

JOURNAL OF THE HOUSE**Fifty-seventh Legislative Assembly**

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Bismarck, March 19, 2001

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

The prayer was offered by Pastor Bruce Vold, Trinity Lutheran Church, Carrinton.

The roll was called and all members were present except Representatives Fairfield, R. Kelsch, Kempenich, Kliniske, and Nicholas.

A quorum was declared by the Speaker.

POINT OF PERSONAL PRIVILEGE

REP. TIEMAN: Mr. Speaker: I rise on a point of personal privilege and request that my remarks be printed in the Journal.

REQUEST

REP. TIEMAN REQUESTED that his remarks be printed in the Journal, which request was granted.

Congratulations to the North Border Eagles on winning the Class B Boys Basketball Championship.

We are proud of these young people who showed that hard work, good sportsmanship, and dedication to team plan can result in a victory for all of us.

The North Border Eagles are a first-year basketball cooperative of the three communities of Walhalla, Neche, and Pembina in the Northeast corner of our great state.

They were a balanced team as evidenced not only by their good play, but also by their representation from all three communities. The six main players who show this balance are Warren Eagen and Nathan Carriere from Walhalla, Aaron Bonaime and Dennis Delude who attend Neche High, and Jason Tryan and Matt Defoe are students at Pembina. The Head coach, David "Cooter" Symington, is a Neche farmer while one assistant is from Walhalla and the other is from Pembina.

Congratulations as well to the Eagles on earning the Sportsmanship Banner and the State Tourney Spirit Award. Selected to the All Tournament Team were Aaron Bonaime, Nathan Carriere, and Dennis Delude.

The Eagles dedicated their season in memory of Denae Stegman, the mother of reserve forward Travis, and cheerleader Nicole. Denae lost her four year battle with cancer last month. Players, coaches, cheerleaders, and fans wore pink ribbons in her memory through the conclusion of the regular season and into the tournament play. As Denae looks down from Heaven, imagine the pride that she has for her Eagles.

I commend the entire team, Coach Symington, the students, and the fans in all three communities. You are an inspiration to all participants and fans of North Dakota High School Athletics.

COMMUNICATION FROM GOVERNOR JOHN HOEVEN

This is to inform you that on March 16, 2001, I have signed the following: HB 1049, HB 1064, HB 1126, HB 1147, HB 1156, HB 1158, HB 1191, HB 1192, HB 1211, HB 1240, HB 1255, HB 1290, HB 1303, HB 1323, HB 1325, HB 1332, HB 1335, and HB 1339.

Also, on March 19, 2001, I have signed the following: HB 1027, HB 1033, HB 1059, HB 1071, HB 1075, HB 1084, HB 1091, HB 1170, HB 1364, HB 1375, HB 1404, HB 1449, HB 1450, and HB 1469.

SIXTH ORDER OF BUSINESS

REP. BELTER MOVED that the amendments on the Sixth order of business to SB 2027 SB 2114, SB 2162, SB 2195, SB 2201, SB 2217, SB 2245, SB 2278, SB 2289, SB 2291, SB 2373, SB 2379, and SB 2403 be adopted, which motion prevailed.

SB 2027 SB 2217, SB 2379, and SB 2403, as amended, were rereferred to the **Appropriations Committee**.

SB 2114 SB 2162, SB 2195, SB 2201, SB 2245, SB 2278, SB 2289, SB 2291, and SB 2373, as amended, were placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MOTION

REP. BELTER MOVED that SB 2027 be moved from the Sixth order to the Fourteenth Order on tomorrow's calendar.

SECOND READING OF SENATE CONCURRENT RESOLUTIONS ON CONSENT CALENDAR

SCR 4020: A concurrent resolution directing the Legislative Council to study state employee compensation and benefit levels.

SCR 4043: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of promoting carbon sequestration programs in this state.

SCR 4046: A concurrent resolution directing the Legislative Council to study issues related to the Missouri River in this state.

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

SCR 4020, SCR 4043, and SCR 4046 passed on a voice vote, and the titles were agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. DEKREY MOVED that the House do concur in the Senate amendments to HB 1028 as printed on HJ pages 869-870, which motion prevailed on a voice vote.

HB 1028, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1028: A BILL for an Act to amend and reenact section 28-32-03 of the North Dakota Century Code, relating to authorization by the administrative rules committee before administrative rules may be effective on an emergency basis; 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 94 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Fairfield; Kempenich; Kliniske; Nicholas

Engrossed HB 1028 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. RENNERFELDT MOVED that the House do concur in the Senate amendments to HB 1238 as printed on HJ page 911, which motion prevailed on a voice vote.

HB 1238, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1238: A BILL for an Act to amend and reenact section 20.1-03-17 of the North Dakota Century Code, relating to use of out-of-state vendors by county auditors to sell fishing licenses and appointment of agents to sell game and fish licenses.

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, 1 NAY, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Bellew; Belter; Berg; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; DeKrey; Delmore; Delzer; Devlin; Disrud; Dosch; Eckre; Ekstrom; 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.; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppang; Koppelman; Kretschmar; Kroeber; Lemieux; Lloyd; Mahoney; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Niemeier; Nottestad; Onstad; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Skarphol; Solberg; Svedjan; Thoreson, B.; Thoreson, L.; Thorpe; Tieman; Timm; Wald; Warner; Weiler; Weisz; Wentz; Wikenheiser; Winrich; Wrangham; Speaker Bernstein

NAYS: Drovdal

ABSENT AND NOT VOTING: Fairfield; Kempenich; Kliniske; Nicholas

Engrossed HB 1238 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. RENNERFELDT MOVED that the House do concur in the Senate amendments to HB 1297 as printed on HJ page 888, which motion prevailed on a voice vote.

HB 1297, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1297: A BILL for an Act to create and enact a new section to chapter 23-20.3 of the North Dakota Century Code, relating to liability of property owners for hazardous waste on their property; and to amend and reenact section 23-31-01 of the North Dakota Century Code, relating to the recovery of costs of environmental emergencies.

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 94 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Bellew; Belter; Berg; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; DeKrey; Delmore; Delzer; Devlin; Disrud; Dosch; Drovdal; Eckre; Ekstrom; 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.; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppang; Koppelman; Kretschmar; Kroeber; Lemieux; Lloyd; Mahoney; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Niemeier; Nottestad; Onstad; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Skarphol; Solberg; Svedjan; Thoreson, B.; Thoreson, L.; Thorpe; Tieman; Timm; Wald; Warner; Weiler; Weisz; Wentz; Wikenheiser; Winrich; Wrangham; Speaker Bernstein

ABSENT AND NOT VOTING: Fairfield; Kempenich; Kliniske; Nicholas

Engrossed HB 1297 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. DEKREY MOVED that the House do concur in the Senate amendments to HB 1367 as printed on HJ page 911, which motion prevailed on a voice vote.

HB 1367, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1367: A BILL for an Act to amend and reenact section 19-03.1-23.1 of the North Dakota Century Code, relating to sentencing for drug offenses.

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, 1 NAY, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Bellew; Belter; Berg; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; DeKrey; Delmore; Delzer; Devlin; Disrud; Dosch; Drovdal; Eckre; Ekstrom; 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.; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppang; Koppelman; Kretschmar; Kroeber; Lemieux; Lloyd; Mahoney; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nottestad; Onstad; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Skarphol; Solberg; Svedjan; Thoreson, B.; Thoreson, L.; Thorpe; Tieman; Timm; Wald; Warner; Weiler; Weisz; Wentz; Wikenheiser; Winrich; Wrangham; Speaker Bernstein

NAYS: Niemeier

ABSENT AND NOT VOTING: Fairfield; Kempenich; Kliniske; Nicholas

Engrossed HB 1367 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. DEKREY MOVED that the House do not concur in the Senate amendments to Engrossed HB 1398 as printed on HJ page 925 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on Engrossed HB 1398: Reps. Disrud, Klemin, Onstad.

SECOND READING OF SENATE BILL

SB 2116: A BILL for an Act to amend and reenact section 12.1-31-03, subsection 17 of section 27-20-02, and section 40-18-14 of the North Dakota Century Code, relating to the sale of tobacco to minors; 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 94 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Bellew; Belter; Berg; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; DeKrey; Delmore; Delzer; Devlin; Disrud; Dosch; Drovdal; Eckre; Ekstrom; 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.; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppang; Koppelman; Kretschmar; Kroeber; Lemieux; Lloyd; Mahoney; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Niemeier; Nottestad; Onstad; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Skarphol; Solberg; Svedjan; Thoreson, B.; Thoreson, L.; Thorpe; Tieman; Timm; Wald; Warner; Weiler; Weisz; Wentz; Wikenheiser; Winrich; Wrangham; Speaker Bernstein

ABSENT AND NOT VOTING: Fairfield; Kempenich; Kliniske; Nicholas

Engrossed SB 2116 passed and the title was agreed to.

SECOND READING OF SENATE BILL

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; 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 PASS, the roll was called and there were 94 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Bellew; Belter; Berg; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; DeKrey; Delmore; Delzer; Devlin; Disrud; Dosch; Drovdal; Eckre; Ekstrom; 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.; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppang; Koppelman; Kretschmar; Kroeber; Lemieux; Lloyd; Mahoney; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Niemeier; Nottestad; Onstad; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Skarphol; Solberg; Svedjan; Thoreson, B.; Thoreson, L.; Thorpe; Tieman; Timm; Wald; Warner; Weiler; Weisz; Wentz; Wikenheiser; Winrich; Wrangham; Speaker Bernstein

ABSENT AND NOT VOTING: Fairfield; Kempenich; Kliniske; Nicholas

Engrossed SB 2299 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2040: A BILL for an Act to amend and reenact section 54-14-03.1 of the North Dakota Century Code, relating to reports to the budget section of the legislative council of irregularities noted in fiscal practices of state agencies and institutions.

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 34 YEAS, 60 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Boucher; Brusegaard; Cleary; Delmore; Dosch; Drovdal; Ekstrom; Glassheim; Grumbo; Gulleon; Hawken; Jensen; Johnson, N.; Kelsh, S.; Kerzman; Kroeber; Lemieux; Mahoney; Martinson; Metcalf; Mueller; Niemeier; Nottestad; Onstad; Sandvig; Schmidt; Severson; Solberg; Svedjan; Thorpe; Warner; Wentz; Winrich

NAYS: Bellew; Belter; Berg; Boehm; Brandenburg; Brekke; Byerly; Carlisle; Carlson; Clark; DeKrey; Delzer; Devlin; Disrud; Eckre; Froelich; Froseth; Galvin; Grande; Grosz; Gunter; Haas; Hanson; Herbel; Huether; Hunskor; Johnson, D.; Kasper; Keiser; Kelsch, R.; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppang; Koppelman; Kretschmar; Lloyd; Maragos; Meier; Monson; Nelson; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Skarphol; Thoreson, B.; Thoreson, L.; Tieman; Timm; Wald; Weiler; Weisz; Wikenheiser; Wrangham; Speaker Bernstein

ABSENT AND NOT VOTING: Fairfield; Kempenich; Kliniske; Nicholas

SB 2040 lost.

SECOND READING OF SENATE BILL

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

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 86 YEAS, 8 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Bellew; Belter; Berg; Boehm; Boucher; Brandenburg; Brekke; Byerly; Carlisle; Carlson; Clark; Cleary; Delmore; Devlin; Disrud; Dosch; Drovdal; Eckre; Ekstrom; 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.; Kingsbury; Klein, F.; Klein, M.; Klemin; 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; Solberg; Svedjan; Thoreson, B.; Thoreson, L.; Thorpe; Tieman; Timm; Wald; Warner; Weiler; Wentz; Wikenheiser; Winrich; Wrangham; Speaker Bernstein

NAYS: Aarsvold; Brusegaard; DeKrey; Delzer; Froelich; Kerzman; Skarphol; Weisz

ABSENT AND NOT VOTING: Fairfield; Kempenich; Kliniske; Nicholas

SB 2074 passed and the title was agreed to.

MOTION

REP. BELTER MOVED to suspend rule 329-4 and extend the deadline to the fifty fourth legislative day to allow bills to be rereferred to Appropriations, which motion prevailed.

SECOND READING OF SENATE BILL

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.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 94 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Bellew; Belter; Berg; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; DeKrey; Delmore; Delzer; Devlin; Disrud; Dosch; Drovdal; Eckre; Ekstrom; 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.; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppang; Koppelman; Kretschmar; Kroeber; Lemieux; Lloyd; Mahoney; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Niemeier; Nottestad; Onstad; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Skarphol; Solberg; Svedjan; Thoreson, B.; Thoreson, L.; Thorpe; Tieman; Timm; Wald; Warner; Weiler; Weisz; Wentz; Wikenheiser; Winrich; Wrangham; Speaker Bernstein

ABSENT AND NOT VOTING: Fairfield; Kempenich; Kliniske; Nicholas

SB 2169 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2175: A BILL for an Act to amend and reenact section 54-03-20 of the North Dakota Century Code, relating to compensation paid to members of the legislative assembly during any organizational, special, or regular legislative session; to provide for retroactive application; 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 60 YEAS, 34 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Bellew; Belter; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlson; Clark; DeKrey; Delmore; Delzer; Eckre; Froseth; Galvin; Grande; Grosz; Grumbo; Gulleston; Haas; Hanson; Hawken; Huether; Johnson, D.; Kasper; Keiser;

Kelsch, R.; Klein, F.; Klein, M.; Klemin; Kretschmar; Kroeber; Lemieux; Lloyd; Maragos; Martinson; Metcalf; Monson; Nottestad; Pietsch; Pollert; Rennerfeldt; Ruby; Schmidt; Severson; Skarphol; Svedjan; Thoreson, B.; Thoreson, L.; Tieman; Timm; Wald; Warner; Weisz; Wentz; Winrich; Wrangham; Speaker Bernstein

NAYS: Berg; Carlisle; Cleary; Devlin; Disrud; Dosch; Drovdal; Ekstrom; Froelich; Glassheim; Gunter; Herbel; Hunskor; Jensen; Johnson, N.; Kelsh, S.; Kerzman; Kingsbury; Koppang; Koppelman; Mahoney; Meier; Mueller; Nelson; Niemeier; Onstad; Porter; Price; Renner; Sandvig; Solberg; Thorpe; Weiler; Wikenheiser

ABSENT AND NOT VOTING: Fairfield; Kempenich; Kliniske; Nicholas

SB 2175 passed, the title was agreed to, but the emergency clause lost.

SECOND READING OF SENATE BILL

SB 2176: A BILL for an Act to amend and reenact subsection 1 of section 54-35-10 of the North Dakota Century Code, relating to compensation paid to members of the legislative assembly for attending sessions of the legislative council and its committees.

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 84 YEAS, 10 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

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

NAYS: Aarsvold; Disrud; Ekstrom; Froelich; Hunskor; Jensen; Kingsbury; Mueller; Sandvig; Thorpe

ABSENT AND NOT VOTING: Fairfield; Kempenich; Kliniske; Nicholas

SB 2176 passed and the title was agreed to.

MOTION

REP. TIMM MOVED that SB 2252 be brought back to the House Floor to be messaged over to the Senate.

SECOND READING OF SENATE BILL

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.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 94 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Bellew; Belter; Berg; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; DeKrey; Delmore; Delzer; Devlin; Disrud; Dosch; Drovdal; Eckre; Ekstrom; 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.; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppang; Koppelman; Kretschmar; Kroeber; Lemieux; Lloyd; Mahoney; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Niemeier; Nottestad; Onstad; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Skarphol; Solberg; Svedjan; Thoreson, B.; Thoreson, L.;

Thorpe; Tieman; Timm; Wald; Warner; Weiler; Weisz; Wentz; Wikenheiser; Winrich; Wrangham; Speaker Bernstein

ABSENT AND NOT VOTING: Fairfield; Kempenich; Kliniske; Nicholas

SB 2235 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2268: A BILL for an Act to provide an appropriation for the data envelopment analysis project.

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, 85 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Delmore; Disrud; Haas; Hawken; Huether; Kelsh, S.; Maragos; Nelson; Niemeier

NAYS: Aarsvold; Bellew; Belter; Berg; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlson; Clark; Cleary; DeKrey; Delzer; Devlin; Dosch; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Grumbo; Gulleson; Gunter; Hanson; Herbel; Hunsakor; Jensen; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppang; Koppelman; Kretschmar; Kroeber; Lemieux; Lloyd; Mahoney; Martinson; Meier; Metcalf; Monson; Mueller; Nottestad; Onstad; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Skarphol; Solberg; Svedjan; Thoreson, B.; Thoreson, L.; Thorpe; Tieman; Timm; Wald; Warner; Weiler; Weisz; Wentz; Wikenheiser; Winrich; Wrangham; Speaker Bernstein

ABSENT AND NOT VOTING: Fairfield; Kempenich; Kliniske; Nicholas

SB 2268 lost.

SECOND READING OF SENATE BILL

SB 2288: A BILL for an Act to provide for the insurance commissioner to submit a report to the legislative council regarding motor vehicle insurance independent medical examinations.

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 80 YEAS, 14 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Bellew; Belter; Berg; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlson; Clark; Cleary; Delmore; Devlin; Disrud; Dosch; Drovdal; Eckre; Ekstrom; Galvin; Glassheim; Grande; Grosz; Grumbo; Gulleson; Gunter; Haas; Hanson; Hawken; Herbel; Huether; Hunsakor; Jensen; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kerzman; Kingsbury; Klein, M.; Klemin; Koppelman; Kretschmar; Kroeber; Lemieux; Lloyd; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Niemeier; Nottestad; Onstad; Pietsch; Porter; Price; Renner; Rennerfeldt; Ruby; Sandvig; Severson; Skarphol; Solberg; Svedjan; Thoreson, B.; Thoreson, L.; Tieman; Timm; Warner; Wentz; Wikenheiser; Winrich; Wrangham; Speaker Bernstein

NAYS: Carlisle; DeKrey; Delzer; Froelich; Froseth; Klein, F.; Koppang; Mahoney; Pollert; Schmidt; Thorpe; Wald; Weiler; Weisz

ABSENT AND NOT VOTING: Fairfield; Kempenich; Kliniske; Nicholas

SB 2288 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2315: A BILL for an Act to create and enact a new section to chapter 58-13 of the North Dakota Century Code, relating to immunity from liability; and to amend and reenact

sections 58-13-01, 58-13-03, 58-13-04, and 58-13-05 of the North Dakota Century Code, relating to pounds and poundmasters.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 86 YEAS, 8 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

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

NAYS: DeKrey; Delzer; Devlin; Froelich; Haas; Kasper; Kerzman; Weisz

ABSENT AND NOT VOTING: Fairfield; Kempenich; Kliniske; Nicholas

SB 2315 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2375: A BILL for an Act to create and enact a new section to title 48 of the North Dakota Century Code, relating to limitations on governing bodies requiring directed suretyship bonds.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 94 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Fairfield; Kempenich; Kliniske; Nicholas

SB 2375 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2376: A BILL for an Act to amend and reenact section 20.1-08-04.5 of the North Dakota Century Code, relating to the hunting of deer with muzzleloading firearms.

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 3 YEAS, 91 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Glassheim; Herbel; Thorpe

NAYS: Aarsvold; Bellew; Belter; Berg; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; DeKrey; Delmore; Delzer; Devlin; Disrud; Dosch; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Galvin; Grande; Grosz; Grumbo; Gulleeson; Gunter; Haas; Hanson; Hawken; Huether; Hunskor; Jensen; Johnson, D.;

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

ABSENT AND NOT VOTING: Fairfield; Kempenich; Kliniske; Nicholas

SB 2376 lost.

SECOND READING OF SENATE BILL

SB 2393: A BILL for an Act to amend and reenact section 23-13-03.2 of the North Dakota Century Code, relating to liquefied petroleum gas containers.

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 91 YEAS, 3 NAYS, 0 EXCUSED, 4 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; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Grumbo; Gulleason; Gunter; Haas; Hanson; Hawken; Herbel; Huether; Hunskor; Jensen; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppang; Koppelman; Kretschmar; Kroeber; Lemieux; Lloyd; Mahoney; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Niemeier; Nottestad; Onstad; Pietsch; Pollert; Porter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Skarphol; Solberg; Svedjan; Thoreson, B.; Thoreson, L.; Thorpe; Tieman; Timm; Wald; Warner; Weiler; Weisz; Wentz; Wikenheiser; Winrich; Speaker Bernstein

NAYS: Boehm; Renner; Wrangham

ABSENT AND NOT VOTING: Fairfield; Kempenich; Kliniske; Nicholas

SB 2393 passed and the title was agreed to.

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 1415.

SENATE AMENDMENTS TO HOUSE BILL NO. 1415

Page 1, line 3, after "facility" insert "or group home"

Page 1, line 17, after "**facility**" insert "or group home"

Page 1, line 20, after "facility" insert "or a group home"

Renumber accordingly

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

MR. SPEAKER: The Senate has passed unchanged: HB 1108, HB 1153, HB 1159, HB 1161, HB 1222, HB 1223, HB 1228, HB 1260, HCR 3020, HCR 3021, HCR 3022, HCR 3059.

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

MR. SPEAKER: The Senate has failed to pass: HB 1281, HB 1379, HB 1414.

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

MR. SPEAKER: The Senate has passed, the emergency clause carried, unchanged: HB 1221.

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

MR. SPEAKER: The Senate has amended and subsequently passed: HB 1162, HB 1360, HB 1427, HCR 3066.

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1360

Page 1, line 22, after the period insert "May apply for, solicit, accept, and expend any contribution, grant, or gift made available from public or private sources for the purpose of implementing this section."

7."

Renumber accordingly

SENATE AMENDMENTS TO HOUSE BILL NO. 1162

Page 1, line 17, replace "pay to" with "determine on an annual basis, for"

Page 1, line 18, remove "subsequent annual"

Page 1, line 19, replace "benefits" with "benefit increases"

Page 2, line 7, replace "pay to" with "determine on an annual basis, for", replace "subsequent annual" with an underscored comma, and replace "benefits" with "benefit increases"

Renumber accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1427

Page 1, line 7, after "services" insert "paid for by the consumer from proceeds of an insurance policy that provides coverage for physical damage to automobiles"

Page 1, line 8, remove "as an incentive" and overstrike ", paid for by"

Page 1, overstrike line 9

Page 1, line 10, overstrike "for physical damage to automobiles, and to" and insert immediately thereafter "as an incentive,"

Page 1, line 11, after "deductible" insert an underscored comma and overstrike the first "to"

Renumber accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE CONCURRENT

Page 1, line 5, replace "there is not" with "we encourage"

Renumber accordingly

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

MR. SPEAKER: The Senate has concurred in the House amendments and subsequently passed: SCR 4017.

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

MR. PRESIDENT: The House has passed unchanged: SB 2252.

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

MR. PRESIDENT: The House has amended and subsequently failed: SB 2336.

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

MR. PRESIDENT: The House has failed to pass: SB 2066, SB 2267, SB 2400, SCR 4035.

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

MR. PRESIDENT: The House has passed, the emergency clause carried, unchanged: SB 2424.

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

MR. PRESIDENT: The House has amended, subsequently passed, and the emergency clause carried: SB 2444.

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

MR. PRESIDENT: The House has passed unchanged: SB 2055, SB 2234, SB 2256, SB 2330, SB 2344, SB 2381, SB 2406, SB 2408, SB 2426, SB 2431, SB 2441, SB 2451, SCR 4011, SCR 4023, SCR 4026, SCR 4038.

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

MR. PRESIDENT: The House has amended and subsequently passed: SB 2039, SB 2045, SB 2105, SB 2181, SB 2187, SB 2246, SB 2257, SB 2265, SB 2281, SB 2361, SB 2365, SB 2384.

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

MR. PRESIDENT: The House does not concur in the Senate amendments to HB 1398 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1398: Reps. Klemin; Disrud; Onstad

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

MR. PRESIDENT: The Speaker has signed and your signature is respectfully requested on: HB 1101, HB 1133, HB 1137, HB 1166, HB 1193, HB 1302, HB 1329, HB 1336, HB 1342, HB 1352, HB 1353, HB 1422, HB 1424, HB 1452.

SIGNING OF BILLS AND RESOLUTIONS

The Speaker signed the following enrolled bills: HB 1101, HB 1133, HB 1137, HB 1166, HB 1193, HB 1302, HB 1329, HB 1336, HB 1342, HB 1352, HB 1353, HB 1422, HB 1424, HB 1452.

REPORT OF STANDING COMMITTEE

SB 2091: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2091 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2124, as engrossed and amended: Human Services Committee (Rep. Price, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2124, as amended, was placed on the Sixth order on the calendar.

Page 1, line 1, replace the second "and" with a comma

Page 1, line 2, after "23-25-03" insert ", and a new subsection to section 23-25-05"

Page 1, line 3, remove "and subsection 1 of"

Page 1, line 4, remove "section 23-25-05"

Page 2, line 18, after "fees" insert ", not to exceed two hundred fifty dollars for each contractor,"

Page 2, line 20, after "fees" insert ", not to exceed one hundred dollars for each worker,"

Page 3, line 1, replace "**AMENDMENT.** Subsection 1 of" with "A new subsection to"

Page 3, line 2, replace "amended and reenacted" with "created and enacted"

Page 3, replace lines 3 through 9 with:

"For the purpose of ascertaining the state of compliance with this chapter and any applicable rules, any duly authorized officer, employee, or agent of the department may enter and inspect, at any reasonable time, any property, premises, or place on or at which a lead-based paint remediation activity is ongoing. If requested, the department shall provide to the owner or operator of the premises a report that sets forth all facts found which relate to compliance status."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2143, as engrossed: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2143 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2180, as engrossed: Education Committee (Rep. R. Kelsch, Chairman) recommends **DO PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2180 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2190, as engrossed: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends **DO PASS** (12 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2190 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2273: Transportation Committee (Rep. Weisz, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). SB 2273 was placed on the Sixth order on the calendar.

Page 5, line 21, replace "six" with "four"

Page 5, line 28, remove ", which policy must be a minimum of three hundred thousand dollars of"

Page 5, line 29, remove "coverage"

Page 10, line 20, remove "The dealer's primary and"

Page 10, line 21, remove "secondary display lots must be surfaced with asphalt, concrete, or gravel."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2309, as engrossed: Transportation Committee (Rep. Weisz, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2309 was placed on the Sixth order on the calendar.

Page 1, line 11, after "carriers" insert "that carry employees by contract with the employer"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2314, as engrossed: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (10 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2314 was placed on the Sixth order on the calendar.

Page 1, line 1, after the comma insert "or in the alternative to amend and reenact section 43-10.1-03.1 of the North Dakota Century Code as created by section 3 of House Bill No. 1126, as approved by the fifty-seventh legislative assembly,"

Page 1, line 4, replace "Section" with "If House Bill No. 1126 does not become effective, section"

Page 2, line 3, remove the first "pre-need" and after "purchaser" insert "of a pre-need funeral service contract"

Page 2, line 6, remove the first "pre-need" and replace "The pre-need purchaser has forty-five days from" with "A purchaser of a pre-need funeral service contract has forty-five days from entering the contract to cancel the irrevocable part of the contract by giving notice to the cemetery association or licensed funeral establishment with whom the contract was entered. Any pre-need funeral service contract held by a cemetery association or a licensed funeral establishment must be fully transferable to another cemetery association or funeral establishment licensed under chapter 43-10 or a substantially similar law of another jurisdiction which agrees to accept the obligations."

Page 2, remove line 7

Page 2, after line 19, insert:

"SECTION 2. AMENDMENT. If House Bill No. 1126 becomes effective, section 43-10.1-03.1 of the North Dakota Century Code, as created by section 3 of House Bill No. 1126, as approved by the fifty-seventh legislative assembly, is amended and reenacted as follows:

43-10.1-03.1. Payments on pre-need funeral contracts to be deposited - Depository shall keep record of deposit - Personal property storage. Whenever payments are made to any person upon pre-need funeral service contracts, one hundred percent of the funds collected under the contracts for the sale of professional service or personal property to be used in funeral services and fifty percent of the funds collected under the contracts for the sale of cemetery merchandise must be deposited in or transferred to a trust company in this state or to a federally insured bank, credit union, or savings and loan association in this state, within ten days. The deposit must be placed in a federal deposit insurance corporation or national credit union administration insured certificate of deposit or negotiable debt obligation of the United States government. Payments received from the sale of professional service or personal property to be used in funeral services or cemetery merchandise which cannot or would not be serviced by a licensed funeral establishment or cemetery association in the area where the service or property was sold are specifically included, whether or not the sales might otherwise be considered pre-need funeral service contracts, within the payments to be deposited under this section. The funds may be released or transferred by the bank, credit union, savings and loan association, or trust company to the depositor upon the death of the person for whose benefit the funds were paid. A certified copy of the certificate of death must be furnished to the bank, credit union, savings and loan association, or trust company as prima facie evidence of death. The funds may be released or transferred by the bank, credit union, savings and loan association, or trust company to the person making the payment, before the death of the person for whose benefit the funds are paid, upon a five-day written notice by registered or certified mail made by the bank, credit union, savings and loan association, or trust company to the depositor or transferor at the request of the person making the payment. Upon written request, however, a purchaser of a pre-need funeral service contract may make a certain amount of the pre-need funds irrevocable. The irrevocable amount may not exceed the amount of the allowable asset exclusion used for determining eligibility for medical assistance under section 50-24.1-02.3 at the time the contract is entered. A purchaser of a pre-need funeral service contract has forty-five days from entering the contract to cancel the irrevocable part of the contract by giving notice to the cemetery association or licensed funeral establishment with whom the contract was entered. Any pre-need funeral service contract held by a cemetery association or a licensed funeral establishment must be fully transferable to another cemetery association or funeral establishment licensed under chapter 43-10 or a substantially similar law of another jurisdiction which agrees to accept the obligations.

A bank, credit union, savings and loan association, or trust company receiving such a deposit or transfer shall keep a complete record of the deposit or transfer, showing the name of the depositor or transferor, name of the person making payment, name of the person for whose benefit payment is made, and any other pertinent information.

Any personal property to be used in funeral services or cemetery merchandise which is sold to a purchaser on the basis that it will be identified and marked as belonging to such purchaser, and stored or warehoused for the purchaser, must be stored or warehoused at some location within this state."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2337, as engrossed: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2337 was placed on the Sixth order on the calendar.

Page 3, remove lines 9 and 10

Page 3, line 11, replace "e" with "d"

Page 3, line 15, replace "f" with "e"

Page 3, line 19, replace "g" with "f"

Page 3, line 22, replace "h" with "g"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2345: Natural Resources Committee (Rep. Rennerfeldt, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2345 was placed on the Sixth order on the calendar.

Page 1, line 7, remove "sixteen" and overstrike "and"

Page 1, line 8, overstrike "one-half consecutive day" and insert immediately thereafter "nine-day"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2352, as engrossed: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2352 was rereferred to the **Appropriations Committee**.

REPORT OF STANDING COMMITTEE

SB 2358: Transportation Committee (Rep. Weisz, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (7 YEAS, 6 NAYS, 1 ABSENT AND NOT VOTING). SB 2358 was placed on the Sixth order on the calendar.

Page 1, remove lines 8 through 14

Page 1, line 15, replace "d" with "a"

Page 1, remove lines 17 and 18

Page 1, line 19, replace "f" with "b"

Page 1, line 21, replace "g" with "c"

Page 2, line 2, remove "and obtain"

Page 2, remove line 3

Page 2, line 4, remove "representative" and replace "collision" with "damage"

Page 2, line 7, remove "and Authorization Form"

Page 2, line 8, replace "ten-point" with "twelve-point" and replace "collision" with "damage"

Page 2, line 21, remove "manufacturer or"

Page 2, line 22, remove "Ask your insurer or repair facility for specific, written"

Page 2, remove lines 23 and 24

Page 3, line 4, replace "original equipment manufacturer" with "or recycled" and after "the" insert "vehicle"

Page 3, line 6, replace "unless the motor vehicle owner consents at the" with a period

Page 3, remove lines 7 through 12

Page 3, line 13, remove "This section only applies to motor vehicles of a model released in the current"

Page 3, remove line 14

Renumber accordingly

REPORT OF STANDING COMMITTEE

SCR 4024: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4024 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4040: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends **DO NOT PASS** (12 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). SCR 4040 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4041, as engrossed: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends **DO NOT PASS** (13 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SCR 4041 was placed on the Fourteenth order on the calendar.

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 Sixteenth orders of business and at the conclusion of those orders, the House stand adjourned until 1:00 p.m., Tuesday, March 20, 2001, which motion prevailed.

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

MARK L. JOHNSON, Chief Clerk