

JOURNAL OF THE HOUSE

Fifty-seventh Legislative Assembly

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Bismarck, February 6, 2001

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

The prayer was offered by Pastor Michael Ward, United Methodist Churches of Wimbledon and Kensal.

The roll was called and all members were present except Representative Nicholas.

A quorum was declared by the Speaker.

CORRECTION AND REVISION OF THE JOURNAL

MR. SPEAKER: Your **Committee on Correction and Revision of the Journal (Rep. Kretschmar, Chairman)** has carefully examined the Journal of the Twentieth Day and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 338, after line 26, insert:

"SECOND READING OF HOUSE BILL

HB 1002: A BILL for an Act to provide an appropriation for defraying the expenses of the secretary of state and public printing; and to amend and reenact section 54-09-05 of the North Dakota Century Code, relating to the salary of the secretary of state.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 95 YEAS, 2 NAYS, 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; 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; 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: Gulleeson; Lemieux

ABSENT AND NOT VOTING: Nicholas

Engrossed HB 1002 passed and the title was agreed to."

REP. KRETSCHMAR MOVED that the report be adopted, which motion prevailed.

SIXTH ORDER OF BUSINESS

REP. BELTER MOVED that the amendments on the Sixth order of business to HB 1024 HB 1025, HB 1099, HB 1101, HB 1105, HB 1123, HB 1125, HB 1151, HB 1216, HB 1227, HB 1231, HB 1256, HB 1297, and HB 1425 be adopted, which motion prevailed.

HB 1024 HB 1025, HB 1099, HB 1101, HB 1105, HB 1123, HB 1125, HB 1151, HB 1216, HB 1227, HB 1231, HB 1256, HB 1297, and HB 1425, as amended, were placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MOTION

REP. BELTER MOVED that HB 1221 and HB 1222, which are on the Eleventh order, be laid over one legislative day, which motion prevailed.

MOTION

REP. CARLSON MOVED that HB 1223, which is on the Eleventh order, be rereferred to the **Finance and Taxation Committee**, which motion prevailed. Pursuant to Rep. Carlson's motion, HB 1223 was rereferred.

SECOND READING OF HOUSE BILL

HB 1031: A BILL for an Act to amend and reenact subsection 1 of section 4-33-11, section 32-12.1-08, subsection 13 of section 40-49-12, section 40-55-09, subdivision a of subsection 2 of section 57-15-01.1, and sections 57-15-12, 57-15-12.1, 57-15-12.2, 57-15-12.3, 57-15-28.1, and 57-15-60 of the North Dakota Century Code, relating to consolidation of property tax levy authority of park districts; to repeal section 57-15-37 of the North Dakota Century Code, relating to a tax levy for airport purposes in park districts; 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 95 YEAS, 2 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Bellew; Belter; Berg; Boehm; Boucher; Brandenburg; Brekke; Byerly; Carlisle; Carlson; Clark; Cleary; DeKrey; Delmore; Devlin; Disrud; Dosch; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Grumbo; Guleson; 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; 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: Brusegaard; Delzer

ABSENT AND NOT VOTING: Nicholas

Engrossed HB 1031 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1239: A BILL for an Act to amend and reenact sections 39-06.1-06 and 39-09-02 of the North Dakota Century Code, relating to the fees for violating school zone speed limits.

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 97 YEAS, 0 NAYS, 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; 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; 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: Nicholas

Engrossed HB 1239 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1307: A BILL for an Act to provide an appropriation to the state department of health for monitored visitation and safe exchange centers for children.

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 34 YEAS, 63 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

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

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

ABSENT AND NOT VOTING: Nicholas

Engrossed HB 1307 was declared lost.

SECOND READING OF HOUSE BILL

HB 1323: A BILL for an Act to provide for legislative council correction of references by the fifty-seventh legislative assembly to the North Dakota firemen's association; and to amend and reenact sections 18-03-01, 18-03-02, 18-03-03, 18-03-04, 18-03-05, 18-03-06, 18-03-07, 18-03-08, 18-04-01, 18-04-08, 18-10-16, and 26.1-01-07.5 of the North Dakota Century Code, relating to the North Dakota firefighter's association.

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

ABSENT AND NOT VOTING: Nicholas

Engrossed HB 1323 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1335: A BILL for an Act to amend and reenact sections 15.1-09-14, 15.1-09-15, 15.1-09-24, 15.1-09-25, 40-09-04, 40-21-02, 40-21-07, and 40-21-12 of the North Dakota Century Code, relating to canvassing school district election results, members of school boards taking oaths of office and failing to qualify for office, terms of city commissioners, withdrawal of city nominating petitions, and canvassing city election results.

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

ABSENT AND NOT VOTING: Nicholas

Engrossed HB 1335 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1017: A BILL for an Act to provide an appropriation for defraying the expenses of the adjutant general; 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 97 YEAS, 0 NAYS, 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; Gulleston; Gunter; Haas; Hanson; Hawken; Herbel; Huether; Hunskor; Jensen; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Kliniske; Koppang; Koppelman; Kretschmar; Kroeber; Lemieux; Lloyd; Mahoney; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Niemeier; Nottestad; Onstad; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Skarphol; Solberg; Svedjan; Thoreson, B.; Thoreson, L.; Thorpe; Tieman; Timm; Wald; Warner; Weiler; Weisz; Wentz; Wikenheiser; Winrich; Wrangham; Speaker Bernstein

ABSENT AND NOT VOTING: Nicholas

HB 1017 passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF HOUSE BILL

HB 1243: A BILL for an Act to create and enact a new section to chapter 23-10 of the North Dakota Century Code, relating to the right to assemble in a mobile home park.

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 25 YEAS, 71 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Boucher; Delmore; Disrud; Ekstrom; Fairfield; Glassheim; Gulleston; Hanson; Kelsh, S.; Kerzman; Lemieux; Mahoney; Maragos; Mueller; Nelson; Niemeier; Onstad; Sandvig; Schmidt; Solberg; Thorpe; Warner; Wentz; Winrich

NAYS: Bellew; Belter; Berg; Boehm; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; DeKrey; Delzer; Devlin; Dosch; Drovdal; Eckre; Froelich; Froseth; Galvin; Grande; Grosz; Grumbo; Gunter; Haas; Hawken; Herbel; Huether; Hunskor; Jensen; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kempenich; Kingsbury; Klein, F.; Klein, M.; Klemin; Kliniske; Koppang; Koppelman; Kretschmar; Kroeber; Lloyd; Martinson; Meier; Metcalf; Monson; Nottestad; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Severson; Skarphol; Svedjan; Thoreson, B.;

Thoreson, L.; Tieman; Timm; Weiler; Weisz; Wikenheiser; Wrangham;
Speaker Bernstein

ABSENT AND NOT VOTING: Nicholas; Wald

HB 1243 was declared lost.

SECOND READING OF HOUSE BILL

HB 1245: A BILL for an Act to amend and reenact subsection 1 of section 39-06-14 of the North Dakota Century Code, relating to an operator's license number.

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 74 YEAS, 23 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Bellew; Berg; Boehm; Boucher; Brandenburg; Byerly; Carlisle; Clark; Cleary; Delmore; Devlin; Disrud; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Grumbo; Gulleson; Gunter; Haas; Hanson; Hawken; Herbel; Huether; Hunskor; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Mahoney; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Niemeier; Onstad; Pollert; Renner; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Solberg; Svedjan; Thoreson, B.; Tieman; Timm; Wald; Warner; Weiler; Wikenheiser; Winrich; Wrangham

NAYS: Belter; Brekke; Brusegaard; Carlson; DeKrey; Delzer; Dosch; Grande; Grosz; Jensen; Kelsch, R.; Kliniske; Kretschmar; Nottestad; Pietsch; Porter; Price; Skarphol; Thoreson, L.; Thorpe; Weisz; Wentz; Speaker Bernstein

ABSENT AND NOT VOTING: Nicholas

HB 1245 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1261: A BILL for an Act to amend and reenact section 39-04-21 of the North Dakota Century Code, relating to the temporary registration of motor vehicles.

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 48 YEAS, 48 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Boehm; Boucher; Byerly; Carlisle; Cleary; Disrud; Drovdal; Eckre; Ekstrom; Froseth; Galvin; Glassheim; Grosz; Gulleson; Huether; Hunskor; Jensen; Kasper; Keiser; Kelsh, S.; Kempenich; Kerzman; Klein, F.; Klemin; Koppang; Kretschmar; Kroeber; Lemieux; Martinson; Metcalf; Monson; Mueller; Niemeier; Onstad; Porter; Renner; Rennerfeldt; Sandvig; Severson; Skarphol; Solberg; Thoreson, B.; Thoreson, L.; Wald; Weiler; Wentz; Winrich

NAYS: Bellew; Belter; Berg; Brandenburg; Brekke; Brusegaard; Carlson; Clark; DeKrey; Delmore; Delzer; Devlin; Dosch; Fairfield; Grande; Grumbo; Gunter; Haas; Hanson; Hawken; Herbel; Johnson, D.; Johnson, N.; Kelsch, R.; Kingsbury; Klein, M.; Kliniske; Koppelman; Lloyd; Mahoney; Maragos; Meier; Nelson; Nottestad; Pietsch; Pollert; Price; Ruby; Schmidt; Svedjan; Thorpe; Tieman; Timm; Warner; Weisz; Wikenheiser; Wrangham; Speaker Bernstein

ABSENT AND NOT VOTING: Froelich; Nicholas

HB 1261 was declared lost.

SECOND READING OF HOUSE BILL

HB 1295: A BILL for an Act to amend and reenact section 26.1-40-15.1 of the North Dakota Century Code, relating to underinsured and uninsured motor vehicle insurance.

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 25 YEAS, 71 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Berg; Boehm; Brandenburg; Brusegaard; Byerly; Drovdal; Eckre; Froseth; Galvin; Gunter; Johnson, N.; Kasper; Keiser; Kempenich; Kingsbury; Klein, F.; Maragos; Renner; Skarphol; Thoreson, B.; Timm; Wald; Warner; Weiler; Speaker Bernstein

NAYS: Aarsvold; Bellew; Belter; Boucher; Brekke; Carlisle; Carlson; Clark; Cleary; DeKrey; Delmore; Delzer; Devlin; Disrud; Dosch; Ekstrom; Fairfield; Glassheim; Grande; Grosz; Grumbo; Gulleson; Haas; Hanson; Hawken; Herbel; Huether; Hunskor; Jensen; Johnson, D.; Kelsch, R.; Kelsh, S.; Kerzman; Klein, M.; Klemin; Kliniske; Koppang; Koppelman; Kretschmar; Kroeber; Lemieux; Lloyd; Mahoney; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Niemeier; Nottestad; Onstad; Pietsch; Pollert; Porter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Solberg; Svedjan; Thoreson, L.; Thorpe; Tieman; Weisz; Wentz; Wikenheiser; Winrich; Wrangham

ABSENT AND NOT VOTING: Froelich; Nicholas

HB 1295 was declared lost.

SECOND READING OF HOUSE BILL

HB 1332: A BILL for an Act to create and enact a new section to chapter 11-10 of the North Dakota Century Code, relating to counties not issuing refunds of taxes or fees unless the amount to be refunded is five dollars or more.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 93 YEAS, 3 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Bellew; Belter; Berg; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Delmore; Delzer; Devlin; Disrud; Dosch; Drovdal; Eckre; Ekstrom; Fairfield; Froseth; Galvin; Glassheim; Grande; Grosz; Grumbo; Gulleson; Gunter; Haas; Hanson; Hawken; Herbel; Huether; Hunskor; Jensen; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Kliniske; Koppang; Koppelman; Kretschmar; Kroeber; Lemieux; Lloyd; Mahoney; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Niemeier; Nottestad; Onstad; Pietsch; 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: Aarsvold; DeKrey; Pollert

ABSENT AND NOT VOTING: Froelich; Nicholas

HB 1332 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1357: A BILL for an Act to amend and reenact section 54-59-05 of the North Dakota Century Code, relating to the provision of network services by the information technology department.

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 19 YEAS, 77 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Boucher; Cleary; DeKrey; Ekstrom; Fairfield; Grumbo; Gulleson; Gunter; Hanson; Kerzman; Lemieux; Mueller; Nelson; Niemeier; Onstad; Solberg; Thorpe; Warner; Winrich

NAYS: Aarsvold; Bellew; Belter; Berg; Boehm; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Delmore; Delzer; Devlin; Disrud; Dosch; Drovdal; Eckre;

Froseth; Galvin; Glassheim; Grande; Grosz; Haas; Hawken; Herbel; Huether; Hunskor; Jensen; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kingsbury; Klein, F.; Klein, M.; Klemin; Kliniske; Koppang; Koppelman; Kretschmar; Kroeber; Lloyd; Mahoney; Maragos; Martinson; Meier; Metcalf; Monson; Nottestad; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Skarphol; Svedjan; Thoreson, B.; Thoreson, L.; Tieman; Timm; Wald; Weiler; Weisz; Wentz; Wikenheiser; Wrangham; Speaker Bernstein

ABSENT AND NOT VOTING: Froelich; Nicholas

HB 1357 was declared lost.

SECOND READING OF HOUSE BILL

HB 1366: A BILL for an Act to create and enact a new section to chapter 24-01 of the North Dakota Century Code, relating to the designation of certain roadways as in the state highway system.

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 23 YEAS, 74 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Brandenburg; Cleary; DeKrey; Delmore; Ekstrom; Froelich; Froseth; Galvin; Gunter; Jensen; Kerzman; Klein, F.; Kretschmar; Kroeber; Maragos; Martinson; Nottestad; Onstad; Schmidt; Thorpe; Tieman; Wentz; Wikenheiser

NAYS: Aarsvold; Bellew; Belter; Berg; Boehm; Boucher; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Delzer; Devlin; Disrud; Dosch; Drovdal; Eckre; Fairfield; Glassheim; Grande; Grosz; Grumbo; Gulleson; Haas; Hanson; Hawken; Herbel; Huether; Hunskor; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kingsbury; Klein, M.; Klemin; Kliniske; Koppang; Koppelman; Lemieux; Lloyd; Mahoney; Meier; Metcalf; Monson; Mueller; Nelson; Niemeier; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Sandvig; Severson; Skarphol; Solberg; Svedjan; Thoreson, B.; Thoreson, L.; Timm; Wald; Warner; Weiler; Weisz; Winrich; Wrangham; Speaker Bernstein

ABSENT AND NOT VOTING: Nicholas

HB 1366 was declared lost.

SECOND READING OF HOUSE BILL

HB 1408: A BILL for an Act to provide for adoption of the midwest interstate passenger rail compact; and to provide an expiration date.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 84 YEAS, 12 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

NAYS: Brusegaard; Byerly; Carlson; Delzer; Froseth; Grande; Grosz; Lloyd; Rennerfeldt; Skarphol; Timm; Wrangham

ABSENT AND NOT VOTING: Nicholas; Wald

HB 1408 passed and the title was agreed to.

MOTION

REP. BELTER MOVED that HB 1382, which is on the Eleventh order, be laid over one legislative day, which motion prevailed.

COMMUNICATION FROM GOVERNOR JOHN HOEVEN

This is to inform you that on February 6, 2001, I have signed the following: HB 1169.

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 1001, HB 1002, HB 1005, HB 1010, HB 1086, HB 1303, HB 1385, HB 1437, HB 1449, HCR 3013.

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 2054, SB 2143, SB 2144, SB 2177, SB 2204, SB 2210, SB 2274, SB 2281, SB 2283, SB 2284, SB 2291, SB 2298, SB 2347.

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

MR. SPEAKER: The Senate has amended and subsequently passed: HB 1180.

SENATE AMENDMENTS TO HOUSE BILL NO. 1180

Page 1, line 7, after "exchange" insert "with", after "sell" insert "to any person", and overstrike "with"

Page 1, line 9, remove "or to any person"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1069: Natural Resources Committee (Rep. Rennerfeldt, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (10 YEAS, 5 NAYS, ABSENT AND NOT VOTING). HB 1069 was placed on the Sixth order on the calendar.

Page 1, remove lines 19 through 21

Page 1, line 22, replace "6" with "5"

Page 2, line 1, replace "7" with "6"

Page 2, line 4, replace "8" with "7"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1126: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1126 was placed on the Sixth order on the calendar.

Page 1, line 5, replace "contacts" with "contracts"

Page 3, line 18, remove "- Penalty"

Page 3, line 25, after "corporation" insert "or national credit union administration"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1137: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends **DO PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1137 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1163: Appropriations Committee (Rep. Timm, Chairman) recommends **DO NOT PASS** (20 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1163 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1187: Appropriations Committee (Rep. Timm, Chairman) recommends **DO NOT PASS** (20 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1187 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1205: Judiciary Committee (Rep. DeKrey, Chairman) recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1205 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1218: Judiciary Committee (Rep. DeKrey, Chairman) recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1218 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1280: Judiciary Committee (Rep. DeKrey, Chairman) recommends **DO PASS** (8 YEAS, 7 NAYS, 0 ABSENT AND NOT VOTING). HB 1280 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1316: Finance and Taxation Committee (Rep. Carlson, Chairman) recommends **DO NOT PASS** (11 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). HB 1316 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1339: Judiciary Committee (Rep. DeKrey, Chairman) recommends **DO PASS** (14 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1339 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1345: Finance and Taxation Committee (Rep. Carlson, Chairman) recommends **DO NOT PASS** (8 YEAS, 6 NAYS, 1 ABSENT AND NOT VOTING). HB 1345 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1405: Finance and Taxation Committee (Rep. Carlson, Chairman) recommends **DO PASS** (11 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). HB 1405 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1428: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends **DO NOT PASS** (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1428 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3010: Finance and Taxation Committee (Rep. Carlson, Chairman) recommends **DO PASS** (13 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). HCR 3010 was placed on the Eleventh order on the calendar.

FIRST READING OF HOUSE CONCURRENT RESOLUTION

Rep. Keiser introduced:

HCR 3043: A concurrent resolution directing the Legislative Council to study the fiscal note process.

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

FIRST READING OF SENATE BILLS

SB 2008: A BILL for an Act to provide an appropriation for defraying the expenses of the department of banking and financial institutions.

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

SB 2106: A BILL for an Act to amend and reenact sections 15-40.3-01, 15-40.3-06, and 15-40.3-07 of the North Dakota Century Code or in the alternative to amend and reenact sections 15.1-31-01, 15.1-31-06, and 15.1-31-07 of the North Dakota Century Code, relating to open enrollment between school districts.

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

SB 2126: A BILL for an Act to amend and reenact sections 43-30-01 and 43-30-02 of the North Dakota Century Code, relating to private investigative and security services.

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

SB 2127: A BILL for an Act to create and enact a new section to chapter 26.1-02 of the North Dakota Century Code, relating to prohibiting disclosure by an insurer of nonpublic personal information; and to amend and reenact section 26.1-03-11.3 of the North Dakota Century Code, relating to the insurance commissioner sharing confidential information with other state agencies.

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

SB 2129: A BILL for an Act to create and enact a new section to chapter 50-25.1 of the North Dakota Century Code, relating to abandoned infants.

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

SB 2173: A BILL for an Act to create and enact a new section to chapter 11-18 of the North Dakota Century Code, relating to creation of a document preservation fund; and to amend and reenact section 11-18-05 of the North Dakota Century Code, relating to fees charged by the register of deeds.

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

SB 2201: A BILL for an Act to provide for the removal of a future interest and a covenant from deeds transferring land from this state to the Devils Lake public school district No. 1.

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

SB 2205: A BILL for an Act to amend and reenact sections 57-51.1-01, 57-51.1-02, and 57-51.1-03 of the North Dakota Century Code, relating to determination of the trigger price that determines application of oil extraction tax rates and exemptions; and to provide an effective date.

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

SB 2211: A BILL for an Act to create and enact a new chapter to title 6 of the North Dakota Century Code, relating to the provision of a self-critical financial institution analysis privilege.

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

SB 2214: A BILL for an Act to amend and reenact section 36-01-01 of the North Dakota Century Code, relating to membership on the state board of animal health.

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

SB 2227: A BILL for an Act to amend and reenact section 49-23-06 of the North Dakota Century Code, relating to damages to underground facilities.

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

SB 2248: A BILL for an Act to amend and reenact section 47-02-27.1 of the North Dakota Century Code, relating to contingent property interests in personal property.

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

SB 2254: A BILL for an Act to amend and reenact sections 12.1-20-06 and 12.1-20-07 of the North Dakota Century Code, relating to sexual abuse of wards and sexual assault; and to provide a penalty.

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

SB 2255: A BILL for an Act to amend and reenact sections 44-06-02, 44-06-04.1, and 44-06-12 and subsection 4 of section 44-06-13.1 of the North Dakota Century Code, relating to notary public address and name changes.

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

SB 2257: A BILL for an Act to amend and reenact section 62.1-02-05 of the North Dakota Century Code, relating to possession of a firearm at a public gathering.

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

SB 2259: A BILL for an Act to amend and reenact section 54-10-14 of the North Dakota Century Code, relating to audits of park districts.

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

SB 2314: A BILL for an Act to amend and reenact section 23-06-03.1 of the North Dakota Century Code, relating to pre-need funeral contracts.

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

SB 2323: A BILL for an Act to create and enact alternative new sections to chapter 15.1-08 of the North Dakota Century Code, relating to the open enrollment of students registered in military installation school districts; and to declare an emergency.

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

SB 2324: A BILL for an Act to provide for a legislative council study.
Was read the first time and referred to the **Education Committee**.

SB 2349: A BILL for an Act to amend and reenact section 6-09.15-03 of the North Dakota Century Code, relating to loans under the beginning entrepreneur loan guarantee program; and to declare an emergency.
Was read the first time and referred to the **Appropriations Committee**.

FIRST READING OF SENATE CONCURRENT RESOLUTION

SCR 4011: A concurrent resolution directing the Legislative Council to study the library system in North Dakota to determine the most efficient and effective methods for delivery of library services.
Was read the first time and referred to the **Political Subdivisions Committee**.

MOTION

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

MOTION

REP. MONSON MOVED that the House be on the Fifth, Ninth, Twelfth, Thirteenth, and Sixteenth orders of business and at the conclusion of those orders, the House stand adjourned until 1:00 p.m., Wednesday, February 7, 2001, which motion prevailed.

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

MARK L. JOHNSON, Chief Clerk

