

JOURNAL OF THE HOUSE

Fifty-seventh Legislative Assembly

* * * * *

Bismarck, February 12, 2001

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

The prayer was offered by Rev. James Robinson, Trinity Parish, Hannaford.

The roll was called and all members were present.

A quorum was declared by the Speaker.

SIXTH ORDER OF BUSINESS

REP. BELTER MOVED that the amendments on the Sixth order of business to HB 1157 HB 1182, HB 1217, HB 1246, HB 1293, HB 1330, HB 1336, HB 1352, HB 1370, HB 1374, HB 1396, HB 1404, HB 1441, HB 1454, and HCR 3022 be adopted, which motion prevailed.

HB 1217 and HB 1441, as amended, were rereferred to the **Appropriations Committee**.

HB 1157 HB 1182, HB 1246, HB 1293, HB 1330, HB 1336, HB 1352, HB 1370, HB 1374, HB 1396, HB 1404, HB 1454, and HCR 3022, as amended, were placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REQUEST

REP. DROVDAL REQUESTED a recorded roll call vote on the motion to adopt the proposed amendments to HB 1278, which request was granted.

ROLL CALL

The question being on the motion to adopt the amendments to HB 1278, the roll was called and there were 22 YEAS, 76 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Boehm; Boucher; Brusegaard; Cleary; DeKrey; Delzer; Drovdal; Froelich; Glassheim; Grumbo; Gunter; Herbel; Kempenich; Kerzman; Klein, F.; Lemieux; Lloyd; Niemeier; Onstad; Renner; Warner; Winrich

NAYS: Aarsvold; Bellew; Belter; Berg; Brandenburg; Brekke; Byerly; Carlisle; Carlson; Clark; Delmore; Devlin; Disrud; Dosch; Eckre; Ekstrom; Fairfield; Froseth; Galvin; Grande; Grosz; Guleson; Haas; Hanson; Hawken; Huether; Hunsakor; Jensen; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kingsbury; Klein, M.; Klemin; Kliniske; Koppang; Koppelman; Kretschmar; Kroeber; Mahoney; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Nottestad; Pietsch; Pollert; Porter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Skarphol; Solberg; Svedjan; Thoreson, B.; Thoreson, L.; Thorpe; Tieman; Timm; Wald; Weiler; Weisz; Wentz; Wikenheiser; Wrangham; Speaker Bernstein

The motion to adopt the amendments to HB 1278 failed to pass.

MOTION

REP. BELTER MOVED that HB 1278 be placed at the top of the Eleventh order, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1278: A BILL for an Act to create and enact a new section to chapter 20.1-01 of the North Dakota Century Code, relating to hunting on private lands; to amend and reenact sections 20.1-01-17, 20.1-01-18, 20.1-01-19, and 20.1-01-20 of the North Dakota Century Code, relating to posting of lands to prohibit hunting; and to provide a penalty.

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 22 YEAS, 76 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Boehm; Boucher; Brusegaard; Cleary; DeKrey; Delzer; Drovdal; Froelich; Glassheim; Grumbo; Gunter; Herbel; Kempenich; Kerzman; Klein, F.; Lemieux; Lloyd; Niemeier; Onstad; Renner; Warner; Winrich

NAYS: Aarsvold; Bellew; Belter; Berg; Brandenburg; Brekke; Byerly; Carlisle; Carlson; Clark; Delmore; Devlin; Disrud; Dosch; Eckre; Ekstrom; Fairfield; Froseth; Galvin; Grande; Grosz; Gulleson; Haas; Hanson; Hawken; Huether; Hunskor; Jensen; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kingsbury; Klein, M.; Klemin; Kliniske; Koppang; Koppelman; Kretschmar; Kroeber; Mahoney; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Nottestad; Pietsch; Pollert; Porter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Skarphol; Solberg; Svedjan; Thoreson, B.; Thoreson, L.; Thorpe; Tieman; Timm; Wald; Weiler; Weisz; Wentz; Wikenheiser; Wrangham; Speaker Bernstein

HB 1278 lost.

MOTION

REP. BELTER MOVED that HB 1163, HB 1187, HB 1171 and HB 1397 be laid over one legislative day, and HCR 3008 be laid over one legislative day, which motion prevailed.

MOTION

REP. CARLSON MOVED that HB 1390, which is on the Eleventh order, be rereferred to the **Finance and Taxation Committee**, which motion prevailed. Pursuant to Rep. Carlson's motion, HB 1390 was rereferred.

MOTION

REP. CARLSON MOVED that HB 1051, which is on the Eleventh order, be rereferred to the **Finance and Taxation Committee**, which motion prevailed. Pursuant to Rep. Carlson's motion, HB 1051 was rereferred.

MOTION

REP. BERG MOVED that HB 1085, which is on the Eleventh order, be rereferred to the **Industry, Business and Labor Committee**, which motion prevailed. Pursuant to Rep. Berg's motion, HB 1085 was rereferred.

MOTION

REP. M. KLEIN MOVED that HB 1431, 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 1431 was rereferred.

SECOND READING OF HOUSE BILL

HB 1395: A BILL for an Act to create and enact two new sections to chapter 25-13 of the North Dakota Century Code, relating to assistance dogs; to amend and reenact sections 25-13-02, 25-13-03, 25-13-04, and 39-10-33.3 and subsection 22 of section 40-05-02 of the North Dakota Century Code, relating to the rights of individuals with disabilities who are accompanied by assistance dogs and the licensing of assistance dogs; to repeal sections 25-13-01 and 25-13-05 of the North Dakota Century Code, relating to legislative policy; 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 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 1395 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1004: A BILL for an Act to provide an appropriation for defraying the expenses of the state auditor; and to amend and reenact section 54-10-10 of the North Dakota Century Code, relating to the salary of the state auditor.

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; Gulleon; Gunter; Haas; Hanson; Hawken; Herbel; Huether; Hunskor; Jensen; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Kliniske; Koppang; Koppelman; Kretschmar; Kroeber; Lemieux; Lloyd; Mahoney; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Nottestad; 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 1004 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1006: A BILL for an Act to provide an appropriation for defraying the expenses of the office of the state tax commissioner and for payment of state reimbursement under the homestead tax credit; to provide for allocations to the multistate tax compact fund; and to amend and reenact section 57-01-04 of the North Dakota Century Code, relating to the salary of the state tax commissioner.

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; Gulleon; Gunter; Haas; Hanson; Hawken; Herbel; Huether; Hunskor; Jensen; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Kliniske; Koppang; Koppelman; Kretschmar; Kroeber; Lemieux; Lloyd; Mahoney; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Nottestad; 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 1006 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1014: A BILL for an Act to provide an appropriation for defraying the expenses of the committee on protection and advocacy.

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; Gulleon; Gunter; Haas; Hanson; Hawken; Herbel; Huether; Hunskor; Jensen; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.;

Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Kliniske; Koppang; Koppelman; Kretschmar; Kroeber; Lemieux; Lloyd; Mahoney; 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

ABSENT AND NOT VOTING: Maragos

Engrossed HB 1014 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1020: A BILL for an Act to provide an appropriation for defraying the expenses of the state historical society; and to declare an emergency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 94 YEAS, 3 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; Froseth; Galvin; Glassheim; Grande; Grosz; Grumbo; Gullerson; Gunter; Haas; Hanson; 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; 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; Warner; Weiler; Wentz; Wikenheiser; Winrich; Wrangham; Speaker Bernstein

NAYS: Froelich; Kerzman; Weisz

ABSENT AND NOT VOTING: Wald

Engrossed HB 1020 passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF HOUSE BILL

HB 1021: A BILL for an Act to provide an appropriation for defraying the expenses of the parks and recreation department and the International Peace Garden.

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, 2 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; Froseth; Galvin; Glassheim; Grande; Grosz; Grumbo; Gullerson; Gunter; Haas; Hanson; 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; 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

NAYS: Froelich; Kerzman

Engrossed HB 1021 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1052: A BILL for an Act to create and enact a new subsection to section 57-39.2-04 of the North Dakota Century Code, relating to a sales and use tax exemption for sales and use of used farm machinery, farm machinery repair parts, and used irrigation equipment used exclusively for agricultural purposes; to amend and reenact subsection 3 of section 57-39.2-01 and sections 57-39.2-02.1 and 57-40.2-02.1 of the North Dakota Century Code, relating to imposition of sales tax on sales of used farm machinery, farm machinery repair parts, and used irrigation equipment used exclusively for agricultural purposes; to provide an effective date; and to provide an expiration 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 89 YEAS, 9 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Belter; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Carlisle; Carlson; Clark; Cleary; DeKrey; Delmore; Delzer; Devlin; Disrud; Dosch; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; 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.; Klemm; 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; Sandvig; Schmidt; Severson; Skarphol; Solberg; Svedjan; Thoreson, B.; Thorpe; Tieman; Wald; Warner; Weisz; Wentz; Wikenheiser; Wrangham; Speaker Bernstein

NAYS: Bellew; Berg; Byerly; Glassheim; Ruby; Thoreson, L.; Timm; Weiler; Winrich

Engrossed HB 1052 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1117: A BILL for an Act to amend and reenact sections 50-24.3-01 and 50-24.3-03 of the North Dakota Century Code, relating to the provision of targeted case management by the department of human services; and to provide an expiration 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, 1 NAY, 0 EXCUSED, 2 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; Gulleson; Gunter; Haas; Hanson; Hawken; Herbel; Huether; Jensen; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemm; 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

NAYS: Delzer

ABSENT AND NOT VOTING: Brusegaard; Hunsakor

Engrossed HB 1117 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1155: A BILL for an Act to create and enact a new section to chapter 43-25 to the North Dakota Century Code, relating to the duties of the board of massage; to amend and reenact sections 43-25-02, 43-25-03, 43-25-04, 43-25-05, 43-25-06, 43-25-07, 43-25-08, 43-25-09, 43-25-10, 43-25-13, 43-25-14, 43-25-18, and 43-25-19 of the North Dakota Century Code, relating to the practice of massage; to repeal sections 43-25-11,

43-25-12, and 43-25-16 of the North Dakota Century Code, relating to the practice of massage; 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 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 1155 passed and the title was agreed to.

MOTION

REP. BELTER MOVED that HB 1375 and HB 1362 be placed at the top of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1375: A BILL for an Act to provide for disclosures of funds transfers by wire or automated clearinghouse to a financial institution and liability for funds transfers that are not authorized by the financial institution.

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 1375 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1362: A BILL for an Act to create and enact a new section to chapter 57-02 of the North Dakota Century Code, relating to limiting the value of agricultural property for property tax purposes; to provide for a legislative council study; to provide an effective date; 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 NOT PASS, the roll was called and there were 46 YEAS, 52 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Boucher; Brandenburg; Brekke; Cleary; Devlin; Disrud; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Grumbo; Gulleson; Gunter; Herbel; Huether; Hunskor; Jensen; Johnson, D.; Kelsh, S.; Kerzman; Kingsbury; Klein, M.; Koppang; Lemieux; Lloyd; Mahoney; Maragos; Metcalf; Monson; Mueller; Nelson; Nicholas;

Niemeier; Nottestad; Onstad; Sandvig; Schmidt; Severson; Solberg; Thorpe; Tieman; Warner; Wikenheiser

NAYS: Bellew; Belter; Berg; Boehm; Brusegaard; Byerly; Carlisle; Carlson; Clark; DeKrey; Delmore; Delzer; Dosch; Drovdal; Glassheim; Grande; Grosz; Haas; Hanson; Hawken; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kempenich; Klein, F.; Klemin; Kliniske; Koppelman; Kretschmar; Kroeber; Martinson; Meier; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Skarphol; Svedjan; Thoreson, B.; Thoreson, L.; Timm; Wald; Weiler; Weisz; Wentz; Winrich; Wrangham; Speaker Bernstein

HB 1362 lost.

SECOND READING OF HOUSE BILL

HB 1198: A BILL for an Act to create and enact a new section to chapter 26.1-30.1, a new section to chapter 26.1-39, and a new section to chapter 26.1-40 of the North Dakota Century Code, relating to transfer of policies within an insurance holding company system; and to amend and reenact subsection 4 of section 26.1-39-11 and subsection 5 of section 26.1-40-01 of the North Dakota Century Code, relating to transfer of policies within an insurance holding company 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 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; Gulleon; Gunter; Haas; Hanson; Hawken; Herbel; Huether; Hunskor; Jensen; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Kliniske; Koppang; Koppelman; Kretschmar; Kroeber; Lemieux; Lloyd; Mahoney; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Nottestad; Onstad; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Sandvig; Schmidt; Skarphol; Solberg; Svedjan; Thoreson, B.; Thoreson, L.; Thorpe; Tieman; Timm; Wald; Warner; Weiler; Weisz; Wentz; Wikenheiser; Winrich; Wrangham; Speaker Bernstein

ABSENT AND NOT VOTING: Severson

Engrossed HB 1198 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1226: A BILL for an Act to create and enact a new section to chapter 26.1-36 of the North Dakota Century Code, relating to providing basic health insurance coverage for individuals and small employers.

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

ABSENT AND NOT VOTING: Severson

Engrossed HB 1226 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1228: A BILL for an Act to create and enact a new section to chapter 28-32 of the North Dakota Century Code, relating to authority of the administrative rules committee to call up existing administrative rules for review; to amend and reenact subsection 1 of section 28-32-03.3 of the North Dakota Century Code or in the alternative to amend and reenact subsection 1 of section 28-32-18 of the North Dakota Century Code, relating to authority of the administrative rules committee; 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 50 YEAS, 47 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Bellew; Belter; Boehm; Brandenburg; Brusegaard; Byerly; Carlson; Clark; DeKrey; Delzer; Devlin; Dosch; Drovdal; Froelich; Froseth; Galvin; Grande; Grosz; Herbel; Johnson, D.; Johnson, N.; Kasper; Keiser; Kempenich; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Meier; Monson; Nelson; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Sandvig; Skarphol; Svedjan; Thoreson, B.; Tieman; Timm; Wald; Weiler; Weisz; Wrangham; Speaker Bernstein

NAYS: Aarsvold; Berg; Boucher; Brekke; Carlisle; Cleary; Delmore; Disrud; Eckre; Ekstrom; Fairfield; Glassheim; Grumbo; Gulleson; Gunter; Haas; Hanson; Hawken; Huether; Hunskor; Jensen; Kelsch, R.; Kelsh, S.; Kerzman; Kliniske; Koppang; Kretschmar; Kroeber; Lemieux; Lloyd; Mahoney; Maragos; Martinson; Metcalf; Mueller; Nicholas; Niemeier; Nottestad; Onstad; Schmidt; Solberg; Thoreson, L.; Thorpe; Warner; Wentz; Wikenheiser; Winrich

ABSENT AND NOT VOTING: Severson

Engrossed HB 1228 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1267: A BILL for an Act to create and enact two new sections to chapter 15.1-19 of the North Dakota Century Code, relating to records of a school law enforcement unit and retention of records; and to amend and reenact sections 27-20-51 and 27-20-52 of the North Dakota Century Code, relating to court and law enforcement records of a juvenile.

ROLL CALL

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

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

ABSENT AND NOT VOTING: Gulleson; Severson

Engrossed HB 1267 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1347: A BILL for an Act to create and enact a new section to chapter 15-40.3 of the North Dakota Century Code or in the alternative to create and enact a new section to chapter 15.1-31 of the North Dakota Century Code, relating to the payment of tuition for open enrolled students; 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 of students; and to repeal sections 15-40.3-02 and 15.1-31-02 of the North Dakota Century Code, relating to the standards for acceptance and denial of applications for open enrollment.

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 28 YEAS, 69 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Berg; Byerly; Carlisle; Carlson; Clark; Disrud; Dosch; Galvin; Grande; Haas; Hawken; Herbel; Huether; Johnson, N.; Keiser; Kelsch, R.; Klein, F.; Klein, M.; Klemin; Maragos; Nottestad; Pollert; Porter; Ruby; Sandvig; Thoreson, L.; Wald; Weiler

NAYS: Aarsvold; Bellew; Belter; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Cleary; DeKrey; Delmore; Delzer; Devlin; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Glassheim; Grosz; Grumbo; Gullerson; Gunter; Hanson; Hunskor; Jensen; Johnson, D.; Kasper; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Kliniske; Koppang; Koppelman; Kretschmar; Kroeber; Lemieux; Lloyd; Mahoney; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Onstad; Pietsch; Price; Renner; Rennerfeldt; Schmidt; Skarphol; Solberg; Svedjan; Thoreson, B.; Thorpe; Tieman; Timm; Warner; Weisz; Wentz; Wikenheiser; Winrich; Wrangham; Speaker Bernstein

ABSENT AND NOT VOTING: Severson

Engrossed HB 1347 lost.

SECOND READING OF HOUSE BILL

HB 1360: A BILL for an Act to create and enact a new section to chapter 43-12.1 of the North Dakota Century Code, relating to a study of nursing needs; and to provide an expiration 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 96 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

Engrossed HB 1360 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1378: A BILL for an Act to create and enact a new subsection to section 26.1-40-15.6 of the North Dakota Century Code, relating to limitations on automobile insurance; and to amend and reenact sections 26.1-40-16 and 26.1-40-16.1 of the North Dakota Century Code, relating to persons excluded from automobile insurance policies.

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 72 YEAS, 25 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Bellew; Belter; Berg; Boucher; Brandenburg; Brekke; Carlisle; Cleary; DeKrey; Delmore; Devlin; Disrud; Dosch; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Grosz; Grumbo; Gulleon; Gunter; Hanson; Hawken; Herbel; Huether; Hunskor; Jensen; Johnson, D.; Johnson, N.; Kasper; Kelsch, R.; Kelsh, S.; Kerzman; Kingsbury; Klein, M.; Kliniske; Koppang; Koppelman; Kretschmar; Kroeber; Lemieux; Mahoney; Maragos; Martinson; Meier; Metcalf; Mueller; Nelson; Nicholas; Niemeier; Nottestad; Onstad; Pietsch; Pollert; Porter; Price; Ruby; Sandvig; Schmidt; Solberg; Thoreson, B.; Thoreson, L.; Tieman; Weiler; Weisz; Wentz; Wikenheiser; Winrich; Speaker Bernstein

NAYS: Boehm; Brusegaard; Byerly; Carlson; Clark; Delzer; Galvin; Glassheim; Grande; Haas; Keiser; Kempenich; Klein, F.; Klemm; Lloyd; Monson; Renner; Rennerfeldt; Skarphol; Svedjan; Thorpe; Timm; Wald; Warner; Wrangham

ABSENT AND NOT VOTING: Severson

Engrossed HB 1378 passed and the title was agreed to.

MOTION

REP. GRANDE MOVED that the vote by which HB 1228 passed be reconsidered and the motion to reconsider be laid on the table, which motion failed.

SECOND READING OF HOUSE BILL

HB 1413: A BILL for an Act to create and enact a new subsection to section 57-38-30.3 of the North Dakota Century Code, relating to credits allowed on the short-form income tax return; to amend and reenact subsection 4 of section 57-38.5-01 and sections 57-38.5-02, 57-38.5-03, and 57-38.5-05 of the North Dakota Century Code, relating to the seed capital investment tax credit; 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, 3 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Bellew; Belter; Berg; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Carlisle; Carlson; Clark; Cleary; DeKrey; Delmore; Devlin; Disrud; Dosch; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Grumbo; Gulleon; Gunter; Haas; Hanson; Hawken; Herbel; Huether; Hunskor; Jensen; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemm; 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; Skarphol; Solberg; Svedjan; Thoreson, B.; Thoreson, L.; Thorpe; Tieman; Timm; Wald; Warner; Weiler; Weisz; Wentz; Wikenheiser; Winrich; Wrangham; Speaker Bernstein

NAYS: Byerly; Delzer; Drovdal

ABSENT AND NOT VOTING: Severson

Engrossed HB 1413 passed and the title was agreed to.

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

MR. PRESIDENT: The House has concurred in the Senate amendments and subsequently passed: HB 1092 and HB 1180.

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

MR. SPEAKER: The President has appointed as a new conference committee to act with a like committee from the House on:

HCR3003: Sens. Dever; Wardner; T. Mathern

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 2115, SB 2251, SB 2302, SB 2307, SB 2326, SB 2328, SB 2340, SB 2341, SB 2366, SB 2370, SB 2381, SB 2396, SB 2412, SB 2440, SB 2443, SCR 4017, SCR 4021.

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 1089, HB 1218, HB 1452.

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 1170, HB 1181, HB 1193, HB 1237, HB 1244, HB 1251, HB 1276, HB 1284, HB 1304, HB 1341, HB 1346, HB 1405, HB 1448, HB 1457, HB 1475, HCR 3001, HCR 3015, HCR 3017, HCR 3023.

REPORT OF STANDING COMMITTEE

HB 1008: Appropriations Committee (Rep. Timm, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (19 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1008 was placed on the Sixth order on the calendar.

Page 1, line 11, replace "4,755,198" with "4,634,173"

Page 1, line 12, replace "1,182,662" with "1,185,662"

Page 1, line 16, replace "9,732,463" with "9,614,438"

Page 1, line 17, replace "5,842,274" with "5,724,433"

Page 1, line 18, replace "3,890,189" with "3,890,005"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:**House Bill No. 1008 - Public Service Commission - House Action**

	EXECUTIVE BUDGET	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$4,755,198	(\$121,025)	\$4,634,173
Operating expenses	1,182,662	3,000	1,185,662
Equipment	86,961		86,961
Grants	39,150		39,150
AML contractual services	<u>3,668,492</u>		<u>3,668,492</u>
Total all funds	\$9,732,463	(\$118,025)	\$9,614,438
Less estimated income	<u>5,842,274</u>	<u>(117,841)</u>	<u>5,724,433</u>
General fund	\$3,890,189	(\$184)	\$3,890,005
FTE	42.00	(1.00)	41.00

Dept. 408 - Public Service Commission - Detail of House Changes

	ADJUST MARKET EQUITY SALARY INCREASE ¹	REMOVE VACANT PUBLIC SERVICE SPECIALIST POSITION	ADD FUNDING FOR RAILROAD LITIGATION	REDUCE FUNDING FOR CENTRAL SERVICE COSTS	REMOVE FUNDING FOR LEGAL REFERENCE MANUAL	TOTAL HOUSE CHANGES
Salaries and wages	(\$17,720)	(\$103,305)				(\$121,025)
Operating expenses			\$33,000	(\$26,000)	(\$4,000)	3,000
Equipment						
Grants						
AML contractual services						
Total all funds	(\$17,720)	(\$103,305)	\$33,000	(\$26,000)	(\$4,000)	(\$118,025)
Less estimated income	<u>(638)</u>	<u>(91,203)</u>		<u>(26,000)</u>		<u>(117,841)</u>
General fund	(\$17,082)	(\$12,102)	\$33,000	\$0	(\$4,000)	(\$184)
FTE	0.00	(1.00)	0.00	0.00	0.00	(1.00)

¹ This amendment reduces, from \$31,751 to \$14,031, the amount provided for a market equity salary increase for the commissioners and the executive secretary positions. The amount included in the bill will provide for monthly increases of \$166 for the commissioners and \$169 for the executive secretary.

REPORT OF STANDING COMMITTEE

HB 1009: Appropriations Committee (Rep. Timm, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 6 NAYS, 1 ABSENT AND NOT VOTING). HB 1009 was placed on the Sixth order on the calendar.

Page 1, line 2, after the semicolon insert "to provide project safe send user fees;", replace "section" with "sections", and after "4-01-21" insert ", 19-18-02.1, and 19-18-04"

Page 1, line 3, after "commissioner" insert ", uses of the environment and rangeland protection fund, and pesticide registration fees"

Page 1, line 11, replace "3,519,782" with "3,513,495"

Page 1, line 18, replace "711,964" with "631,750"

Page 1, line 24, replace "11,278,574" with "11,192,073"

Page 2, line 1, replace "6,638,291" with "6,798,184"

Page 2, line 2, replace "4,640,283" with "4,393,889"

Page 2, after line 9, insert:

"SECTION 3. AMENDMENT. Section 19-18-02.1 of the North Dakota Century Code is amended and reenacted as follows:

19-18-02.1. Environment and rangeland protection fund. The environment and rangeland protection fund is a special fund in the state treasury. The moneys in this fund may be used for rangeland improvement projects and to address issues relating to harmonization of crop protection product standards. ~~These~~ The rangeland improvement projects may include noxious weed control; ground water testing, analysis, protection, and improvement; analysis of food products for residues of pesticides and other materials; and analysis and disposal of unusable pesticides and pesticide containers.

SECTION 4. AMENDMENT. Section 19-18-04 of the 1999 Supplement to the North Dakota Century Code is amended and reenacted as follows:

19-18-04. ~~(Effective through June 30, 2001) Registration—Fees.~~

1. ~~Any person before selling or offering for sale any pesticide for use within this state shall file biennially with the commissioner an application for registration of the pesticide. The application must:~~
 - a. ~~Give the name and address of each manufacturer or distributor.~~
 - b. ~~Give the name and brand of each product registered.~~
 - c. ~~Be accompanied by a current label of each product so registered.~~
 - d. ~~Be accompanied by a registration fee of three hundred fifty dollars for each product registered. At the close of each calendar month, the commissioner shall transmit to the state treasurer all moneys received for the registrations. The state treasurer shall credit fifty dollars for each registered product to the general fund in the state treasury and the remainder of the registration fee for each registered product to the environment and rangeland protection fund.~~
 - e. ~~Be accompanied by a material safety data sheet.~~
2. ~~The commissioner may require an applicant or registrant to provide efficacy, toxicity, residue, and any other data necessary to determine if the pesticide will perform its intended function without unreasonable adverse effects on the environment. If the commissioner finds that the application conforms to law, the commissioner shall issue to the applicant a certificate of registration of the product. If after public hearing before the commissioner the application is denied, the product may not be offered for sale.~~
3. ~~Each registration covers a two-year period beginning January first and expiring December thirty first of the following year. A certificate of registration may not be issued for a term longer than two years, and is not transferable from one person to another, or from the ownership to whom issued to another ownership, or from one place to another place or location. A penalty of fifty percent of the license or registration fee must be~~

~~imposed if the license or certificate of registration is not applied for on or before January thirty first following the expiration date, or within the same month the pesticides are first manufactured or sold within this state. Each product must go through a two-year discontinuance period in order to clear all outstanding products in the channel of trade.~~

- ~~4. This section does not apply to a pesticide sold by a retail dealer if the registration fee has been paid by the manufacturer, jobber, or any other person, as required by this section.~~

~~(Effective July 1, 2001)~~ **Registration - Fees.** Any person before selling or offering for sale any pesticide for use within this state shall file biennially with the commissioner an application for registration of the pesticide. The application must:

1. Give the name and address of each manufacturer or distributor.
2. Give the name and brand of each product registered.
3. Be accompanied by a current label of each product so registered.
4. Be accompanied by a registration fee of three hundred ~~fifty~~ dollars for each product registered. At the close of each calendar month, the commissioner shall transmit to the state treasurer all moneys received for the registrations. The state treasurer shall credit fifty dollars for each registered product to the general fund in the state treasury and the remainder of the registration fee for each registered product to the environment and rangeland protection fund.
5. Be accompanied by a material safety data sheet.

The commissioner may require an applicant or registrant to provide efficacy, toxicity, residue, and any other data necessary to determine if the pesticide will perform its intended function without unreasonable adverse effects on the environment. If the commissioner finds that the application conforms to law, the commissioner shall issue to the applicant a certificate of registration of the product. If after public hearing before the commissioner the application is denied, the product may not be offered for sale.

Each registration covers a two-year period beginning January first and expiring December thirty-first of the following year. A certificate of registration may not be issued for a term longer than two years, and is not transferable from one person to another, or from the ownership to whom issued to another ownership, or from one place to another place or location. A penalty of fifty percent of the license or registration fee must be imposed if the license or certificate of registration is not applied for on or before January thirty-first following the expiration date, or within the same month the pesticides are first manufactured or sold within this state. Each product must go through a two-year discontinuance period in order to clear all outstanding products in the channel of trade.

This section does not apply to a pesticide sold by a retail dealer if the registration fee has been paid by the manufacturer, jobber, or any other person, as required by this section."

Page 2, line 21, replace "\$468,000" with "\$668,000"

Page 2, after line 24, insert:

"SECTION 8. SAFE SEND PESTICIDE AND PESTICIDE CONTAINER COLLECTION - USER FEES. The agriculture commissioner, in consultation with the advisory board for the safe send pesticide and pesticide container disposal program, shall charge a fee for collection of select chemicals during the biennium beginning July 1, 2001, and ending June 30, 2003. The fees must be established at a level that will generate an estimated \$100,000 for the biennium beginning July 1, 2001, and ending June 30, 2003. Collections from this fee must be deposited in the environment and rangeland protection fund.

SECTION 9. SAFE SEND PESTICIDE AND PESTICIDE CONTAINER COLLECTION - RECYCLING. The agriculture commissioner, in consultation with the advisory board for the safe send pesticide and pesticide container disposal program, shall research the potential of recycling select products collected during the biennium beginning July 1, 2001, and ending June 30, 2003."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1009 - Department of Agriculture - House Action

	EXECUTIVE BUDGET	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$3,519,782	(\$6,287)	\$3,513,495
Operating expenses	1,361,357		1,361,357
Equipment	30,400		30,400
Grants	161,700		161,700
Board of Animal Health	538,614		538,614
Ag mediation	1,075,808		1,075,808
Ag in the classroom	96,000		96,000
State meat inspection	711,964	(80,214)	631,750
Waterbank program	900,000		900,000
Pride of Dakota	157,050		157,050
Wildlife services	779,694		779,694
Safe Send	599,369		599,369
Noxious weeds	<u>1,346,836</u>		<u>1,346,836</u>
Total all funds	\$11,278,574	(\$86,501)	\$11,192,073
Less estimated income	<u>6,638,291</u>	<u>159,893</u>	<u>6,798,184</u>
General fund	\$4,640,283	(\$246,394)	\$4,393,889
FTE	55.50	0.00	55.50

Dept. 602 - Department of Agriculture - Detail of House Changes

	ADJUST MARKET EQUITY SALARY INCREASE ¹	UNFUND 1 FTE MEAT INSPECTOR POSITION	FUNDING SOURCE CHANGE ²	TOTAL HOUSE CHANGES
Salaries and wages	(\$6,287)			(\$6,287)
Operating expenses				
Equipment				
Grants				
Board of Animal Health				
Ag mediation				
Ag in the classroom				
State meat inspection		(\$80,214)		(80,214)
Waterbank program				
Pride of Dakota				
Wildlife services				
Safe Send				
Noxious weeds				
Total all funds	(\$6,287)	(\$80,214)	\$0	(\$86,501)
Less estimated income		<u>(40,107)</u>	<u>200,000</u>	<u>159,893</u>
General fund	(\$6,287)	(\$40,107)	(\$200,000)	(\$246,394)
FTE	0.00	0.00	0.00	0.00

¹ This amendment reduces, from \$12,969 to \$6,682, the amount provided for a market equity salary increase for the commissioner and deputy commissioner. The amount included in the bill will provide for a monthly increase of \$166.25 for the commissioner and \$151.67 for the deputy commissioner and related fringe benefits for the last 18 months of the biennium.

² This is Governor Hoeven's recommended change from Governor Schafer's budget recommendation for the Department of Agriculture. This proposed amendment replaces \$200,000 of general fund moneys with game and fish funds for the wildlife services line item. The total amount from the game and fish fund for the wildlife services line item is \$400,000.

A section is added authorizing funds from the environment and rangeland protection fund to be used for harmonization of crop protection product standards.

A section is added continuing the \$350 biennial pesticide product registration fee. Under current law, the fee would have reverted on July 1, 2001.

A section is added requiring the Agriculture Commissioner, in consultation with the advisory board for the Safe Send program, to establish fees for collection of select chemicals. The fees are to be established at a level sufficient to generate \$100,000 during the 2001-03 biennium, to be deposited in the environment and rangeland protection fund, to defray the costs of Project Safe Send.

A section is added requiring the Agriculture Commissioner, in consultation with the advisory board for the Safe Send program, to research the potential of recycling selected products collected under Project Safe Send.

REPORT OF STANDING COMMITTEE

HB 1022: Appropriations Committee (Rep. Timm, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends **DO PASS** (20 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1022 was placed on the Sixth order on the calendar.

Page 1, line 2, after "department" insert "; to create and enact a new section to chapter 54-34.4 of the North Dakota Century Code, relating to copyright and trademark; to amend and reenact section 54-34.4-04 of the North Dakota Century Code, relating to the motion picture advisory board; to provide legislative intent; and to declare an emergency"

Page 1, line 10, replace "3,220,437" with "3,250,437"

Page 1, remove line 12

Page 1, line 13, replace "655,863" with "1,405,863"

Page 1, line 14, replace "4,960,778" with "5,710,778"

Page 1, line 16, replace "4,597,778" with "5,347,778"

Page 1, after line 16, insert:

"SECTION 2. LEGISLATIVE INTENT. It is the intent of the fifty-seventh legislative assembly that for the purpose of preparing a budget request for the 2003-05 biennium, the base budget request for the department of tourism not include the \$750,000 appropriation provided by the fifty-seventh legislative assembly for additional marketing relating to the Lewis and Clark bicentennial.

SECTION 3. AMENDMENT. Section 54-34.4-04 of the 1999 Supplement to the North Dakota Century Code is amended and reenacted as follows:

54-34.4-04. North Dakota motion picture development office - Advisory board. The North Dakota motion picture development office is a part of the tourism department. The office shall promote North Dakota as a location for shooting films, television shows, documentaries, and commercials, and shall provide technical expertise to persons desiring to use the state as a filming location. The director of the tourism department shall appoint staff necessary to fulfill the functions and duties of the office and ~~shall~~ may appoint an advisory board of no more than ten members to assist in advising the office and to provide technical expertise to offer prospective film companies seeking locations and advice. The board shall serve without compensation, except reimbursement for actual and necessary expenses at the same rate as allowed other state officers to be paid from funds available to the office within the limits of legislative appropriations.

SECTION 4. A new section to chapter 54-34.4 of the North Dakota Century Code is created and enacted as follows:

Copyright and trademark. The director of the tourism department may obtain copyright or trademark protection for anything that may be used to promote the policies listed in section 54-34.4-03. The director may license and charge a fee for photographs and logos and anything with copyright or trademark protection.

SECTION 5. EMERGENCY. Section 4 of this Act is declared to be an emergency measure."

ReNUMBER accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1022 - Department of Tourism - House Action

	EXECUTIVE BUDGET	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$1,039,100		\$1,039,100
Operating expenses	3,220,437	\$30,000	3,250,437
Equipment	15,378		15,378
Grants	30,000	(30,000)	
Lewis and Clark Bicentennial	655,863	750,000	1,405,863
Total all funds	\$4,960,778	\$750,000	\$5,710,778
Less estimated income	363,000		363,000
General fund	\$4,597,778	\$750,000	\$5,347,778
FTE	11.00	0.00	11.00

Dept. 740 - Department of Tourism - Detail of House Changes

DECREASE GRANTS - INCREASE OPERATING EXPENSES ¹	INCREASE FUNDING FOR LEWIS AND CLARK MARKETING ²	TOTAL HOUSE CHANGES
--	---	---------------------------

Salaries and wages			
Operating expenses	\$30,000		\$30,000
Equipment			
Grants	(30,000)		(30,000)
Lewis and Clark Bicentennial		<u>750,000</u>	<u>750,000</u>
Total all funds	\$0	\$750,000	\$750,000
Less estimated income			
General fund	\$0	\$750,000	\$750,000
FTE	0.00	0.00	0.00

¹ The recommended grants line item of \$30,000 is removed and the funding is transferred to the department's operating expenses line item. The grant was previously provided to the Greater North Dakota Association for publication of the North Dakota Horizons magazine.

² The recommended appropriation for the Lewis and Clark Bicentennial is increased by \$750,000 from the general fund to provide additional funding for marketing relating to the Lewis and Clark Bicentennial event.

This amendment also adds the following sections:

- Section 2 - This section provides legislative intent that the additional \$750,000 general fund appropriation included in the House version is not to be considered part of the department's base budget request for the purpose of preparing the budget request for the 2003-05 biennium.
- Section 3 - This section amends North Dakota Century Code (NDCC) Section 54-34.4-04 to provide that the director of the Department of Tourism may appoint an advisory board to assist the North Dakota Motion Picture Development Office. Section 54-34.4-04 currently requires the appointment of such a board.
- Section 4 - This section creates a new section to NDCC Chapter 54-34.4 to provide that the director of the Department of Tourism may obtain copyright or trademark protection for any item used to promote the state tourism policies, as established by NDCC Section 54-34.4-03.
- Section 5 - This section provides that Section 4 is an emergency measure and will be effective upon passage of the bill.

REPORT OF STANDING COMMITTEE

HB 1023: Appropriations Committee (Rep. Timm, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (15 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING). HB 1023 was placed on the Sixth order on the calendar.

Page 1, line 7, replace the first "section" with "sections" and after "54-27-25" insert "and 61-01-26.1"

Page 1, line 9, after "fund" insert ", supplementing the water resources of eastern North Dakota," and after the semicolon insert "to provide an exemption from payment of fees; and"

Page 1, line 18, replace "8,966,759" with "9,066,759"

Page 1, line 19, replace "6,477,485" with "6,503,485"

Page 1, line 20, replace "514,833" with "499,833"

Page 1, line 22, replace "22,625,067" with "22,475,067"

Page 2, line 2, replace "93,917,341" with "93,878,341"

Page 6, after line 8, insert:

"SECTION 10. AMENDMENT. Section 61-01-26.1 of the 1999 Supplement to the North Dakota Century Code is amended and reenacted as follows:

61-01-26.1. Findings and declaration of policy - Water to eastern North Dakota a critical priority - Water supplementation study - Employment of staff. The legislative assembly finds that many areas and localities in eastern North Dakota do not enjoy safe drinking water, ~~and that the water in these areas and localities contains iron, sulfates, alkali, salt, nitrates, fluoride, and other hazardous and discoloring substances.~~ It is also found that other areas and localities in eastern North Dakota do not have sufficient quantities of water to ensure a dependable, long-term water supply. The legislative assembly further finds that supplementation of the water resources of eastern

~~North Dakota with water supplies from other available sources, including the Missouri River, may be the only alternative to provide eastern North Dakota with a dependable source of safe, good quality water and an adequate quantity of water.~~

It is further declared that effective development and utilization of the land and water resources of this state; the opportunity for greater economic security; the protection of health, property, enterprise, and the preservation of the benefits from the land and water resources of this state; and the promotion of the prosperity and general welfare of all of the people of North Dakota involve, necessitate, and require the exercise of the sovereign powers of the state and concern a public purpose. Therefore, in order to accomplish this public purpose, it is declared necessary that a means to supply and distribute water to the people of eastern North Dakota for all beneficial purposes ~~including domestic, rural water, municipal, livestock, light industrial, mining, agriculture, and other uses~~ must be developed. In furtherance of this public purpose, the supply and delivery of water to eastern North Dakota is established as a critical priority and the state water commission shall ~~continue to cooperate, in cooperation with the Garrison diversion conservancy district in addressing~~ and the communities and rural water systems in eastern North Dakota, address this critical priority by developing a plan and estimate of the costs for supplementing the water resources of eastern North Dakota with water supplies from other available resources, including the Missouri River.

The state water commission may employ full-time personnel and may employ such other personnel as are necessary for the administration of this section as appropriated funds permit. Notwithstanding section 61-02-64.1, funds disbursed from the contract fund or appropriated for purposes of administering this section may be used for salaries and expenses of persons employed pursuant to this section."

Page 6, line 19, replace "thirty" with "thirty-six"

Page 6, line 20, replace "eight" with "three"

Page 6, line 21, after the underscored period insert "The commission may utilize up to five million five hundred thousand dollars from the water development trust fund, the resources trust fund, or from bond proceeds to provide cost share for a flood control channel and levy project designed to provide protection from overland flooding to a city with a population in excess of eighty thousand as of the 2000 federal decennial census. The amount provided may not exceed fifty percent of the city's share of the cost to construct the project."

Page 6, line 24, replace "purpose of funding the 2001-03 priorities" with "purposes set forth in this section"

Page 7, line 19, after "**INTENT**" insert "- **STATEWIDE WATER PROJECT FUNDING LIMIT**"

Page 7, line 21, replace "\$30,800,000" with "\$36,300,000" and replace "10" with "11"

Page 7, line 22, replace "sixty-two" with "sixty-seven"

Page 7, line 23, replace "three" with "eight"

Page 8, line 3, replace "13" with "14"

Page 8, after line 3, insert:

"SECTION 16. EXEMPTION FROM PAYMENT OF FEES. For purposes of charging fees or requiring payment for services pursuant to sections 54-10-01, 54-12-08, and 52-21-25, the state auditor, attorney general, and the director of the office of management and budget shall consider the funds appropriated to the state water commission from the water development trust fund in the same manner as if the funds were appropriated from the general fund for the 2001-03 biennium."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1023 - Water Commission - House Action

	EXECUTIVE BUDGET	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$8,966,759	\$100,000	\$9,066,759

Operating expenses	6,477,485	26,000	6,503,485
Equipment	514,833	(15,000)	499,833
Capital improvements	23,710,864		23,710,864
Grants	22,625,067	(150,000)	22,475,067
Cooperative research	3,050,000		3,050,000
Statewide water development projects	62,300,000	5,500,000	67,800,000
Total all funds	\$127,645,008	\$5,461,000	\$133,106,008
Less estimated income	<u>127,645,008</u>	<u>5,461,000</u>	<u>133,106,008</u>
General fund	\$0	\$0	\$0
FTE	83.00	1.00	84.00

Dept. 770 - Water Commission - Detail of House Changes

	PROVIDES FUNDING FOR FARGO FLOOD CONTROL PROJECT	REDUCE FUNDING FOR OPERATING EXPENSES	REDUCE FUNDING FOR EQUIPMENT	WATER TO EASTERN NORTH DAKOTA STUDY ¹	TOTAL HOUSE CHANGES
Salaries and wages				\$100,000	\$100,000
Operating expenses		(\$19,000)		45,000	26,000
Equipment			(\$20,000)	5,000	(15,000)
Capital improvements					
Grants				(150,000)	(150,000)
Cooperative research					
Statewide water development projects	\$5,500,000				5,500,000
Total all funds	\$5,500,000	(\$19,000)	(\$20,000)	\$0	\$5,461,000
Less estimated income	<u>5,500,000</u>	<u>(19,000)</u>	<u>(20,000)</u>		<u>5,461,000</u>
General fund	\$0	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	1.00	1.00

¹ Provides for line item transfers and one additional FTE for a study of supplementing the water resources of eastern North Dakota.

The amendment makes the following changes:

- Authorizes up to \$5.5 million from the water development trust fund for flood control projects in Fargo which increases total authorization for state water projects to \$67,800,000.
- Amends North Dakota Century Code Section 61-01-26.1 relating to a study of the water resources of eastern North Dakota contained in House Bill No. 1171, the provisions of which are amended into House Bill No. 1023.
- Exempts the State Water Commission from the requirement to pay for certain services generally charged non-general fund agencies.

REPORT OF STANDING COMMITTEE

HB 1024, as engrossed and amended: Appropriations Committee (Rep. Timm, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (18 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1024, as amended, was placed on the Sixth order on the calendar.

Page 1, line 11, replace "17,854,134" with "20,348,251"

Page 1, line 12, replace "7,373,732" with "8,114,732"

Page 1, line 13, replace "1,354,057" with "1,418,357"

Page 1, line 14, replace "630,000" with "1,260,000"

Page 1, line 15, replace "27,211,923" with "31,141,340"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1024 - Workers Compensation Bureau - House Action

	EXECUTIVE BUDGET	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$17,854,134	\$2,494,117	\$20,348,251
Operating expenses	7,373,732	741,000	8,114,732
Equipment	1,354,057	64,300	1,418,357

Safety partnership grants	<u>630,000</u>	<u>630,000</u>	<u>1,260,000</u>
Total all funds	\$27,211,923	\$3,929,417	\$31,141,340
Less estimated income	<u>27,211,923</u>	<u>3,929,417</u>	<u>31,141,340</u>
General fund	\$0	\$0	\$0
FTE	191.00	27.00	218.00

Dept. 485 - Workers Compensation Bureau - Detail of House Changes

	INCREASE FUNDING FOR EXPANSION OF THE SAFETY GRANT PROGRAM	INCREASE FUNDING FOR BRINGING CONTRACTED PROGRAMS AND SERVICES IN-HOUSE ¹	INCREASE OPERATING FOR RENT EXPENSE FOR THE 2ND YEAR OF THE BIENNIUM	PROVIDE FUNDING FOR A NEW SPECIAL INVESTIGATIONS FTE	TOTAL HOUSE CHANGES
Salaries and wages	\$108,000	\$2,276,447		\$109,670	\$2,494,117
Operating expenses	23,600	236,400	\$466,000	15,000	741,000
Equipment		59,800		4,500	64,300
Safety partnership grants	<u>630,000</u>				<u>630,000</u>
Total all funds	\$761,600	\$2,572,647	\$466,000	\$129,170	\$3,929,417
Less estimated income	<u>761,600</u>	<u>2,572,647</u>	<u>466,000</u>	<u>129,170</u>	<u>3,929,417</u>
General fund	\$0	\$0	\$0	\$0	\$0
FTE	1.00	25.00	0.00	1.00	27.00

¹ This amendment increased funding and FTE to allow for utilization review, medical bill audit and entry, and case managers and rehabilitation services to be provided in-house by the Workers Compensation Bureau.

	FTE	SALARIES AND WAGES	OPERATING	EQUIPMENT	TOTAL
Utilization review	4.00	\$368,619			\$368,619
Medical bill audit and entry	8.00	668,171			668,171
Case managers and rehabilitation	13.00	1,239,657	\$236,400	\$59,800	1,535,857
Total	25.00	\$2,276,447	\$236,400	\$59,800	\$2,572,647

REPORT OF STANDING COMMITTEE

HB 1088: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends **DO NOT PASS** (11 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). HB 1088 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1150: Judiciary Committee (Rep. DeKrey, Chairman) recommends **DO NOT PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1150 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1153: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends **DO PASS** (12 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1153 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1162: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1162 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1202, 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 1202, as amended, was placed on the Sixth order on the calendar.

Page 2, line 27, after the period insert "Individuals providing emergency medical services may not be assessed this license fee."

Page 6, line 2, after the period insert "The moneys appropriated must be made available by the office of management and budget as requested by the state department of health to pay for the actual costs of the pilot program."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1202 - Emergency Medical Services

This amendment provides that the State Department of Health may not assess a license fee to individuals who provide emergency medical services.

This amendment requires the State Department of Health to request funds from the Office of Management and Budget for the costs of the quick-response pilot project as needed.

REPORT OF STANDING COMMITTEE

HB 1236: Education Committee (Rep. R. Kelsch, Chairman) recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1236 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1285: 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). HB 1285 was placed on the Sixth order on the calendar.

Page 1, line 1, remove the third "to"

Page 1, line 2, remove "; and to provide a penalty"

Page 1, line 6, remove "**and inspection**" and remove "**- Penalty**"

Page 1, line 7, after "department" insert "the name of the applicant's motor vehicle insurance company and policy number as"

Page 1, line 8, remove "The department shall randomly inspect five percent of all registered vehicles"

Page 1, remove lines 9 through 13

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1292: Education Committee (Rep. R. Kelsch, Chairman) recommends **DO NOT PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1292 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1308: Transportation Committee (Rep. Weisz, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (9 YEAS, 2 NAYS, 3 ABSENT AND NOT VOTING). HB 1308 was placed on the Sixth order on the calendar.

Page 1, line 2, after "permits" insert "; and to provide an expiration date"

Page 1, line 11, after "the" insert "permit"

Page 1, line 12, remove the first underscored comma, after "if" insert "the cargo originates in and", and replace "moving" with "transporting"

Page 1, line 13, after "wind" insert "to a location in this state"

Page 1, after line 21, insert:

"SECTION 2. EXPIRATION DATE. This Act is effective through July 31, 2003, and after that date is ineffective."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1310: Appropriations Committee (Rep. Timm, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (15 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). HB 1310 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "an appropriation"

Page 1, line 4, replace "**APPROPRIATION**" with "**TEACHER RETRAINING SCHOLARSHIPS**"

Page 1, remove lines 5 through 9

Page 1, line 10, replace "2" with "1"

Page 1, line 18, replace "3" with "2"

Page 1, after line 19, insert:

"SECTION 2. TEACHER RETRAINING SCHOLARSHIP FUNDING. The funds appropriated in the student grant programs line item included in subdivision 1 of section 1 of Senate Bill No. 2003, include \$120,000 from the general fund for providing scholarships as authorized in section 1 of this Act, for the biennium beginning July 1, 2001, and ending June 30, 2003."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1310 - North Dakota University System Office

This amendment removes the general fund appropriation of \$120,000 included in the engrossed bill and provides that \$120,000 of the amount included in the appropriation for the North Dakota University System office for student grant programs contained in Senate Bill No. 2003 is to be used for scholarships to elementary and secondary teachers being retrained to teach at a different grade level or in a different subject area.

REPORT OF STANDING COMMITTEE

HB 1342: Judiciary Committee (Rep. DeKrey, Chairman) recommends **DO PASS** (11 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING). HB 1342 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1349: Agriculture Committee (Rep. Nicholas, Chairman) recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (9 YEAS, 2 NAYS, 4 ABSENT AND NOT VOTING). HB 1349 was rereferred to the **Appropriations Committee**.

REPORT OF STANDING COMMITTEE

HB 1356: Natural Resources Committee (Rep. Rennerfeldt, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (15 YEAS, 0 NAYS, ABSENT AND NOT VOTING). HB 1356 was placed on the Sixth order on the calendar.

Page 1, line 10, after the period insert "A nonresident may spearfish in this state if the nonresident's state of residence provides the same privilege for residents of this state."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1394: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends **DO NOT PASS** (13 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). HB 1394 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1409: Political Subdivisions Committee (Rep. Froseth, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). HB 1409 was placed on the Sixth order on the calendar.

Page 1, line 1, after "enact" insert "a new section to chapter 23-27 and"

Page 1, line 2, after "to" insert "the dispatching of ambulances and" and after "systems" insert "; and to provide an effective date"

Page 1, after line 3, insert:

"SECTION 1. If House Bill No. 1202 of the fifty-seventh legislative assembly does not become effective, a new section to chapter 23-27 of the North Dakota Century Code is created and enacted as follows:

Ambulance service dispatch in emergencies. If an ambulance service licensed under this chapter receives a request for emergency medical services, the closest ambulance service must be dispatched to the site at which the emergency medical services are needed, regardless of city, county, or district boundaries.

SECTION 2. If House Bill No. 1202 of the fifty-seventh legislative assembly becomes effective, a new section to chapter 23-27 of the North Dakota Century Code is created and enacted as follows:

Ambulance service dispatch in emergencies. If an emergency medical service operation licensed under this chapter receives a request for emergency medical services, the closest emergency medical service operation must be dispatched to the site at which the emergency medical services are needed, regardless of city, county, or district boundaries."

Page 1, line 13, replace "and rural-addressing" with "addressing"

Page 1, line 15, replace "All" with "A plan in use before this date does not have to conform with the modified burkle addressing plan. If implemented, all"

Page 1, line 16, replace "may" with "must"

Page 1, line 21, remove "printed"

Page 1, line 23, replace "Ensure" with "Encourage"

Page 2, after line 10, insert:

"k. Beginning February 1, 2002, ensure that the closest available emergency medical service is dispatched to the scene of emergencies regardless of city, county, or district boundaries. The state department of health shall provide emergency 911 telephone systems with necessary geographical information to assist in the implementation of this subdivision."

Page 2, line 30, remove "continually"

Page 3, line 6, after "Ensures" insert "an adequate" and remove "of no less than a grade that provides one busy"

Page 3, remove lines 7 through 10

Page 3, line 11, replace "be" with "that is"

Page 3, line 24, remove "forty hours of"

Page 3, line 28, replace "at least a sixteen-hour" with "an"

Page 4, after line 4, insert:

"SECTION 4. EFFECTIVE DATE. Sections 1 and 2 of this Act become effective on February 1, 2002."

ReNUMBER accordingly

REPORT OF STANDING COMMITTEE

HB 1411: Transportation Committee (Rep. Weisz, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 6 NAYS, 1 ABSENT AND NOT VOTING). HB 1411 was placed on the Sixth order on the calendar.

Page 1, line 15, replace "A minor" with "An individual under sixteen years of age" and after "bicycle" insert ", be in a restraining seat on a bicycle,"

Page 1, line 16, replace "minor" with "individual"

Page 1, line 18, replace "An individual" with "A passenger on a bicycle"

ReNUMBER accordingly

REPORT OF STANDING COMMITTEE

HB 1412: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends **DO NOT PASS** (13 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1412 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1436: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends **DO NOT PASS** (14 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1436 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1443: Transportation Committee (Rep. Weisz, Chairman) recommends **DO PASS** (10 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). HB 1443 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1467: 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). HB 1467 was placed on the Sixth order on the calendar.

Page 1, line 5, after "\$500,000" insert ", or so much of the sum as may be available,"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This bill provides for a transfer of up to \$500,000 to the minor use pesticide fund, depending on the availability of funds in the environment and rangeland protection fund.

REPORT OF STANDING COMMITTEE

HB 1472: Appropriations Committee (Rep. Timm, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (17 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). HB 1472 was placed on the Sixth order on the calendar.

Page 1, line 2, after "cancer" insert "; and to provide an appropriation"

Page 1, line 7, replace "shall" with "may"

Page 1, line 9, after the eighth period insert "The department shall establish an income eligibility limit that may not exceed two hundred percent of the poverty line for payments made under this section. For purposes of this section, poverty line means the official income poverty line as defined by the United States office of management and budget and revised annually in accordance with 42 U.S.C. 9902(2), applicable to a family of the size involved."

SECTION 2. APPROPRIATION - COMMUNITY HEALTH TRUST FUND TRANSFER. There is appropriated out of any moneys in the community health trust fund in the state treasury, not otherwise appropriated, the sum of \$114,755, or so much of the sum as may be necessary, and from special funds derived from federal funds, the sum of \$429,365, or so much of the sum as may be necessary, to the department of human services for the purpose of providing medical assistance coverage for breast and cervical cancer for the biennium beginning July 1, 2001, and ending June 30, 2003. The funds appropriated from the community health trust fund must be transferred to the department of human services operating fund as requested by the director of the department of human services."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:**Dept. 327 - Department of Human Services - Economic Assistance**

HOUSE - This amendment:

- Provides that the department may provide breast and cervical cancer medical assistance services rather than requiring that the services be provided.

- Limits eligibility for these services to individuals or families whose income does not exceed 200 percent of the federal poverty level.
- Appropriates \$544,120, \$114,755 of which is from the community health trust fund, for providing these services during the 2001-03 biennium.

REPORT OF STANDING COMMITTEE

HCR 3012: Finance and Taxation Committee (Rep. Carlson, Chairman) recommends **DO PASS** (7 YEAS, 6 NAYS, 2 ABSENT AND NOT VOTING). HCR 3012 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3018: Finance and Taxation Committee (Rep. Carlson, Chairman) recommends **DO NOT PASS** (9 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). HCR 3018 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3020: Natural Resources Committee (Rep. Rennerfeldt, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HCR 3020 was placed on the Sixth order on the calendar.

Page 1, line 2, after "to" insert ", private ownership of," and after "Sakakawea" insert ", including the return of lakeshore lands that are contiguous to current tribal-owned land to the Three Affiliated Tribes and development and implementation of a water level policy that establishes and assures that Lake Sakakawea will have a stable water level"

Page 2, line 2, after the second "to" insert ", private ownership of,"

Page 2, line 3, after "Sakakawea" insert ", including the return of lakeshore lands that are contiguous to current tribal-owned land to the Three Affiliated Tribes and development and implementation of a water level policy that establishes and assures that Lake Sakakawea will have a stable water level"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HCR 3021: Natural Resources Committee (Rep. Rennerfeldt, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 4 NAYS, ABSENT AND NOT VOTING). HCR 3021 was placed on the Sixth order on the calendar.

Page 1, line 3, after "Dakota" insert "and its Indian tribes"

Page 1, line 18, after "Dakota" insert ", including on its Indian reservations,"

Page 2, line 12, after "will" insert "be required to"

Page 2, line 13, remove "approximately \$345 million in the form of" and replace "as part of the" with "and"

Page 2, remove lines 14 and 15

Page 2, line 16, remove "of the municipal, rural, and industrial grant program, as well as"

Page 2, line 24, after the second comma insert "the chairman of the Three Affiliated Tribes, the chairman of the Standing Rock Sioux Tribe,"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HCR 3031: Finance and Taxation Committee (Rep. Carlson, Chairman) recommends **DO PASS** (14 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HCR 3031 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3036: Judiciary Committee (Rep. DeKrey, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HCR 3036 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3040: Finance and Taxation Committee (Rep. Carlson, Chairman) recommends **DO NOT PASS** (8 YEAS, 7 NAYS, 0 ABSENT AND NOT VOTING). HCR 3040 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3043: 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). HCR 3043 was placed on the Sixth order on the calendar.

Page 1, line 16, replace "expend, from funds otherwise available to the Legislative Council, up to \$15,000 for" with "use the"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2051: Natural Resources Committee (Rep. Rennerfeldt, Chairman) recommends **DO PASS** (15 YEAS, 0 NAYS, ABSENT AND NOT VOTING). SB 2051 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2122: Natural Resources Committee (Rep. Rennerfeldt, Chairman) recommends **DO PASS** (15 YEAS, 0 NAYS, ABSENT AND NOT VOTING). SB 2122 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2165: Natural Resources Committee (Rep. Rennerfeldt, Chairman) recommends **DO PASS** (15 YEAS, 0 NAYS, ABSENT AND NOT VOTING). SB 2165 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2168: Human Services Committee (Rep. Price, Chairman) recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2168 was placed on the Fourteenth order on the calendar.

FIRST READING OF SENATE BILLS

SB 2013: A BILL for an Act to provide an appropriation for defraying the expenses of the commissioner of university and school lands.

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

SB 2015: A BILL for an Act to provide an appropriation for defraying the expenses of the state industrial commission and the agencies under the management of the industrial commission; to provide a continuing appropriation; to authorize transfers; to limit Bank of North Dakota transfers to the general fund; to provide legislative intent; to provide for a legislative council study; and to declare an emergency.

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

SB 2098: A BILL for an Act to amend and reenact sections 23-09.3-01.1 and 23-16-01.1 of the North Dakota Century Code, relating to the moratorium on expansion of basic and long-term care bed capacity.

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

SB 2099: A BILL for an Act to amend and reenact subsection 3 of section 38-08-04.5, section 38-08-21, and subsection 7 of section 38-12-01 of the North Dakota Century Code, relating to the abandoned oil and gas well plugging and site reclamation fund, control of gas and oil resources, and subsurface mineral regulation; and to provide an effective date.

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

SB 2124: A BILL for an Act to create and enact a new subsection to section 23-25-01 and a new subsection to section 23-25-03 of the North Dakota Century Code, relating to lead-based paint remediation and abatement; to amend and reenact section 23-25-03.1 and subsection 1 of section 23-25-05 of the North Dakota Century Code, relating to lead-based paint remediation and abatement; and to provide an appropriation.

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

SB 2153: A BILL for an Act to amend and reenact section 34-14-09 of the North Dakota Century Code, relating to the time period during which unpaid wages may be collected by the commissioner of labor on behalf of a wage claimant.

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

SB 2246: A BILL for an Act to create and enact a new section to chapter 26.1-33 of the North Dakota Century Code, relating to the duties of a trustee of a life insurance trust.

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

SB 2276: A BILL for an Act to create and enact a new chapter to title 43 of the North Dakota Century Code, relating to a dentists' loan repayment program; to provide an appropriation; and to declare an emergency.

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

SB 2346: A BILL for an Act to amend and reenact section 40-22-18 of the North Dakota Century Code, relating to exclusion of tax-exempt property from consideration in protests against special improvement projects.

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

MOTION

REP. MONSON MOVED that the House be on the Fifth, Twelfth, Thirteenth, and Sixteenth orders of business and at the conclusion of those orders, the House stand adjourned until 1:00 p.m., Tuesday, February 13, 2001, which motion prevailed.

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

MARK L. JOHNSON, Chief Clerk