health for the purpose of making nursing facility nurses student loan payments, for the biennium beginning July 1, 2001, and ending June 30, 2003. The state department of health may request emergency commission and budget section approval to spend additional moneys from the fund for making nursing facility nurses student loan payments,

which is appropriated for the biennium beginning July 1, 2001, and ending June 30, 2003.

SECTION 33. APPROPRIATION - SERVICE PAYMENTS FOR THE ELDERLY AND DISABLED. There is appropriated out of any moneys in the health care trust fund in the state treasury, not otherwise appropriated, the sum of \$6,898,302, or so much of the sum as may be necessary, to the department of human services for the purpose of making service payments for the elderly and disabled, for the biennium beginning July 1, 2001, and ending June 30, 2003.

SECTION 34. APPROPRIATION - HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT. There is appropriated out of any moneys in the health care trust fund in the state treasury, not otherwise appropriated, the sum of \$3,000,000, or so much of the sum as may be necessary, and from special funds derived from federal funds, the sum of \$5,055,347, or so much of the sum as may be necessary, to the department of human services for the purpose of defraying the expenses of complying with the federal Health Insurance Portability and Accountability Act or other technology projects, for the period beginning with the effective date of this Act and ending June 30, 2003.

SECTION 35. APPROPRIATION - 1999-2001 BIENNIUM NURSING FACILITY GRANTS. There is appropriated out of any moneys in the health care trust fund in the state treasury, not otherwise appropriated, the sum of \$100,226, or so much of the sum as may be necessary, to the department of human services for the purpose of making payments on grants approved under the nursing facility alternative grant fund during the 1999-2001 biennium, for the biennium beginning July 1, 2001, and ending June 30, 2003.

SECTION 36. APPROPRIATION - SENIOR CITIZEN MILL LEVY MATCHING GRANTS. There is appropriated out of any moneys in the health care trust fund in the state treasury, not otherwise appropriated, the sum of \$150,000, or so much of the sum as may be necessary, to the department of human services for the purpose of providing additional senior citizen mill levy matching grants, for the biennium beginning July 1, 2001, and ending June 30, 2003.

SECTION 37. APPROPRIATION - MEDICAL ASSISTANCE - TARGETED CASE MANAGEMENT SERVICES. There is appropriated out of any moneys in the health care trust fund in the state treasury, not otherwise appropriated, the sum of \$338,530, or so much of the sum as may be necessary, and from special funds derived from federal funds, the sum of \$769,220, or so much of the sum as may be necessary, to the department of human services for the purpose of making medical assistance payments for targeted case management services, for the biennium beginning July 1, 2001, and ending June 30, 2003.

SECTION 38. APPROPRIATION - INDEPENDENT LIVING CENTER GRANTS. There is appropriated out of any moneys in the health care trust fund in the state treasury, not otherwise appropriated, the sum of \$100,000, or so much of the sum as may be necessary, to the department of human services for the purpose of providing grants to independent living centers, for the biennium beginning July 1, 2001, and ending June 30, 2003."

Page 16, remove lines 1 through 3

Page 16, line 27, replace "Section 7" with "Sections 8 and 9" and replace "is" with "are"

Page 16, line 28, replace "is" with "are"

Page 16, line 29, replace "18" with "20", replace "30" with "34, 40" and replace "31" with "41"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Dept. 301 - State Department of Health

Sections are removed providing for the State Department of Health to implement a quick-response unit service pilot program and appropriating \$225,000 from the health care trust fund for this program for the 2001-03 biennium. The program and the appropriation are being included in House Bill No. 1202.

The name of the nursing facility nurses loan repayment program is changed to the nursing facility nurses student loan payment program and provisions of the program are changed to provide that the payments be made directly to the financial institution holding the loan rather than to the nurse and that loan payments be made equally over a four-year period rather than based on the following schedule:

Year 1	30 percent
Year 2	30 percent
Year 3	25 percent
Year 4	15 percent

The continuing appropriation for making these payments is removed and a \$200,000 appropriation from the nursing facility nurses student loan payment fund is provided for making these payments during the 2001-03 biennium. A provision is added that the department may seek Emergency Commission and Budget Section approval for additional spending authority for this program during the 2001-03 biennium. Sections 23-09.3-01.1 and 23-16-01.1 that provide for the moratoriums on the expansion of basic care or nursing facility bed capacity are changed to allow nursing facilities to convert licensure from skilled care to basic care and vice versa no more often than once every 12 months and providing that the beds being converted must be in the same block of rooms within the facility.

Dept. 325 - Department of Human Services

HOUSE - This amendment provides that the State Investment Board is responsible for the investment of moneys in the health care trust fund.

A section of legislative intent is added regarding making adequate resources available in the fund beyond the 2003-05 biennium to provide the funding necessary to continue the increased funding levels authorized by this bill.

Provisions are added directing the Legislative Council to consider studying, during the 2001-02 interim, the long-term care needs in North Dakota, and that the Department of Human Services conduct its assessment of North Dakota's long-term care needs in conjunction with the Legislative Council committee.

Appropriations changes and additions include:

- Increasing the government nursing facility funding pool payment appropriation by \$12,050,000, \$3,650,000 of which is from the general fund, to a total of \$38,750,000, \$11,650,000 of which is from the general fund and \$27,100,000 of federal funds to reflect revised Department of Human Services projections. The general fund share will be returned to the general fund within one business day of each payment being made.
- Reducing funds from the health care trust fund for loans by \$26,100,226 to a total of \$8,899,774. The \$8.9 million includes appropriation authority for funding loans approved during the 1999-2001 biennium but which will not be paid out until the 2001-03 biennium. In addition, the provisions allowing loans to be made for technology projects are removed and, as amended, loans may not be made for construction projects, only renovation projects.
- Reducing funds for nursing facility rate limit increases by \$483,457 from the health care trust fund to provide that rate limits be based on 1999 rather than 2000 cost reports. Funding of \$2,272,820 remains in the bill, \$681,846 of which is from the health care trust fund and \$1,590,974 of federal funds.
- Providing \$1,107,750, \$338,530 of which is from the health care trust fund and \$769,220 of federal funds for medical assistance grants relating to targeted case management services.
- Providing \$6,898,302 from the health care trust fund for service payments for elderly and disabled (SPED).
- Providing \$100,226 from the health care trust fund for making payments on grants approved during the 1999-2001 biennium but which will not be paid until the 2001-03 biennium.
- Providing \$150,000 from the health care trust fund for increasing senior citizen mill levy matching grants.

- Providing \$100,000 from the health care trust fund for independent living center grants.
- Providing \$71,158 from the health care trust fund for administrative costs associated with the intergovernmental transfer program.
- Providing \$8,055,347, \$3,000,000 of which is from the health care trust fund and \$5,055,347 of federal funds, for costs associated with the federal Health Insurance Portability and Accountability Act (HIPAA) or other technology projects.

After these changes, appropriations and transfers from the health care trust fund and related federal funds included in this bill are as follows:

	HEALTH CARE TRUST FUND	FEDERAL FUNDS	TOTAL
Department of Human Services appropriations			
Dunseith and McVile - Additional 1999-2001 biennium transaction fee	\$800,000		\$800,000
Grants - 1999-2001 commitments	100,226		100,226
Loans - 1999-2001 commitments	3,920,000		3,920,000
Loans - 2001-03 biennium	4,979,774		4,979,774
Service payments for elderly and disabled (SPED)	6,898,302		6,898,302
HIPAA computer project	3,000,000	\$5,055,347	8,055,347
Statewide long-term care needs assessment	241,006		241,006
Nursing home bed reduction incentive	4,100,000		4,100,000
Nursing facility employee compensation enhancement	8,189,054	19,107,793	27,296,847
Basic care employee compensation enhancement	202,080	471,520	673,600
Nursing facility rate limit increases resulting from rebasing	681,846	1,590,974	2,272,820
Nursing facility personal care allowance increase	266,400	621,600	888,000
Basic care facility personal care allowance increase	180,000		180,000
Qualified service provider (QSP) training grants	140,000		140,000
Administrative costs	71,158		71,158
Senior citizen mill levy match	150,000		150,000
Medical assistance - Targeted case management	338,530	769,220	1,107,750
Independent living center grants	100,000		100,000
Total Department of Human Services	\$34,358,376	\$27,616,454	\$61,974,830
Transfer to nursing facility nurses student loan repayment fund	1,000,000		1,000,000
Total appropriations and transfers	\$35,358,376	\$27,616,454	\$62,974,830

REPORT OF STANDING COMMITTEE

HB 1215: Appropriations Committee (Rep. Timm, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (16 YEAS, 3 NAYS, 2 ABSENT AND NOT VOTING). HB 1215 was placed on the Sixth order on the calendar.

Page 1, line 5, replace "\$475,000" with "\$250,000"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

HOUSE - This amendment reduces the amount of funding to be provided to the Adjutant General for maintenance and repair of political subdivision-owned armories by \$225,000, from \$475,000 to \$250,000.

REPORT OF STANDING COMMITTEE

HB 1261: Transportation Committee (Rep. Weisz, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (10 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). HB 1261 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "section" with "sections" and after "39-04-21" insert ", 39-06.1-08, and paragraph 2 of subdivision a of subsection 3 of section 39-06.1-10"

Page 1, line 2, after "vehicles" insert "; and to provide a penalty"

Page 1, line 13, after the period insert "The director shall collect a surcharge of fifty dollars for each application for a temporary registration. The director shall transmit this surcharge to the treasurer of the county in this state in which the application was made for deposit in the general fund of the county.", after "issue" insert "evidence of registration in", and replace "number" with "distinguishing color"

Page 1, line 14, remove "plate"

Page 1, line 15, replace "number plate as otherwise required by this chapter" with "evidence of registration in a window of the motor vehicle"

Page 1, line 16, after the first "of" insert "this", remove "39-04-11", and replace "plates issued under" with "evidence of registration"

Page 1, line 17, remove "this subsection"

Page 1, line 19, replace "In addition to any other fee, a" with:

"SECTION 2. AMENDMENT. Section 39-06.1-08 of the 1999 Supplement to the North Dakota Century Code is amended and reenacted as follows:

39-06.1-08. Nonmoving violation defined. For the purposes of section 39-06.1-06, a "nonmoving violation" means:

1. A violation of section 39-04-11, subsection 2 of section 39-04-21, subsection 6 of section 39-06-17, and section 39-06-44, 39-06-45, 39-10-47, 39-10-49, 39-10-50, 39-10-51, 39-10-54.1, 39-21-08, 39-21-10, 39-21-11, or 39-21-14, or a violation of any municipal ordinance equivalent to the foregoing sections.
2. A violation, discovered at a time when the vehicle is not actually being operated, of section 39-21-03, 39-21-05, 39-21-13, 39-21-19, 39-21-32, 39-21-37, 39-21-39, or 39-21-44.2, or a violation of any municipal ordinance equivalent to the foregoing sections.

SECTION 3. AMENDMENT. Paragraph 2 of subdivision a of subsection 3 of section 39-06.1-10 of the 1999 Supplement to the North Dakota Century Code is amended and reenacted as follows:

- (2) Failure to display 1 point"
license plates or
evidence of registration under
subsection 2 of section 39-04-21

Page 1, remove lines 20 through 22

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1272: Agriculture Committee (Rep. Nicholas, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1272 was placed on the Sixth order on the calendar.

Page 1, line 13, remove the overstrike over "~~and may be used~~" and remove ". A lessee may use"

Page 1, line 14, remove "the license", replace the first underscored comma with an underscored semicolon, and after the second underscored comma insert "upon payment of the fee requirement for a resident big game license,"

Page 1, line 15, replace the first "the" with "at least one hundred sixty acres [64.75 hectares] of"

Page 1, line 16, after the underscored period insert "A license used to hunt deer unitwide is not transferable."

Page 1, line 17, after the first "unit" insert "qualifying that person for a unitwide license" and after "hunt" insert ". A person who obtains a unitwide license is not eligible to receive any other license under this subsection"

Page 1, line 24, overstrike "A" and insert immediately thereafter "Except as otherwise provided in this subsection, a"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1283: Education Committee (Rep. R. Kelsch, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). HB 1283 was placed on the Sixth order on the calendar.

Page 1, line 2, remove "to be administered by job service North Dakota"

Page 1, line 6, replace "Job service" with "The Bank of" and after "Dakota" insert ", in cooperation with job service North Dakota,"

Page 1, line 18, replace "Job service" with "The Bank of"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1305: Judiciary Committee (Rep. DeKrey, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). HB 1305 was placed on the Sixth order on the calendar.

Page 1, line 7, after "organization" insert "in traditional format," and after "format" insert an underscored comma

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1306: Judiciary Committee (Rep. DeKrey, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (10 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). HB 1306 was placed on the Sixth order on the calendar.

Page 1, line 1, after "53-06.1-10" insert "and subsection 5 of section 53-06.1-11"

Page 1, line 2, after "twenty-one" insert "and rent limits"

Page 1, after line 16, insert:

"SECTION 2. AMENDMENT. Subsection 5 of section 53-06.1-11 of the North Dakota Century Code is amended and reenacted as follows:

5. For a site where bingo is not the primary game:

- a. If twenty-one or paddlewheels is conducted, the monthly rent may not exceed two hundred dollars multiplied by the necessary number of tables based on criteria prescribed by gaming rule. For each twenty-one table with a wager greater than five dollars, an additional amount up to one hundred dollars may be added to the monthly rent. If pull tabs is also conducted involving a jar bar or dispensing device, but not both, the monthly rent for pull tabs may not exceed an additional one hundred seventy-five dollars. If pull tabs is conducted involving both a jar bar and dispensing device, the monthly rent for pull tabs may not exceed an additional two hundred dollars.
- b. If twenty-one and paddlewheels are not conducted but pull tabs is conducted involving a jar bar or dispensing device, but not both, the monthly rent may not exceed two hundred seventy-five dollars. If pull tabs is conducted involving both a jar bar and dispensing device, the monthly rent for pull tabs may not exceed three hundred dollars."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1313: Education Committee (Rep. R. Kelsch, Chairman) recommends **DO NOT PASS** (14 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1313 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1371: Education Committee (Rep. R. Kelsch, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 1 NAY,

1 ABSENT AND NOT VOTING). HB 1371 was placed on the Sixth order on the calendar.

Page 1, line 10, replace "six" with "seven"

Page 1, line 13, after the period insert "If a person enrolls a child of age six in a public school, beginning thirty days after the date of enrollment the person shall ensure that the child is in attendance at a public school for the duration of the school year."

Page 1, line 18, remove the overstrike over "~~seven~~" and remove "six"

Page 1, line 19, after the period insert "If a person enrolls a child of age six in a public school, beginning thirty days after the date of enrollment the person shall ensure that the child is in attendance at a public school for the duration of the school year."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1384: Education Committee (Rep. R. Kelsch, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). HB 1384 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "a" with "two" and replace "section" with "sections"

Page 1, line 16, after the underscored period insert "Have a student enrollment that is in excess of five hundred twenty and cover a geographical area that is in excess of six hundred square miles [155398.8 hectares];

c."

Page 1, line 17, after "miles" insert "[207198.4 hectares]"

Page 1, line 18, replace "c" with "d" and remove "two hundred"

Page 1, line 19, after "miles" insert "[258998 hectares]"

Page 1, after line 19, insert:

"SECTION 2. A new section to chapter 15.1-12 of the North Dakota Century Code is created and enacted as follows:

Isolation - Waiver of reorganization criteria.

1. If the boards of two or more school districts vote to pursue a reorganization, but fail because of isolation to meet the criteria of section 1 of this Act, the boards may jointly petition the superintendent of public instruction for a waiver of those requirements. The superintendent may waive the requirements only if:
 - a. The proposed reorganized district will offer within its boundaries all grade levels from one through twelve;
 - b. The geographic location of the proposed reorganized district negates other practical reorganization alternatives;
 - c. The proposed reorganized district covers a geographical area of at least six hundred square miles [155398.8 hectares];
 - d. The proposed reorganized district will offer students academic opportunities and other educational opportunities not otherwise available; and
 - e. The proposed reorganized district appears able to sustain a viable financial base into the foreseeable future.
2. Any board aggrieved by a decision of the superintendent of public instruction under this section may appeal the decision to the state board of public school education. A decision by the state board is final."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1416: Judiciary Committee (Rep. DeKrey, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (10 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). HB 1416 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 amend and reenact subsection 2 of section 53-06.1-11 of the North Dakota Century Code, relating to allowable expenses for games of chance.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Subsection 2 of section 53-06.1-11 of the North Dakota Century Code is amended and reenacted as follows:

2. Allowable expenses may be deducted from adjusted gross proceeds. The allowable expense limit is ~~fifty~~^{fifty-one} percent of the first two hundred thousand dollars of adjusted gross proceeds per quarter and forty-five percent of the adjusted gross proceeds in excess of two hundred thousand dollars per quarter. In addition, an organization may deduct as an allowable expense:
 - a. Two and one-half percent of the gross proceeds of pull tabs.
 - b. Capital expenditures for security or video surveillance equipment used for controlling games if the equipment is required by section 53-06.1-10 or authorized by rule, and it is approved by the attorney general."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HCR 3002: Education Committee (Rep. R. Kelsch, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3002 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3044: Human Services Committee (Rep. Price, Chairman) recommends **DO PASS** (10 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). HCR 3044 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3045: Human Services Committee (Rep. Price, Chairman) recommends **DO PASS** (8 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). HCR 3045 was placed on the Tenth order on the calendar.

FIRST READING OF HOUSE CONCURRENT RESOLUTIONS

Reps. Winrich, Carlson, Fairfield, Hawken introduced:

HCR 3055: A concurrent resolution directing the Legislative Council to study the effectiveness of various economic development incentives and the feasibility and desirability of creating a reporting system that assists in compiling a complete inventory of economic development incentive programs and in evaluating the effectiveness of the programs. Was read the first time and referred to the **Finance and Taxation Committee**.

Reps. Boucher, Belter, Pollert, Weisz and Sens. Krauter, G. Nelson introduced:

HCR 3056: A concurrent resolution directing the Legislative Council to study the state of and future demands on the transportation infrastructure in this state. Was read the first time and referred to the **Finance and Taxation Committee**.

Reps. Boucher, Belter, S. Kelsh and Sens. Krauter, G. Nelson introduced:

HCR 3057: A concurrent resolution directing the Legislative Council to study the technological capacity and needs of the state. Was read the first time and referred to the **Industry, Business and Labor Committee**.

Reps. Boucher, Belter, Devlin, Wald and Sens. Krauter, G. Nelson introduced:

HCR 3058: A concurrent resolution directing the Legislative Council to study current and 5-, 10-, 25-, and 50-year projections of the delivery of health care services in the state, including the capacity, distribution, and accessibility of the system of providing health services; the changing dynamics of delivery of health services; possible health care services strategies to better serve residents; and the role of health care services in future development in this state.

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

Reps. Boucher, Belter and Sens. Krauter, G. Nelson introduced:

HCR 3059: A concurrent resolution directing the Legislative Council to study the water concerns and needs of North Dakota.

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

Reps. Lloyd, Carlson introduced:

HCR 3060: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of providing school district property tax relief and replacement of revenues through state funding.

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

Reps. Boucher, Belter and Sens. Krauter, G. Nelson introduced:

HCR 3061: A concurrent resolution directing the Legislative Council to study the delivery of education at the elementary, secondary, and postsecondary levels during the ensuing five, ten, and twenty years, and focus specifically on demographic trends as they affect the nature and scope of the services to be delivered, as well as the role of elementary, secondary, and postsecondary education in work force training and economic development initiatives in the state.

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

FIRST READING OF SENATE BILLS

SB 2021: A BILL for an Act to provide an appropriation for defraying the expenses of the extension service, northern crops institute, upper great plains transportation institute, and the agricultural experiment station; to provide statements of legislative intent; to provide for a report to the budget section; and to amend and reenact section 4-05.1-16 and subsection 1 of section 4-05.1-21 of the North Dakota Century Code, relating to changing the voting membership of the state board of agricultural research and education and use of agricultural research fund annual proceeds.

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

SB 2086: A BILL for an Act to amend and reenact subsection 7 of section 21-03-07 and subsection 3 of section 57-15-17.1 of the North Dakota Century Code, relating to general obligation bonds that may be issued by the governing body of a school district without a vote upon the question of the issuance of the bonds and school district remodeling fund mill levies.

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

SB 2095: A BILL for an Act to amend and reenact subsection 1 of section 50-29-02 of the North Dakota Century Code, relating to implementation of the income provisions of the children's health insurance program by the department of human services.

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

SB 2121: A BILL for an Act to amend and reenact sections 65-01-05 and 65-05-33 of the North Dakota Century Code, relating to workers' compensation fraud; to provide a penalty; and to provide an effective date.

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

SB 2166: A BILL for an Act to amend and reenact section 15.1-06-08 of the North Dakota Century Code, relating to the waiver of accreditation rules by the superintendent of public instruction; and to repeal section 15.1-06-05 of the North Dakota Century Code, relating to modification of the school calendar.

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

SB 2180: 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 retired teachers returning to teaching under the teachers' fund for retirement; to amend and reenact subsection 1 of section 15-39.1-09 and section 15-39.1-19.1 of the North Dakota Century Code, relating to assessments and resumption of teaching under the teachers' fund for retirement; and to provide an expiration date.

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

SB 2181: A BILL for an Act to create and enact a new section to chapter 40-57.3 and a new section to chapter 57-39.2 of the North Dakota Century Code, relating to authority of cities to impose motor vehicle rental taxes and a rental company surcharge on motor vehicle rentals; to amend and reenact subsection 13 of section 57-39.2-04 of the North Dakota Century Code, relating to limitations on the sales tax exemption for rentals of motor vehicles; and to provide an effective date.

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

SB 2191: A BILL for an Act to create and enact a new subsection to section 6-08.1-02 of the North Dakota Century Code, relating to disclosure of financial information by financial institutions; to amend and reenact section 6-08.1-01 of the North Dakota Century Code, relating to the definition of a customer and customer information; to provide an effective date; and to declare an emergency.

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

SB 2200: A BILL for an Act to amend and reenact subsection 2 of section 14 of chapter 169 of the 1999 Session Laws, relating to school district reorganization bonuses; to provide an appropriation; and to declare an emergency.

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

SB 2229: A BILL for an Act to provide an appropriation to the adjutant general for the operation of the North Dakota veterans' cemetery.

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

SB 2234: A BILL for an Act to amend and reenact section 53-06.1-12 of the North Dakota Century Code, relating to the excise tax for pull tabs.

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

SB 2299: A BILL for an Act to create and enact a new subdivision to subsection 7 of section 57-60-01 of the North Dakota Century Code, relating to coal conversion facility gross receipts; to amend and reenact sections 49-06-02 and 57-39.2-02.1, subsection 44 of section 57-39.2-04, section 57-39.2-26.1, subsection 9 of section 57-40.2-01, section 57-40.2-02.1, subdivision b of subsection 3 of section 57-60-01, and sections 57-60-02, 57-60-14, 57-61-01, 57-61-01.7, and 57-62-02 of the North Dakota Century Code, relating to sales and use taxes on coal, the coal severance tax, allocation of coal development funds, the privilege tax on coal conversion facilities, allocation of the privilege tax on coal conversion facilities, and the expiration date for certain severance tax reductions; to repeal section 57-61-01.8 of the North Dakota Century Code, relating to a coal severance tax reduction for coal burned in small boilers; and to provide an effective date.

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

SB 2327: A BILL for an Act to amend and reenact sections 23-02.1-09, 23-02.1-10, and 23-02.1-13, subsection 1 of section 23-02.1-14, sections 23-02.1-19, 23-02.1-20, and 23-02.1-21, and paragraph 2 of subdivision a of subsection 3 of section 50-09-08.2 of the North Dakota Century Code, relating to birth, death, and fetal death certificates.

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

SB 2344: A BILL for an Act to amend and reenact subsection 2 of section 44-08-04 of the North Dakota Century Code, relating to lodging expenses of political subdivision elective or appointive officers, employees, representatives, or agents.

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

SB 2363: A BILL for an Act to amend and reenact section 39-01-05 of the North Dakota Century Code, relating to the prohibition on expense reimbursement by state officers and employees while engaged in political activity.

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

SB 2372: A BILL for an Act to create and enact a new subsection to section 16.1-07-08 of the North Dakota Century Code, relating to absent voter's ballots; and to amend and reenact section 16.1-07-04 of the North Dakota Century Code, relating to the distribution of absent voter's ballots.

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

SB 2374: A BILL for an Act to amend and reenact subsection 1 of section 57-35.3-05 and section 57-38-01.7 of the North Dakota Century Code, relating to financial institutions tax and income tax credits for contributions to support institutions of higher education; and to provide an effective date.

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

SB 2404: A BILL for an Act to amend and reenact subsection 2 of section 36-21.1-09 of the North Dakota Century Code, relating to the use of animals as raffle prizes.

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

SB 2415: A BILL for an Act to amend and reenact sections 57-40.6-06 and 57-40.6-07 of the North Dakota Century Code, relating to a 911 system data base.

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

SB 2419: A BILL for an Act to provide for a legislative council study; and to repeal section 4-35-09.1 of the North Dakota Century Code, relating to proof of financial responsibility for commercial pesticide applicators.

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

SB 2428: A BILL for an Act to provide for a legislative council study of the state and local tax structure for funding of elementary and secondary education.

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

SB 2430: A BILL for an Act to amend and reenact section 15-40.1-05 of the North Dakota Century Code or in the alternative to amend and reenact section 15.1-27-01 of the North Dakota Century Code, relating to the distribution of state aid to school districts; to provide an effective date; and to declare an emergency.

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

FIRST READING OF SENATE CONCURRENT RESOLUTIONS

SCR 4014: A concurrent resolution directing the Legislative Council to study the adoption laws of this state and other states.

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

SCR 4022: A concurrent resolution urging the State Health Officer to transmit the treatment guidelines for congestive heart failure published by the Heart Failure Society of America, Inc., to appropriate health care professionals and to urge the adoption of these guidelines in the professionals' practices.

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

MOTION

REP. MONSON MOVED that the House be on the Fifth, Ninth, Twelfth, and Thirteenth orders of business and at the conclusion of those orders, the House stand adjourned until 12:30 p.m., Tuesday, February 20, 2001, which motion prevailed.

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

MARK L. JOHNSON, Chief Clerk