

## JOURNAL OF THE HOUSE

## Fifty-seventh Legislative Assembly

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Bismarck, February 14, 2001

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

The prayer was offered by Pastor Keith Ritchie, Cornerstone Community Church, Bismarck.

The roll was called and all members were present except Representatives Huether, Kerzman, Renner, Wald, and Warner.

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 1044 HB 1066, HB 1188, HB 1203, HB 1225, HB 1277, HB 1300, HB 1322, HB 1328, HB 1344, HB 1363, HB 1367, HB 1379, HB 1401, HB 1462, HCR 3024, and HCR 3030 be adopted, which motion prevailed.

HB 1044 HB 1066, HB 1188, HB 1203, HB 1225, HB 1277, HB 1300, HB 1322, HB 1328, HB 1344, HB 1363, HB 1367, HB 1379, HB 1401, HB 1462, HCR 3024, and HCR 3030, as amended, were placed on the Eleventh order of business on the calendar.

## MOTION

**REP. BELTER MOVED** they vote on SB 2174 separately, which motion prevailed.

## MOTION

**REP. BELTER MOVED** that the House suspend Rule 329(4) again allow any rereferrals to the Appropriations Committee to be made by the end of today, the 27th legislative day.

## MOTION

**REP. BELTER MOVED** that HB 1328 be rereferred to the **Appropriations Committee**, which motion prevailed. Pursuant to Rep. Belter's motion, HB 1328 was rereferred.

## MOTION

**REP. BELTER MOVED** that HB 1367 be rereferred to the **Appropriations Committee**, which motion prevailed. Pursuant to Rep. Belter's motion, HB 1367 was rereferred.

## MOTION

**REP. BELTER MOVED** that HB 1344 be rereferred to the **Appropriations Committee**, which motion prevailed. Pursuant to Rep. Belter's motion, HB 1344 was rereferred.

## SIXTH ORDER OF BUSINESS

**SB 2174: REP. POLLERT (Human Services Committee) MOVED** that the amendments on HJ page 504 be adopted which motion prevailed.

## REQUEST

**REP. NIEMEIER REQUESTED** a recorded roll call vote on the motion to adopt the proposed amendments to SB 2174, which request was granted.

## ROLL CALL

The question being on the motion to adopt the amendments to SB 2174, the roll was called and there were 69 YEAS, 26 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

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

**NAYS:** Aarsvold; Cleary; Disrud; Eckre; Fairfield; Froelich; Glassheim; Grumbo; Gulleson; Hanson; Hunsakor; Kelsh, S.; Kroeber; Lemieux; Mahoney; Metcalf; Mueller; Niemeier; Onstad; Sandvig; Schmidt; Solberg; Thorpe; Warner; Wentz; Winrich

**ABSENT AND NOT VOTING:** Huether; Kerzman; Wald

The motion to adopt the amendments to SB 2174 passed.

#### MOTION

**REP. BELTER MOVED** that the rules be suspended and that SB 2174, as amended, be deemed properly engrossed and placed on the Fourteenth order for the succeeding legislative day, which motion prevailed.

#### MOTION

**REP. CARLSON MOVED** that the House reconsider its action whereby HB 1443 failed to pass, which motion prevailed on a verification vote.

#### MOTION

**REP. WEISZ MOVED** that HB 1443 be rereferred to the **Transportation Committee**, which motion prevailed. Pursuant to Rep. Weisz's motion, HB 1443 was rereferred.

#### SECOND READING OF HOUSE BILL

**HB 1336:** A BILL for an Act to amend and reenact section 2 of chapter 188 of the 1987 Session Laws, relating to reversion of property not used as a fairgrounds in Stark County.

#### 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; Gulleson; Gunter; Haas; Hanson; Hawken; Herbel; Hunsakor; 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

**ABSENT AND NOT VOTING:** Huether; Kerzman

Engrossed HB 1336 passed and the title was agreed to.

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#### SECOND READING OF HOUSE BILL

**HB 1352:** A BILL for an Act to create and enact a new section to chapter 16.1-01 of the North Dakota Century Code, relating to recall petitions; and to amend and reenact sections 16.1-01-09 and 44-08-21 of the North Dakota Century Code, relating to initiative and referendum petitions and recall petitions of political subdivision officials.

#### 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, 2 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; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Grumbo; Gulleson; Gunter; Haas; Hanson; Hawken; Herbel; Hunsakor; 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.; Tieman; Timm; Wald; Warner; Weiler; Weisz; Wentz;  
Wikenheiser; Winrich; Wrangham; Speaker Bernstein

**NAYS:** Eckre; Thorpe

**ABSENT AND NOT VOTING:** Huether; Kerzman

Engrossed HB 1352 passed and the title was agreed to.

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### SECOND READING OF HOUSE BILL

**HB 1370:** A BILL for an Act to amend and reenact section 16.1-08.1-04 of the North Dakota Century Code, relating to supplemental campaign contribution statements.

### 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 82 YEAS, 14 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Bellew; Belter; Berg; Boehm; Boucher; Brekke; Brusegaard; Byerly; Clark; Cleary; Delmore; Devlin; Disrud; Dosch; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Grosz; Grumbo; Gulleson; Gunter; Haas; Hanson; Hawken; Herbel; Hunsakor; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kingsbury; Klein, M.; Klemin; Kliniske; Koppang; Koppelman; Kretschmar; Kroeber; Lemieux; Lloyd; Mahoney; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Nottestad; Onstad; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Solberg; Svedjan; Thoreson, L.; Thorpe; Tieman; Timm; Warner; Wentz; Wikenheiser; Winrich; Wrangham; Speaker Bernstein

**NAYS:** Brandenburg; Carlisle; Carlson; DeKrey; Delzer; Grande; Kasper; Klein, F.; Pietsch; Skarphol; Thoreson, B.; Wald; Weiler; Weisz

**ABSENT AND NOT VOTING:** Huether; Kerzman

Engrossed HB 1370 passed and the title was agreed to.

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### SECOND READING OF HOUSE BILL

**HB 1374:** A BILL for an Act relating to honorary high school diplomas for veterans; and to declare an emergency.

### ROLL CALL

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

**YEAS:** Aarsvold; Bellew; Belter; Berg; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; DeKrey; Delmore; Delzer; Devlin; Disrud; Dosch; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Grumbo; Gulleson; Gunter; Haas; Hanson; Hawken; Herbel; Hunsakor; 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

**ABSENT AND NOT VOTING:** Huether; Kerzman

Engrossed HB 1374 passed, the title was agreed to, and the emergency clause was declared carried.

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**SECOND READING OF HOUSE BILL**

**HB 1396:** A BILL for an Act to create and enact a new subsection to section 61-02-14 of the North Dakota Century Code, relating to the powers and duties of the state water commission; and to amend and reenact subsections 4 and 5 of section 61-01-26 of the North Dakota Century Code and section 10 of chapter 535 of the 1999 Session Laws, relating to the sharing of costs for water quality protection programs and the statewide water development program.

**ROLL CALL**

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

**YEAS:** Aarsvold; Bellew; Belter; Berg; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; DeKrey; Delmore; Delzer; Devlin; Disrud; Dosch; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Grumbo; Gulleason; Gunter; Haas; Hanson; Hawken; Herbel; Hunsakor; Jensen; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kempenich; Kingsbury; Klein, F.; Klein, M.; Klemin; Kliniske; Koppang; Koppelman; Kretschmar; Kroeber; 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

**ABSENT AND NOT VOTING:** Huether; Kelsh, S.; Kerzman; Lemieux

Engrossed HB 1396 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1404:** A BILL for an Act to create and enact a new section to chapter 5-01 of the North Dakota Century Code, relating to farm winery licenses.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 94 YEAS, 2 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; 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; Gulleason; Gunter; Haas; Hanson; Hawken; Herbel; 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:** Bellew; Hunsakor

**ABSENT AND NOT VOTING:** Huether; Kerzman

Engrossed HB 1404 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1454:** A BILL for an Act to provide for a state investment fund program; to create and enact a new section to chapter 15-03 and a new section to chapter 21-10 of the North Dakota Century Code, relating to investments of the board of university and school lands and the state investment board; to amend and reenact section 54-27-25 of the North Dakota Century Code, relating to the tobacco settlement trust fund; to provide for state investments in the state investment fund; and to provide a continuing appropriation.

**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 37 YEAS, 57 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Boucher; Cleary; DeKrey; Disrud; Drovdal; Eckre; Fairfield; Froelich; Galvin; Glassheim; Grumbo; Gulleeson; Hawken; Jensen; Johnson, N.; Keiser; Kelsh, S.; Kempenich; Koppelman; Lemieux; Mahoney; Maragos; Martinson; Metcalf; Mueller; Nelson; Nicholas; Niemeier; Onstad; Sandvig; Schmidt; Solberg; Thorpe; Warner; Wentz; Winrich

**NAYS:** Bellew; Belter; Berg; Boehm; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Delmore; Delzer; Devlin; Dosch; Froseth; Grande; Grosz; Gunter; Haas; Hanson; Herbel; Hunskor; Johnson, D.; Kasper; Kelsch, R.; Kingsbury; Klein, F.; Klein, M.; Klemm; Kliniske; Koppang; Kretschmar; Kroeber; Lloyd; Meier; 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:** Ekstrom; Huether; Kerzman; Wald

Engrossed HB 1454 lost.

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**SECOND READING OF HOUSE CONCURRENT RESOLUTION**

**HCR 3022:** A concurrent resolution directing the Legislative Council to study the use of incentive programs in North Dakota as a way of keeping elk in the state and providing increased opportunities for landowners, hunters, and the general public.

**ROLL CALL**

The question being on the final passage of the amended resolution, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 93 YEAS, 0 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

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

Engrossed HCR 3022 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1008:** A BILL for an Act to provide an appropriation for defraying the expenses of the public service commission; and to amend and reenact section 49-01-05 of the North Dakota Century Code, relating to the salary of public service commissioners.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 95 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Bellew; Belter; Berg; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; DeKrey; Delmore; Delzer; Devlin; Disrud; Dosch; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Grumbo; Gulleeson; Gunter; Haas; Hanson; Hawken; Herbel; Hunskor; Jensen; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; 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; 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:** Huether; Kerzman; Renner

Engrossed HB 1008 passed and the title was agreed to.

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### SECOND READING OF HOUSE BILL

**HB 1009:** A BILL for an Act to provide an appropriation for defraying the expenses of the agriculture commissioner; to provide project safe send user fees; and to amend and reenact sections 4-01-21, 19-18-02.1, and 19-18-04 of the North Dakota Century Code, relating to the salary of the agriculture commissioner, uses of the environment and rangeland protection fund, and pesticide registration fees.

### 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; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; DeKrey; Delmore; Devlin; Disrud; Dosch; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Grumbo; Gulleon; Gunter; Haas; Hanson; Hawken; Herbel; Hunsakor; 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:** Delzer

**ABSENT AND NOT VOTING:** Huether; Kerzman

Engrossed HB 1009 passed and the title was agreed to.

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### SECOND READING OF HOUSE BILL

**HB 1022:** A BILL for an Act to provide an appropriation for defraying the expenses of the tourism department; 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.

### 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, 1 NAY, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Bellew; Belter; Berg; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; DeKrey; Delmore; Delzer; Devlin; Disrud; Dosch; Drovdal; Eckre; Ekstrom; Fairfield; Froseth; Galvin; Glassheim; Grande; Grosz; Grumbo; Gulleon; Gunter; Haas; Hanson; Hawken; Herbel; Hunsakor; 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; 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

**ABSENT AND NOT VOTING:** Huether; Kerzman; Nicholas

Engrossed HB 1022 passed, the title was agreed to, and the emergency clause was declared carried.

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### SECOND READING OF HOUSE BILL

**HB 1202:** A BILL for an Act to create and enact section 23-27-04.5 of the North Dakota Century Code, relating to the creation of a quick-response unit service pilot program; to amend and reenact sections 23-27-01, 23-27-02, 23-27-03, 23-27-04, 23-07-04.1, 23-27-04.2, 23-27-04.3, and 23-27-04.4 of the North Dakota Century Code, relating to licensure of emergency medical services operations; to provide an appropriation; 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 94 YEAS, 1 NAY, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Bellew; Belter; Berg; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; DeKrey; Delmore; Delzer; Devlin; Disrud; Dosch; Drovdal; Eckre; Ekstrom; Fairfield; Froseth; Galvin; Glassheim; Grande; Grosz; Grumbo; Gulleson; Gunter; Haas; Hanson; Hawken; Herbel; Hunsakor; 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; 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

**ABSENT AND NOT VOTING:** Huether; Kerzman; Niemeier

Engrossed HB 1202 passed and the title was agreed to.

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### SECOND READING OF HOUSE BILL

**HB 1285:** A BILL for an Act to create and enact a new section to chapter 39-04 of the North Dakota Century Code, relating to liability insurance for motor vehicles.

### 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 82 YEAS, 14 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

**NAYS:** Boehm; Byerly; Delzer; Drovdal; Froseth; Haas; Kasper; Klein, F.; Kretschmar; Lloyd; Renner; Rennerfeldt; Timm; Wrangham

**ABSENT AND NOT VOTING:** Huether; Kerzman

Engrossed HB 1285 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1308:** A BILL for an Act to amend and reenact subsection 3 of section 39-12-02 of the North Dakota Century Code, relating to the fees for special vehicle permits; 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 NOT PASS, the roll was called and there were 26 YEAS, 69 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Boucher; Cleary; Devlin; Ekstrom; Froelich; Glassheim; Grumbo; Guleson; Hanson; Hunsakor; Kelsh, S.; Koppelman; Kroeber; Lemieux; Mahoney; Metcalf; Mueller; Niemeier; Onstad; Sandvig; Severson; Solberg; Thorpe; Warner; Winrich

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

**ABSENT AND NOT VOTING:** Huether; Kerzman; Nicholas

Engrossed HB 1308 lost.

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**SECOND READING OF HOUSE BILL**

**HB 1310:** A BILL for an Act to provide for scholarships for retraining elementary and secondary teachers.

**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 67 YEAS, 29 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Bellew; Berg; Boehm; Brandenburg; Brekke; Brusegaard; Carlisle; Clark; Cleary; DeKrey; Delmore; Devlin; Disrud; Dosch; Eckre; Ekstrom; Fairfield; Froelich; Galvin; Grosz; Grumbo; Gunter; Haas; Hanson; Hawken; Herbel; Hunsakor; Jensen; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kingsbury; Klein, F.; Klemin; Kliniske; Koppang; Koppelman; Kretschmar; Kroeber; Lemieux; Mahoney; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Nottestad; Onstad; Pollert; Porter; Price; Schmidt; Severson; Solberg; Thoreson, L.; Thorpe; Tieman; Weiler; Weisz; Wentz; Wikenheiser

**NAYS:** Aarsvold; Belter; Boucher; Byerly; Carlson; Delzer; Drovdal; Froseth; Glassheim; Grande; Guleson; Kempenich; Klein, M.; Lloyd; Niemeier; Pietsch; Renner; Rennerfeldt; Ruby; Sandvig; Skarphol; Svedjan; Thoreson, B.; Timm; Wald; Warner; Winrich; Wrangham; Speaker Bernstein

**ABSENT AND NOT VOTING:** Huether; Kerzman

Engrossed HB 1310 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1356:** A BILL for an Act to amend and reenact section 20.1-06-08 of the North Dakota Century Code, relating to the governor's proclamation concerning spearfishing from dark houses.

**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 74 YEAS, 22 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Bellew; Berg; Boehm; Boucher; Brekke; Brusegaard; Byerly; Carlisle; Cleary; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Ekstrom; Fairfield; Froelich; Froseth; Galvin;

Glassheim; Grosz; Gunter; Haas; Hanson; Hawken; Hunskor; Jensen; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppang; Koppelman; Kretschmar; Kroeber; Lemieux; Mahoney; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Nottestad; Onstad; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Solberg; Svedjan; Thoreson, B.; Thoreson, L.; Thorpe; Tieman; Warner; Weiler; Weisz; Wikenheiser; Winrich; Wrangham

**NAYS:** Aarsvold; Belter; Brandenburg; Carlson; Clark; Disrud; Eckre; Grande; Grumbo; Gulleson; Herbel; Johnson, D.; Johnson, N.; Kasper; Kliniske; Lloyd; Niemeier; Skarphol; Timm; Wald; Wentz; Speaker Bernstein

**ABSENT AND NOT VOTING:** Huether; Kerzman

Engrossed HB 1356 passed and the title was agreed to.

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### SECOND READING OF HOUSE BILL

**HB 1411:** A BILL for an Act to create and enact two new sections to chapter 39-10.1 of the North Dakota Century Code, relating to bicycle helmets and restraining seats; to amend and reenact section 39-10.1-01 of the North Dakota Century Code, relating to bicycles; and to provide a penalty.

### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 40 YEAS, 53 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Boucher; Brekke; Cleary; Delmore; Disrud; Ekstrom; Fairfield; Glassheim; Grumbo; Gunter; Hanson; Hawken; Hunskor; Jensen; Johnson, N.; Kelsh, S.; Klemin; Koppang; Kretschmar; Kroeber; Mahoney; Maragos; Martinson; Metcalf; Mueller; Niemeier; Nottestad; Onstad; Price; Sandvig; Schmidt; Severson; Solberg; Thoreson, L.; Tieman; Warner; Wentz; Wikenheiser; Winrich

**NAYS:** Bellew; Belter; Berg; Boehm; Brandenburg; Brusegaard; Byerly; Carlisle; Carlson; Clark; DeKrey; Delzer; Devlin; Dosch; Drovdal; Eckre; Froelich; Froseth; Galvin; Grande; Grosz; Gulleson; Haas; Herbel; Johnson, D.; Kasper; Keiser; Kelsch, R.; Kempenich; Kingsbury; Klein, F.; Klein, M.; Kliniske; Koppelman; Lloyd; Meier; Monson; Nelson; Pietsch; Pollert; Porter; Renner; Rennerfeldt; Ruby; Skarphol; Svedjan; Thoreson, B.; Thorpe; Timm; Wald; Weiler; Weisz; Wrangham

**ABSENT AND NOT VOTING:** Huether; Kerzman; Lemieux; Nicholas; Speaker Bernstein

Engrossed HB 1411 lost.

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### SECOND READING OF HOUSE BILL

**HB 1467:** A BILL for an Act to transfer funds from the environment and rangeland protection fund to the minor use pesticide fund.

### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 95 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Bellew; Belter; Berg; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; DeKrey; Delmore; Delzer; Devlin; Disrud; Dosch; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Grumbo; Gulleson; Gunter; Haas; Hanson; Hawken; Herbel; 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; 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; Wald; Warner; Weiler; Weisz; Wentz; Wikenheiser; Winrich; Wrangham; Speaker Bernstein

**ABSENT AND NOT VOTING:** Huether; Kerzman; Lemieux

Engrossed HB 1467 passed and the title was agreed to.

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### SECOND READING OF HOUSE BILL

**HB 1472:** A BILL for an Act to create and enact a new section to chapter 50-24.1 of the North Dakota Century Code, relating to medical assistance for breast and cervical cancer; and to provide an appropriation.

### ROLL CALL

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

**YEAS:** Aarsvold; Bellew; Belter; Berg; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; DeKrey; Delmore; Devlin; Disrud; Dosch; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Grumbo; Gulleson; Gunter; Haas; Hanson; Hawken; Herbel; Hunsakor; 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; 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:** Delzer; Huether; Kerzman; Lemieux

Engrossed HB 1472 passed and the title was agreed to.

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### SECOND READING OF HOUSE CONCURRENT RESOLUTION

**HCR 3020:** A concurrent resolution urging the United States Army Corps of Engineers to promote private access to, private ownership of, and private development on lands it owns and manages around Lake Sakakawea, 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.

### ROLL CALL

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

**YEAS:** Aarsvold; Bellew; Belter; Berg; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; DeKrey; Delmore; Devlin; Disrud; Dosch; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Grumbo; Gulleson; Gunter; Haas; Hanson; Hawken; Herbel; Hunsakor; 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; 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:** Delzer; Huether; Kerzman; Lemieux

Engrossed HCR 3020 passed and the title was agreed to.

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### SECOND READING OF HOUSE CONCURRENT RESOLUTION

**HCR 3021:** A concurrent resolution expressing appreciation for passage of the Dakota Water Resources Act and urging Congress to fully fund the federal share of the water projects in that Act.

**ROLL CALL**

The question being on the final passage of the amended resolution, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 84 YEAS, 11 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

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

**NAYS:** Brandenburg; Brekke; DeKrey; Delmore; Kelsch, R.; Klein, F.; Kliniske; Lloyd; Pollert; Porter; Weisz

**ABSENT AND NOT VOTING:** Huether; Kerzman; Lemieux

Engrossed HCR 3021 passed and the title was agreed to.

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**SECOND READING OF HOUSE CONCURRENT RESOLUTION**

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

**ROLL CALL**

The question being on the final passage of the amended resolution, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 95 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Bellew; Belter; Berg; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; DeKrey; Delmore; Delzer; Devlin; Disrud; Dosch; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Grumbo; Gulleson; Gunter; Haas; Hanson; Hawken; Herbel; 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; 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:** Huether; Kerzman; Lemieux

Engrossed HCR 3043 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1409:** A BILL for an Act to create and enact a new section to chapter 23-27 and two new sections to chapter 57-40.6 of the North Dakota Century Code, relating to the dispatching of ambulances and standards and guidelines for 911 telephone systems; 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 89 YEAS, 3 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Bellew; Belter; Berg; Boehm; Boucher; Brandenburg; Brekke; Carlisle; Carlson; Clark; Cleary; DeKrey; Delmore; Delzer; Devlin; Disrud; Dosch; Drovdal; Eckre; Ekstrom; Fairfield; Froseth; Galvin; Glassheim; Grande; Grosz; Grumbo; Gunter; Haas; Hanson; Hawken; Herbel; 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; 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:** Brusegaard; Froelich; Monson

**ABSENT AND NOT VOTING:** Byerly; Gulleson; Huether; Kerzman; Lemieux; Mueller

Engrossed HB 1409 passed and the title was agreed to.

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### SECOND READING OF HOUSE BILL

**HB 1397:** A BILL for an Act to create and enact a new section to chapter 23-27 of the North Dakota Century Code, relating to dispatching of ambulances in emergencies.

### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 0 YEAS, 93 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

**NAYS:** Aarsvold; Bellew; Belter; Berg; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; DeKrey; Delmore; Delzer; Devlin; Disrud; Dosch; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Grumbo; Gunter; Haas; Hanson; Hawken; Herbel; Hunsakor; Jensen; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kingsbury; 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; Weisz; Wentz; Wikenheiser; Winrich; Wrangham; Speaker Bernstein

**ABSENT AND NOT VOTING:** Gulleson; Huether; Kerzman; Klein, F.; Wald

HB 1397 lost.

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### SECOND READING OF HOUSE BILL

**HB 1039:** A BILL for an Act to provide for a state venture capital fund.

### 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, 72 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Boucher; Cleary; Delmore; Ekstrom; Fairfield; Glassheim; Grumbo; Gulleson; Kelsh, S.; Lemieux; Mahoney; Metcalf; Mueller; Niemeier; Onstad; Sandvig; Schmidt; Solberg; Thorpe; Warner; Winrich

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

**ABSENT AND NOT VOTING:** Froelich; Huether; Kerzman; Timm

HB 1039 lost.

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### SECOND READING OF HOUSE BILL

**HB 1040:** A BILL for an Act to create a North Dakota entrepreneur seed fund; and to provide an appropriation.

**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 14 YEAS, 82 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Boucher; Cleary; Ekstrom; Fairfield; Glassheim; Grumbo; Lemieux; Metcalf; Mueller; Niemeier; Onstad; Warner; Winrich

**NAYS:** Bellew; Belter; Berg; Boehm; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; DeKrey; Delmore; Delzer; Devlin; Disrud; Dosch; Drovdal; Eckre; Froelich; Froseth; Galvin; Grande; Grosz; Gulleeson; Gunter; Haas; Hanson; Hawken; Herbel; Hunsakor; 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; Monson; Nelson; Nicholas; Nottestad; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Skarphol; Solberg; Svedjan; Thoreson, B.; Thoreson, L.; Thorpe; Tieman; Timm; Wald; Weiler; Weisz; Wentz; Wikenheiser; Wrangham; Speaker Bernstein

**ABSENT AND NOT VOTING:** Huether; Kerzman

HB 1040 lost.

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**SECOND READING OF HOUSE BILL**

**HB 1042:** A BILL for an Act to amend and reenact section 10-30.1-04 of the North Dakota Century Code, relating to venture capital corporation incorporation.

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

**NAYS:** Byerly; Delzer; Skarphol

**ABSENT AND NOT VOTING:** Huether; Kerzman

HB 1042 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1088:** A BILL for an Act to amend and reenact section 52-02-02 of the North Dakota Century Code, relating to unemployment compensation electronic reporting by employers.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 6 YEAS, 90 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Cleary; Ekstrom; Glassheim; Klein, M.; Koppang; Lemieux

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

Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kingsbury; Klein, F.; Klemin; Kliniske; Koppelman; Kretschmar; Kroeber; 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

**ABSENT AND NOT VOTING:** Huether; Kerzman

HB 1088 lost.

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### SECOND READING OF HOUSE BILL

**HB 1130:** A BILL for an Act to amend and reenact section 15-40.3-05 of the North Dakota Century Code or in the alternative to amend and reenact section 15.1-31-05 of the North Dakota Century Code, relating to the transportation of students participating in open enrollment.

### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 6 YEAS, 90 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Boucher; Grumbo; Hanson; Kroeber; Lemieux; Solberg

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

**ABSENT AND NOT VOTING:** Huether; Kerzman

HB 1130 lost.

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### SECOND READING OF HOUSE BILL

**HB 1150:** A BILL for an Act to allow certain administrative agencies to enter into licensing compacts with other states.

### 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 2 YEAS, 94 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Gulleson; Lemieux

**NAYS:** Aarsvold; Bellew; Belter; Berg; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; DeKrey; Delmore; Delzer; Devlin; Disrud; Dosch; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Grumbo; Gunter; Haas; Hanson; Hawken; Herbel; 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; 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:** Huether; Kerzman

HB 1150 lost.

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**SECOND READING OF HOUSE BILL**

**HB 1153:** A BILL for an Act to create and enact a new section to chapter 65-05 of the North Dakota Century Code, relating to establishing incentives for employers to hire workers who have previously sustained a work injury; to amend and reenact subsection 19 of section 65-01-02 and sections 65-05-08 and 65-05-32 of the North Dakota Century Code, relating to the definition of fee schedule for workers' compensation purposes, prohibiting employers from requiring injured workers to use sick or annual leave benefits, the confidentiality and use of workers' compensation claim file information; to provide a penalty; to provide a continuing appropriation; and to provide an effective date.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 91 YEAS, 4 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Bellew; Belter; Berg; Boehm; 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; Hunskor; Jensen; Johnson, D.; Johnson, N.; Kasper; Kelsch, R.; Kelsh, S.; Kempenich; Kingsbury; Klein, F.; Klein, M.; Klemin; Kliniske; Koppang; Koppelman; Kretschmar; Kroeber; Lemieux; Mahoney; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Nottestad; Onstad; Pietsch; Pollert; Price; Renner; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Skarphol; Solberg; Svedjan; Thoreson, B.; Thoreson, L.; Thorpe; Tieman; Timm; Wald; Warner; Weisz; Wentz; Wikenheiser; Winrich; Wrangham; Speaker Bernstein

**NAYS:** Keiser; Lloyd; Porter; Weiler

**ABSENT AND NOT VOTING:** Boucher; Huether; Kerzman

HB 1153 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1162:** A BILL for an Act to amend and reenact section 65-05.2-02 of the North Dakota Century Code and section 6 of chapter 556 of the 1999 Session Laws, relating to payment of supplementary benefits for certain workers' compensation benefit recipients; and to provide an effective date.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 95 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Bellew; Belter; Berg; Boehm; 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; 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

**ABSENT AND NOT VOTING:** Boucher; Huether; Kerzman

HB 1162 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1236:** A BILL for an Act to amend and reenact sections 15.1-09-02 and 15.1-09-27 and subsection 1 of section 15.1-09-30 of the North Dakota Century Code, relating to terms of Fargo board of education members; 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 95 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Bellew; Belter; Berg; Boehm; 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; Hunsford; Jensen; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; 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

**ABSENT AND NOT VOTING:** Boucher; Huether; Kerzman

HB 1236 passed, the title was agreed to, and the emergency clause was declared carried.

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**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 2022, SB 2033, SB 2043, SB 2182, SB 2207, SB 2289, SB 2353, SB 2375, SB 2386, SB 2389, SB 2406, SB 2421, SB 2448.

**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 1450.

**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 1023, HB 1024, HB 1157, HB 1293, HCR 3036.

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

**MR. SPEAKER:** The President has signed: HB 1092, HB 1180.

**REPORT OF STANDING COMMITTEE**

**HB 1048: Judiciary Committee (Rep. DeKrey, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (7 YEAS, 6 NAYS, 2 ABSENT AND NOT VOTING). HB 1048 was placed on the Sixth order on the calendar.

Page 1, line 13, overstrike "The members" and insert immediately thereafter "Any member" and overstrike "and poll challengers"

Page 1, line 14, overstrike "anyone" and insert immediately thereafter "an individual"

Page 1, line 15, after "elector" insert "of the precinct", overstrike "Members" and insert immediately thereafter "A poll challenger may request members", overstrike "or poll challengers may" and insert immediately thereafter "to", and overstrike "a voter if" and insert immediately thereafter "the right of an individual to vote whom"

Page 1, line 16, after "believe" insert "is not a qualified elector of the precinct. A challenge may be based upon" and after "any" insert "one"

Page 1, line 17, overstrike "person" and insert immediately thereafter "individual"

Page 1, line 19, overstrike "person" and insert immediately thereafter "name of the individual", overstrike "has never voted in the precinct before" and insert immediately thereafter "does not appear in the pollbook", and after "and" insert "the individual"

Page 1, line 21, overstrike "person" and insert immediately thereafter "individual"

Page 1, line 23, overstrike "person" and insert immediately thereafter "individual"

Page 2, line 1, overstrike "person" and insert immediately thereafter "individual" and overstrike "poll challenger or by a"

Page 2, line 2, overstrike "person" and insert immediately thereafter "individual"

Page 2, line 3, overstrike "person" and insert immediately thereafter "individual"

Page 2, line 4, overstrike "person" and insert immediately thereafter "individual"

Page 2, after line 16, insert:

"f. A space to insert the page number of the pollbook on which the challenged voter's name appears along with the statement of the reason for the challenge."

Page 2, line 18, replace "person" with "individual" and remove "poll challenger or"

Page 2, line 19, replace "shall write on" with "mark" and after the third "envelope" insert "with"

Page 2, line 20, remove "and a statement of the reason for the challenge" and remove "poll challenger"

Page 2, line 21, remove "or"

Page 2, line 22, replace "envelope" with

Page 2, replace lines 23 through 31 with "on which the voter's name appears in the pollbook and must also include a statement of the reason for the challenge. The provisional voter's name must also be marked in the pollbook as a provisional voter. A challenged individual who has completed an affidavit and whose ballot has been designated as provisional according to this subsection has until the closing of the polls in the precinct to offer any additional information or proof to the election inspector supporting the challenged individual's qualifications to vote in the precinct. At any time before the closing of the polls in a precinct, if presented with sufficient information or proof to confirm a challenged individual's qualifications to vote in the precinct, an election inspector may withdraw the challenge and order the election board to open the provisional envelope containing the challenged individual's ballot and deposit the challenged individual's ballot into the ballot box. Before the meeting of the county canvassing board, the county auditor, with the assistance and advice of the state's attorney, shall review each completed affidavit along with the corresponding statement of the reason for the challenge and shall make a recommendation based upon the qualifications of electors in section 16.1-01-04 and the rules for determining residence in section 54-01-26 to the county canvassing board as to whether the challenged voter is qualified to vote in the precinct and whether the challenged voter's provisional ballot should be accepted and counted and canvassed by the county canvassing board or rejected. The county canvassing board shall review each recommendation made by the county auditor, and may consider each completed affidavit including the statement of the reason for the challenge, and accept or reject each provisional ballot based upon the qualifications of electors in section 16.1-01-04 and the rules for determining residence in section 54-01-26. The county canvassing board shall count those provisional ballots deemed acceptable by the board. Provisional ballots rejected by the county canvassing board must be preserved and retained with all corresponding materials for further review and consideration in case of a recount or an election contest. The decision of the county canvassing board, as it pertains to the counting of provisional ballots, is final, subject only to the recount and contesting provisions of chapter 16.1-16. An election board or county canvassing board shall take precautions to ensure that secrecy is maintained when opening and counting provisional ballots and shall proceed in the same manner as prescribed for opening and counting absent voter's ballots in section 16.1-07-12. An otherwise properly completed provisional ballot may not be rejected because an election official failed to comply with any of the procedures required by this section. The county auditor shall report all known or suspected violations to the state's attorney for investigation and possible prosecution."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1051: Finance and Taxation Committee (Rep. Carlson, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (8 YEAS, 6 NAYS, 1 ABSENT AND NOT VOTING). HB 1051 was placed on the Sixth order on the calendar.

Page 2, line 27, after the period insert "Preference must be given to projects that demonstrate the ability to secure insurance, guarantees, or letters of credit for repayment of investments or loans made under this chapter."

Page 3, after line 4, insert:

- "5. Establish standards for evaluation of a project's ability to secure insurance, guarantees, or letters from any public or private entity for repayment of investments or loans made under this chapter."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1087: Industry, Business and Labor Committee (Rep. Berg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). HB 1087 was placed on the Sixth order on the calendar.

Page 2, line 26, replace "north" with "North"

Page 2, line 28, replace "north" with "North"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1161: Industry, Business and Labor Committee (Rep. Berg, Chairman)** recommends **DO PASS** (13 YEAS, 2 NAYS, ABSENT AND NOT VOTING). HB 1161 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1230: Industry, Business and Labor Committee (Rep. Berg, Chairman)** recommends **DO NOT PASS** (11 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). HB 1230 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1249: Appropriations Committee (Rep. Timm, Chairman)** recommends **DO PASS** (17 YEAS, 1 NAY, 3 ABSENT AND NOT VOTING). HB 1249 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1288: Education Committee (Rep. R. Kelsch, Chairman)** recommends **DO NOT PASS** (14 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1288 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1301: Appropriations Committee (Rep. Timm, Chairman)** recommends **DO PASS** (13 YEAS, 1 NAY, 7 ABSENT AND NOT VOTING). HB 1301 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1302: Industry, Business and Labor Committee (Rep. Berg, Chairman)** recommends **DO PASS** (12 YEAS, 3 NAYS, ABSENT AND NOT VOTING). HB 1302 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1309: Education Committee (Rep. R. Kelsch, Chairman)** recommends **DO NOT PASS** (14 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1309 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1319: Industry, Business and Labor Committee (Rep. Berg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1319 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "paragraphs" with "paragraph" and remove "and 2"

Page 1, line 3, remove "and limited liability companies"

Page 1, line 5, replace "Paragraphs" with "Paragraph" and remove "and 2"

Page 1, line 6, replace "are" with "is"

Page 1, remove lines 18 through 24

Page 2, remove lines 1 through 5

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1345: Finance and Taxation Committee (Rep. Carlson, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (8 YEAS, 7 NAYS, 0 ABSENT AND NOT VOTING). HB 1345 was placed on the Sixth order on the calendar.

Page 1, line 1, after the first "to" insert "amend and reenact subsection 12 of section 57-39.2-04 of the North Dakota Century Code, relating to sales tax exemptions for residents of adjoining states; to"

Page 1, line 2, remove "; to provide an appropriation"

Page 1, after line 4, insert:

**"SECTION 1. AMENDMENT.** Subsection 12 of section 57-39.2-04 of the North Dakota Century Code is amended and reenacted as follows:

12. Gross receipts from a sale otherwise taxable under this chapter made to a person who is a resident of an adjoining state which does not impose or levy a retail sales tax under the following conditions:
  - a. The nonresident is in the state of North Dakota for the express purpose of making a purchase and not as a tourist.
  - b. The nonresident furnishes to the North Dakota retailer a certificate signed by the nonresident in a form as the commissioner may prescribe reciting sufficient facts establishing the exempt status of the sale. Unless the certificate is furnished it must be presumed, until the contrary is shown, that the nonresident was not in the state of North Dakota for the express purpose of making a purchase.
  - c. The sale is one hundred fifty dollars or more."

Page 1, remove lines 7 through 12

Page 1, line 13, replace "Section 1 of this" with "This"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1381: Finance and Taxation Committee (Rep. Carlson, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (8 YEAS, 7 NAYS, 0 ABSENT AND NOT VOTING). HB 1381 was placed on the Sixth order on the calendar.

Page 1, line 12, replace "fifty" with "twenty-five"

Page 2, line 9, replace "fifty" with "twenty-five"

Page 2, remove lines 17 through 19

Page 2, line 20, replace "5" with "4"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1387: Industry, Business and Labor Committee (Rep. Berg, Chairman)** recommends **DO NOT PASS** (14 YEAS, 1 NAY, ABSENT AND NOT VOTING). HB 1387 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1388, as engrossed: Appropriations Committee (Rep. Timm, Chairman)** recommends **DO NOT PASS** (8 YEAS, 6 NAYS, 7 ABSENT AND NOT VOTING). Engrossed HB 1388 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1390: Finance and Taxation Committee (Rep. Carlson, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). HB 1390 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to provide a legislative council study of biodiesel fuel and its integration into the agricultural economy of this state."

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

**SECTION 1. LEGISLATIVE COUNCIL STUDY.** The legislative council shall study the use of biodiesel fuel in this state. The study must include analysis of biodiesel fuel's operational impact on engines, its impact on engine warranties, its fuel economy, the impact its use would have on the state, the economic impact its use would have on the agricultural and general business communities, its environmental benefits, methods of better marketing biodiesel fuel by the agricultural and industrial communities, the potential for public use by the state and its political subdivisions, its benefit in cold flow conditions, microbial impacts of its usage, the demand for biodiesel fuel, tax incentives to promote the use of biodiesel fuel, and the current supply and potential for biodiesel plants in or near this state. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the fifty-eighth legislative assembly."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1418: Education Committee (Rep. R. Kelsch, Chairman)** recommends **DO NOT PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1418 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1422: Judiciary Committee (Rep. DeKrey, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). HB 1422 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "section" with "sections" and after "45-11-01" insert "and 47-25-01"

Page 1, line 2, remove "the definition of a" and replace "name" with "and trade names"

Page 1, line 7, remove "counterfeit, alias, feigned, or"

Page 1, line 8, remove "pretended" and replace "taken by a person, differing in some essential particular from the" with "assumed to identify"

Page 1, remove line 9

Page 1, line 10, remove "name or an individual's surname not include in its", and replace "if the true name or" with ":

a. The true name of each organizational partner;

b. The first name and surname of each partner; or

- c. The surname of each partner, repeating a surname if more than one partner has the same surname."

Page 1, remove lines 11 and 12

Page 2, after line 10, insert:

**"SECTION 2. AMENDMENT.** Section 47-25-01 of the North Dakota Century Code is amended and reenacted as follows:

**47-25-01. Trade name defined - Registration.**~~Every name under which any person or organization shall hereafter do or transact any business in this state, other than the true name of such person or organization, is hereby declared to be a "trade name".~~

1. a. As used in this section, a "trade name" is a name assumed to identify the business or activities of an individual or organization and which does not include in the name:
  - (1) The true name of the organization using the name;
  - (2) The first name and surname of each individual using the business name; or
  - (3) The surname of each individual, repeating a surname if more than one owner has the same surname.
- b. A name assumed under paragraph 3 or a name of an organization or association not otherwise registered with the secretary of state is a trade name if a license or permit to conduct business or operations is required by this state.
2. A person or organization that has registered a trade name hereunder under this section may institute a civil suit prohibiting any other person from using such the name.
3. ~~The provisions of this~~ This chapter shall does not prohibit any person engaged in business under a trade name prior to before July 1, 1959, from continuing business under such that name.
4. Notwithstanding any other provision of law, an individual or organization may register as a trade name under section 47-25-04 any name listed in paragraph 1, 2, or 3 of subdivision a of subsection 1."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1426: Judiciary Committee (Rep. DeKrey, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). HB 1426 was placed on the Sixth order on the calendar.

Page 1, line 18, after "state" insert "upon submission of the petitions. The disclosure of contributions received under this section does not affect the requirement to file a pre-election report by persons soliciting or accepting contributions for the purpose of aiding or opposing the circulation or passage of a statewide initiative or referendum petition or measure placed upon a statewide ballot by action of the legislative assembly under chapter 16.1-08.1"

Page 3, line 13, after "measure" insert an underscored comma

Page 3, line 14, overstrike "prior to" and insert immediately thereafter "before" and after "candidate" insert ", political party, committee."

Page 3, line 16, overstrike "or" and insert immediately thereafter ", 16.1-08.1-03," and after the comma insert "or 16.1-08.1-03.3"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1429: Industry, Business and Labor Committee (Rep. Berg, Chairman)** recommends **DO NOT PASS** (13 YEAS, 2 NAYS, ABSENT AND NOT VOTING). HB 1429 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1446: Industry, Business and Labor Committee (Rep. Berg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (10 YEAS, 5 NAYS, ABSENT AND NOT VOTING). HB 1446 was placed on the Sixth order on the calendar.

Page 1, line 2, remove "essential and"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1453: Judiciary Committee (Rep. DeKrey, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). HB 1453 was placed on the Sixth order on the calendar.

Page 1, line 2, remove "subdivision to" and replace "4 of" with "to"

Page 1, line 14, after the period insert "When practicable, permission must be obtained from a parent or guardian of a minor who is under the age of eighteen years and is neither married nor in the military service of the United States before the minor may engage in conduct, other than the providing of information, to assist in a criminal investigation under the direct supervision of a public servant."

Page 1, line 15, remove "subdivision to" and replace "4 of" with "to"

Page 1, line 17, after the comma insert "the court may"

Page 1, line 19, replace "required" with "require" and after the period insert "The court shall hold a hearing in camera before issuing an order under this subsection."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1460: Finance and Taxation Committee (Rep. Carlson, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1460 was placed on the Sixth order on the calendar.

Page 2, line 14, remove the overstrike over "~~two~~", remove "five", remove the overstrike over "~~five hundred thousand~~", and overstrike "for all taxpayers in all"

Page 2, line 15, overstrike "taxable years" and insert immediately thereafter ". Upon exhaustion of this limit, an additional two million five hundred thousand dollars in credits is available to renaissance fund organizations for investment in renaissance zones in which more than fifty percent of each qualifying organization's funds available for that renaissance zone have been invested"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1479: Finance and Taxation Committee (Rep. Carlson, Chairman)** recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1479 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HCR 3034: Industry, Business and Labor Committee (Rep. Berg, Chairman)** recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HCR 3034 was placed on the Tenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2092: Human Services Committee (Rep. Price, Chairman)** recommends **DO PASS** (12 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). SB 2092 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2093: Human Services Committee (Rep. Price, Chairman)** recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2093 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2094: Human Services Committee (Rep. Price, Chairman)** recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2094 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2096: Human Services Committee (Rep. Price, Chairman)** recommends **DO PASS** (10 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). SB 2096 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SCR 4002: Appropriations Committee (Rep. Timm, Chairman)** recommends **DO PASS** (13 YEAS, 0 NAYS, 8 ABSENT AND NOT VOTING). SCR 4002 was placed on the Tenth order on the calendar.

**FIRST READING OF HOUSE CONCURRENT RESOLUTIONS**

Reps. Sandvig, Disrud, Gulleeson, Kliniske and Sens. Kilzer, Wardner introduced:

**HCR 3049:** A concurrent resolution directing the Legislative Council to study the effect of obesity on health care costs and methods to expand awareness of the problem of obesity and improve treatment modalities.

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

Reps. Sandvig, Devlin, Weisz and Sens. Fischer, Kilzer, Thane introduced:

**HCR 3050:** A concurrent resolution directing the Legislative Council to study the feasibility and desirability of realigning the divisions within the Department of Human Services.

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

**FIRST READING OF SENATE BILLS**

**SB 2003:** A BILL for an Act to provide an appropriation for defraying the expenses of the North Dakota university system; to provide for a legislative council study; to provide statements of legislative intent; to amend and reenact sections 15-10-12, 54-44.1-04, subsection 7 of section 54-44.1-06, and section 54-44.1-11 of the North Dakota Century Code, relating to higher education institutions' special revenue funds, budget requests and block grant appropriations, and unexpended appropriations; to provide an expiration date; and to declare an emergency.

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

**SB 2017:** A BILL for an Act to provide an appropriation for defraying the expenses of job service North Dakota; to create and enact a new section to chapter 52-08 of the North Dakota Century Code, relating to job task analysis services; to amend and reenact section 52-04-22 of the North Dakota Century Code and section 4 of chapter 433 of the 1999 Session Laws, relating to the federal advance interest repayment fund and the unemployment compensation incentive fund; and to provide a continuing appropriation.

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

**SB 2020:** A BILL for an Act to provide an appropriation for defraying the expenses of the state board for vocational and technical education.

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

**SB 2027:** A BILL for an Act relating to a pilot project involving county treasurers administering motor vehicle registration programs; to provide for a legislative council study; and to provide an expiration date.

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

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

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

**SB 2209:** A BILL for an Act to create and enact a new subsection to section 57-40.3-04 of the North Dakota Century Code, relating to a motor vehicle excise tax exemption for a motor vehicle acquired or leased by a resident who was a prisoner of war; and to declare an emergency.

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

**SB 2260:** A BILL for an Act to amend and reenact sections 37-14-06 and 37-14-12 of the North Dakota Century Code, relating to loans from the veterans' aid fund and appeals from the department of veterans' affairs.

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

**SB 2282:** A BILL for an Act to provide for a legislative council study of methods to encourage production and consumption of ethanol.

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

**SB 2287:** A BILL for an Act to create and enact a new section to chapter 61-16.1 of the North Dakota Century Code, relating to maintenance of natural watercourses and debrisment of bridges and low water crossings.

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

**SB 2330:** A BILL for an Act to provide for a legislative council study relating to insurance coverage for augmentative communication devices and services for children.

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

#### **MOTION**

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

#### **MOTION**

**REP. MONSON MOVED** that the House be on the Fifth, Ninth, Twelfth, and Thirteenth orders of business and at the conclusion of those orders, the House stand adjourned until 12:30 p.m., Thursday, February 15, 2001, which motion prevailed.

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

**MARK L. JOHNSON, Chief Clerk**