

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

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Bismarck, March 14, 2001

The House convened at 1:00 p.m., with Acting Speaker Wald.

The prayer was offered by Pastor Maury Millican, Bismarck Community Church.

The roll was called and all members were present except Representatives Bellew, Brekke, Bernstein, Froelich, Monson, and Price.

A quorum was declared by the Speaker.

COMMUNICATION FROM GOVERNOR JOHN HOEVEN

This is to inform you that on March 13, 2001, I have signed the following: HB 1077, HB 1078, HB 1087, HB 1178, HB 1183, HB 1194, HB 1209, HB 1250, HB 1346, and HB 1365.

POINT OF PERSONAL PRIVILEGE

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

REQUEST

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

On behalf of the Fargo legislators, and wrestling fans throughout this great state, I'd like to congratulate the NDSU wrestling team for taking it to the best in the country and winning the NCAA national title last weekend.

This is their second consecutive championship and fourth overall, but this year's title didn't come easy. The bison were down by 1 1/2 points going into the championship round, when Todd Fuller, Steve Saxlund, and Nick Severson went on to win individual titles, with Nick Severson pinning the defending national champion to secure the win for the thundering herd.

Congratulations Coach Bucky Maughan and all the NDSU wrestlers, the champions as well as those who helped their teammates become champions, through hard work and team spirit during the season.

Thanks for making North Dakota proud.

SIXTH ORDER OF BUSINESS

REP. BELTER MOVED that the amendments on the Sixth order of business to SB 2086 SB 2118, SB 2205, SB 2226, SB 2294, SB 2308, SB 2374, and SB 2446 be adopted, which motion prevailed.

SB 2086 SB 2118, SB 2205, SB 2226, SB 2294, SB 2308, SB 2374, and SB 2446, as amended, were placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. CARLSON MOVED that the House do concur in the Senate amendments to Engrossed HB 1031 as printed on HJ page 851, which motion prevailed on a voice vote.

Engrossed HB 1031, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1031: A BILL for an Act to amend and reenact subsection 1 of section 4-33-11, section 32-12.1-08, subsection 13 of section 40-49-12, section 40-55-09, subdivision a of subsection 2 of section 57-15-01.1, and sections 57-15-12, 57-15-12.1, 57-15-12.2, 57-15-12.3, 57-15-28.1, 57-15-36, and 57-15-60 of the North Dakota Century Code, relating to consolidation of property tax levy authority of park districts; to repeal section 57-15-37 of the North Dakota Century Code, relating to a tax levy for airport purposes in park districts; and to provide an effective date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 93 YEAS, 1 NAY, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Belter; Berg; Boehm; Boucher; Brandenburg; 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; 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; 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; Acting Speaker Wald

NAYS: Delzer

ABSENT AND NOT VOTING: Bellew; Bernstein; Brekke; Monson

Engrossed HB 1031 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. DEKREY MOVED that the House do concur in the Senate amendments to Engrossed HB 1047 as printed on HJ page 870, which motion prevailed on a voice vote.

Engrossed HB 1047, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1047: A BILL for an Act to amend and reenact section 16.1-05-06 of the North Dakota Century Code, relating to challenging the right of a person to vote.

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 76 YEAS, 18 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Belter; Berg; Boehm; Boucher; Brandenburg; Brusegaard; Byerly; Carlson; Clark; Cleary; DeKrey; Delzer; Devlin; Disrud; Dosch; Drovdal; Eckre; Froelich; Froseth; Galvin; Grande; Grumbo; Gulleon; Gunter; Haas; Hawken; Herbel; Huether; Hunsakor; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemm; Kliniske; Koppang; Koppelman; Kretschmar; Lemieux; Lloyd; Mahoney; Maragos; Martinson; Meier; Metcalf; Nelson; Nicholas; Niemeier; Nottestad; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Sandvig; Severson; Solberg; Svedjan; Thoreson, B.; Thoreson, L.; Thorpe; Tieman; Timm; Warner; Weisz; Wentz; Wikenheiser; Acting Speaker Wald

NAYS: Aarsvold; Carlisle; Delmore; Ekstrom; Fairfield; Glassheim; Grosz; Hanson; Kasper; Kelsh, S.; Kroeber; Mueller; Onstad; Schmidt; Skarphol; Weiler; Winrich; Wrangham

ABSENT AND NOT VOTING: Bellew; Bernstein; Brekke; Monson

Engrossed HB 1047 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. R. KELSCH MOVED that the House do not concur in the Senate amendments to Engrossed HB 1058 as printed on HJ page 839 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on Engrossed HB 1058: Reps. Bellew, Mueller, Nelson.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. CARLSON MOVED that the House do concur in the Senate amendments to Engrossed HB 1059 as printed on HJ page 870, which motion prevailed on a voice vote.

Engrossed HB 1059 was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1059: A BILL for an Act to amend and reenact subsection 4 of section 57-02-08.1 of the North Dakota Century Code, relating to determination of medical care transportation expenses for purposes of the homestead property tax credit for senior citizens; and to provide an effective date.

ROLL CALL

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

YEAS: Aarsvold; Belter; Berg; Boehm; Boucher; Brandenburg; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; DeKrey; Delmore; Delzer; Devlin; Disrud; Dosch; Drovda; 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; 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; Acting Speaker Wald

ABSENT AND NOT VOTING: Bellew; Bernstein; Brekke; Monson

Engrossed HB 1059 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. NICHOLAS MOVED that the House do concur in the Senate amendments to Engrossed HB 1170 as printed on HJ page 813, which motion prevailed on a voice vote.

Engrossed HB 1170 was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1170: A BILL for an Act to amend and reenact sections 4-30-01, 4-30-02, 4-30-02.1, 4-30-03.1, 4-30-03.2, 4-30-03.3, 4-30-03.4, 4-30-03.5, 4-30-03.6, 4-30-03.7, 4-30-03.8, 4-30-13.1, 4-30-18, 4-30-20, 4-30-36, 4-30-36.2, 4-30-36.3, 4-30-36.4, 4-30-37, 4-30-38, 4-30-47, and 4-30-48 of the North Dakota Century Code, relating to elimination of references to the sale of cream and to update references to federal laws and regulations; and to repeal sections 4-30-19, 4-30-21, 4-30-22, 4-30-23, 4-30-24, 4-30-25, 4-30-26, and 4-30-42 of the North Dakota Century Code, relating to standards for production and sale of cream.

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; Belter; Berg; Boehm; Boucher; Brandenburg; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; DeKrey; Delmore; Delzer; Devlin; Disrud; Dosch; Drovda; 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; 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; Acting Speaker Wald

ABSENT AND NOT VOTING: Bellew; Bernstein; Brekke; Monson

Engrossed HB 1170 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. DEKREY MOVED that the House do not concur in the Senate amendments to Engrossed HB 1363 as printed on HJ page 871 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on Engrossed HB 1363: Reps. Disrud, Delmore, Maragos.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. CARLSON MOVED that the House do concur in the Senate amendments to Engrossed HB 1405 as printed on HJ page 871, which motion prevailed on a voice vote.

Engrossed HB 1405 was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1405: A BILL for an Act to amend and reenact subsection 23 of section 57-15-06.7, subsection 7 of section 57-15-20.2, sections 57-15-26.5, and 57-15-51 of the North Dakota Century Code, relating to the county, city, township, and rural ambulance service district tax levy limitation for ambulance services; 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 88 YEAS, 6 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

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

NAYS: Brusegaard; Delzer; Nelson; Ruby; Timm; Wrangham

ABSENT AND NOT VOTING: Bellew; Bernstein; Brekke; Monson

Engrossed HB 1405 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2082: A BILL for an Act to create and enact a new subsection to section 54-52-17.4 of the North Dakota Century Code, relating to purchase of service credit under the public employees retirement system; to amend and reenact subsection 11 of section 54-52-04, subsection 4 of section 54-52-17, subsection 6 of section 54-52-17, subsection 4 of section 54-52-17.4, and sections 54-52-17.5, 54-52-17.10, 54-52-26, 54-52.2-03, and 54-52.2-04 of the North Dakota Century Code, relating to funding of administrative expenses of the deferred compensation plan, computation of benefits, determination of normal retirement date, beneficiary designations, cost of credit purchases, postretirement adjustments, prior service retiree adjustments, confidentiality of records, and deferred compensation under the public employees retirement system; to repeal section 54-52-17.9 of the North Dakota Century Code, relating to prior service retiree adjustments under the public employees retirement system; 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 93 YEAS, 0 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Belter; Berg; Boehm; Boucher; Brandenburg; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; DeKrey; Delmore; Delzer; Devlin; Disrud; Dosch; Drovdal; Eckre; 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; 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; Acting Speaker Wald

ABSENT AND NOT VOTING: Bellew; Bernstein; Brekke; Ekstrom; Monson

Engrossed SB 2082 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2120: A BILL for an Act to amend and reenact subsection 7 of section 38-08-09.4 and section 38-08-09.5 of the North Dakota Century Code, relating to dissolution of units and to the industrial commission's oversight of the creation of units for the further development of oil and gas and changing ratification requirements for these units.

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; Belter; Berg; Boehm; Boucher; Brandenburg; 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; 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; Acting Speaker Wald

ABSENT AND NOT VOTING: Bellew; Bernstein; Brekke; Monson

Engrossed SB 2120 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2142: A BILL for an Act to amend and reenact subsections 10 and 11 of section 10-19.1-01, subsection 6 of section 10-19.1-10, subsection 2 of section 10-19.1-19, subsections 1 and 3 of section 10-19.1-31, subsection 2 of section 10-19.1-51, subsection 4 of section 10-19.1-61.1, subsection 3 of section 10-19.1-64, subsections 1 and 2 of section 10-19.1-83, subsections 1 and 3 of section 10-19.1-87, subsection 7 of section 10-19.1-91, subsections 1 and 3 of section 10-19.1-98, section 10-19.1-100, subsection 2 of section 10-31-13, subsection 8 of section 10-31-13.1, subsections 9, 15, and 29 of section 10-32-02, subsection 2 of section 10-32-07, subsection 1 of section 10-32-23, subsection 4 of section 10-32-30, subsection 7 of section 10-32-32, subsection 2 of section 10-32-35, subsection 2 of section 10-32-42, subsection 1 of section 10-32-43, sections 10-32-44 and 10-32-50, subsection 1 of section 10-32-54, subsection 1 of section 10-32-59, section 10-32-62, subsection 1 of section 10-32-68, subsection 1 of section 10-32-69, section 10-32-70, subsection 1 of section 10-32-76, subsection 3 of section 10-32-78, subsection 4 of section 10-32-80, section 10-32-82, subsection 5 of section 10-32-86, subsection 2 of section 10-32-87, subsection 1 of section 10-32-89, subsection 7 of section 10-32-99, subsections 1, 2, and 3 of section 10-32-102, sections 10-32-104 and 10-32-109, subsections 2 and 3 of section 10-32-119, subsection 1 of section 10-32-131, and subdivision t of subsection 1 of section 10-32-150 of the North Dakota Century Code, relating to business corporations, professional corporations, and limited liability companies.

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; Belter; Berg; Boehm; Boucher; Brandenburg; 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; 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; Acting Speaker Wald

ABSENT AND NOT VOTING: Bellew; Bernstein; Brekke; Monson

Engrossed SB 2142 passed and the title was agreed to.

MOTION

REP. DEKREY MOVED that SB 2045, which is on the Fourteenth order, be rereferred to the **Judiciary Committee**, which motion prevailed. Pursuant to Rep. DeKrey's motion, SB 2045 was rereferred.

SECOND READING OF SENATE BILL

SB 2192: A BILL for an Act to create and enact a new subsection to section 26.1-38.1-05 of the North Dakota Century Code, relating to the powers and duties of a life and health insurance guaranty association; and to amend and reenact subsection 3 of section 26.1-38.1-01 of the North Dakota Century Code, relating to equity indexed life and annuity insurance contracts.

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; Belter; Berg; Boehm; Boucher; Brandenburg; 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; 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; Acting Speaker Wald

ABSENT AND NOT VOTING: Bellew; Bernstein; Brekke; Monson

Engrossed SB 2192 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2208: A BILL for an Act to amend and reenact section 43-23-12.2 of the North Dakota Century Code, relating to the duties and liabilities of real estate brokerage firms and clients.

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; Belter; Berg; Boehm; Boucher; Brandenburg; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; DeKrey; Delmore; Delzer; Devlin; Disrud; Dosch; Drovdal;

Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Grumbo; Gulleson; Gunter; Haas; Hanson; Hawken; Herbel; Huether; Hunsakor; Jensen; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Kliniske; Koppang; Koppelman; Kretschmar; Kroeber; Lemieux; Lloyd; Mahoney; Maragos; Martinson; Meier; Metcalf; 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; Acting Speaker Wald

ABSENT AND NOT VOTING: Bellew; Bernstein; Brekke; Monson

Engrossed SB 2208 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2210: A BILL for an Act to create and enact a new section to chapter 26.1-36.4 of the North Dakota Century Code, relating to health insurance utilization reports.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 93 YEAS, 1 NAY, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

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

NAYS: Ekstrom

ABSENT AND NOT VOTING: Bellew; Bernstein; Brekke; Monson

Engrossed SB 2210 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2318: A BILL for an Act to provide for property service contracts; to amend and reenact sections 26.1-40-18 and 26.1-40-22 of the North Dakota Century Code, relating to automobile warranties; and to repeal sections 26.1-40-19, 26.1-40-20, and 26.1-40-21 of the North Dakota Century Code, relating to automobile warranty insurance.

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; Belter; Berg; Boehm; Boucher; Brandenburg; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; DeKrey; Delmore; Delzer; Devlin; Disrud; Dosch; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Grumbo; Gulleson; Gunter; Haas; Hanson; Hawken; Herbel; Huether; Hunsakor; Jensen; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Kliniske; Koppang; Koppelman; Kretschmar; Kroeber; Lemieux; Lloyd; Mahoney; Maragos; Martinson; Meier; Metcalf; 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; Acting Speaker Wald

ABSENT AND NOT VOTING: Bellew; Bernstein; Brekke; Monson

Engrossed SB 2318 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2443: A BILL for an Act to amend and reenact sections 23-06-03 and 43-10.1-02 of the North Dakota Century Code, relating to pre-need funeral service contracts.

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; Belter; Berg; Boehm; Boucher; Brandenburg; 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; 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; Acting Speaker Wald

ABSENT AND NOT VOTING: Bellew; Bernstein; Brekke; Monson

Engrossed SB 2443 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2080: A BILL for an Act to create and enact a new subdivision to subsection 2 of section 28-32-01 of the North Dakota Century Code, relating to an exemption from the Administrative Agencies Practice Act for the state board for vocational and technical education; and to amend and reenact sections 15-20.1-01 and 15-20.1-02, subsection 9 of section 15-20.1-03, sections 15-20.2-02, 15-20.2-09, 15-20.2-15, and 15-20.2-16, subsections 4 and 6 of section 15-20.4-03, subsection 2 of section 15-20.4-05, and subsection 2 of section 15-20.4-14 of the North Dakota Century Code, relating to rulemaking authority of the state board for vocational and technical education.

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 42 YEAS, 51 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Belter; Brusegaard; Carlisle; Delmore; Disrud; Eckre; Ekstrom; Froelich; Glassheim; Grumbo; Gulleson; Haas; Hanson; Hawken; Herbel; Huether; Hunskor; Jensen; Johnson, D.; Johnson, N.; Kelsch, R.; Kelsh, S.; Kingsbury; Koppang; Kroeber; Lemieux; Maragos; Meier; Metcalf; Mueller; Nelson; Nicholas; Nottestad; Onstad; Pietsch; Price; Schmidt; Thorpe; Warner; Weiler; Wentz; Acting Speaker Wald

NAYS: Aarsvold; Berg; Boehm; Boucher; Brandenburg; Byerly; Carlson; Clark; Cleary; DeKrey; Delzer; Devlin; Dosch; Drovdal; Fairfield; Froseth; Galvin; Grande; Grosz; Gunter; Kasper; Keiser; Kempenich; Kerzman; Klein, F.; Klein, M.; Klemin; Kliniske; Koppelman; Kretschmar; Lloyd; Mahoney; Martinson; Niemeier; Pollert; Porter; Renner; Rennerfeldt; Ruby; Sandvig; Severson; Skarphol; Solberg; Svedjan; Thoreson, B.; Tieman; Timm; Weisz; Wikenheiser; Winrich; Wrangham

ABSENT AND NOT VOTING: Bellew; Bernstein; Brekke; Monson; Thoreson, L.

SB 2080 lost.

SECOND READING OF SENATE BILL

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

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 92 YEAS, 1 NAY, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

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

NAYS: Ruby

ABSENT AND NOT VOTING: Bellew; Bernstein; Brekke; Monson; Thoreson, L.

SB 2129 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2139: A BILL for an Act to repeal chapter 23-23.1 of the North Dakota Century Code, relating to the state board of medical examiners' authority over the administration of laetrile.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 3 YEAS, 90 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Belter; Glassheim; Maragos

NAYS: Aarsvold; Berg; Boehm; Boucher; Brandenburg; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; DeKrey; Delmore; Delzer; Devlin; Disrud; Dosch; Drovda; 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; Martinson; Meier; Metcalf; Mueller; Nelson; Nicholas; Niemeier; Nottestad; Onstad; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Skarphol; Solberg; Svedjan; Thoreson, B.; Thorpe; Tieman; Timm; Warner; Weiler; Weisz; Wentz; Wikenheiser; Winrich; Wrangham; Acting Speaker Wald

ABSENT AND NOT VOTING: Bellew; Bernstein; Brekke; Monson; Thoreson, L.

SB 2139 lost.

SECOND READING OF SENATE BILL

SB 2160: A BILL for an Act to create and enact a new section to chapter 14-09 and a new section to chapter 50-09 of the North Dakota Century Code, relating to exempting child support payments from legal process and exempting child support agencies from certain statutory fees; to amend and reenact sections 14-08.1-05 and 14-09-08.16, subsections 1 and 5 of section 14-09-09.3, subsection 2 of section 28-21-05.2, subsection 3 of section 35-34-04, subsections 3 and 5 of section 50-09-08.2, and subsection 2 of section 50-09-14 of the North Dakota Century Code, relating to technical and conforming amendments to child support laws, removal of time limitations on the duration of liens and the issuance of executions, requests for information from an income payor, time for commencement of a contempt proceeding against an income payor, clarifying the contents of an administrative writ of execution, removal of the requirement that the secretary of state charge vessel lien fees in past-due child support matters, and providing for review of child support liens; and to repeal section 35-34-11 of the North Dakota Century Code, relating to review of child support liens.

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, 2 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Belter; Berg; Boucher; Brandenburg; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; DeKrey; Delmore; Devlin; Disrud; Dosch; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Grumbo; Guleson; Gunter; Haas; Hanson; Hawken; Herbel; Huether; 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; Mueller; Nelson; Nicholas; Niemeier; Nottestad; Onstad; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Skarphol; Solberg; Svedjan; Thoreson, B.; Thorpe; Tieman; Timm; Warner; Weiler; Weisz; Wentz; Wikenheiser; Winrich; Wrangham; Acting Speaker Wald

NAYS: Boehm; Delzer

ABSENT AND NOT VOTING: Bellew; Bernstein; Brekke; Monson; Thoreson, L.

SB 2160 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2196: A BILL for an Act to create and enact a new section to chapter 28-21 of the North Dakota Century Code, relating to execution on moneys retained by garnishment.

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

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

ABSENT AND NOT VOTING: Bellew; Bernstein; Brekke; Monson; Thoreson, L.

SB 2196 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2218: A BILL for an Act to create and enact a new section to chapter 57-39.2 of the North Dakota Century Code, relating to a sales and use tax exemption for office furniture and computer and telecommunications equipment in a new or expanding primary sector business; 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 NOT PASS, the roll was called and there were 25 YEAS, 68 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Berg; Boucher; DeKrey; Devlin; Fairfield; Froseth; Galvin; Glassheim; Guleson; Hawken; Johnson, N.; Keiser; Kelsh, S.; Kerzman; Klemin; Lemieux; Niemeier; Onstad; Sandvig; Schmidt; Severson; Thorpe; Warner; Weisz

NAYS: Belter; Boehm; Brandenburg; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Delmore; Delzer; Disrud; Dosch; Drovdal; Eckre; Ekstrom; Froelich; Grande; Grosz; Grumbo; Gunter; Haas; Hanson; Herbel; Huether; Hunskor; Jensen; Johnson, D.;

Kasper; Kelsch, R.; Kempenich; Kingsbury; Klein, F.; Klein, M.; Kliniske; Koppang; Koppelman; Kretschmar; Kroeber; Lloyd; Mahoney; Maragos; Martinson; Meier; Metcalf; Mueller; Nelson; Nicholas; Nottestad; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Skarphol; Solberg; Svedjan; Thoreson, B.; Tieman; Timm; Weiler; Wentz; Wikenheiser; Winrich; Wrangham; Acting Speaker Wald

ABSENT AND NOT VOTING: Bellew; Bernstein; Brekke; Monson; Thoreson, L.

SB 2218 lost.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: The Senate has amended and subsequently passed: HB 1238, HB 1367.

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1367

Page 1, line 1, replace "sections 12.1-32-09.1 and" with "section"

Page 1, remove lines 4 through 19

Page 2, line 8, remove "or the total from all previous offenses including the present"

Page 2, line 9, remove "offense"

Page 3, line 13, after "gamma-butyrolactone" insert "or 1,4 butanediol or any substance that is an analog of gamma-hydroxybutyrate"

Renumber accordingly

SENATE AMENDMENTS TO HOUSE BILL NO. 1238

Page 1, line 13, overstrike "The" and insert immediately thereafter "Unless the county auditor and the board of county commissioners execute a written agreement providing for the disposition of compensation for the issuance of licenses, the"

Page 1, line 19, overstrike "the county"

Page 1, line 20, overstrike "auditor"

Renumber accordingly

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: The Senate has passed unchanged: HB 1033, HB 1071, HB 1167, HB 1198, HB 1205, HB 1252, HB 1271, HB 1277, HB 1356, HB 1378, HCR 3052.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: The Senate has passed, the emergency clause carried, unchanged: HB 1236.

MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK)
MR. PRESIDENT: The House has amended and subsequently passed: SCR 4017.

MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK)
MR. PRESIDENT: The House has failed to pass: SB 2026, SB 2317.

MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK)
MR. PRESIDENT: The House has passed, the emergency clause carried, unchanged: SB 2209.

MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK)
MR. PRESIDENT: The House has passed unchanged: SB 2084, SB 2085, SB 2227, SB 2253, SB 2255, SB 2274, SB 2280, SB 2390, SB 2404, SCR 4009, SCR 4015, SCR 4016, SCR 4025, SCR 4028.

MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK)
MR. PRESIDENT: The House has passed unchanged: SB 2078, SB 2103, SB 2115, SB 2259, SB 2340, SB 2396, SB 2445, SCR 4013.

MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK)
MR. PRESIDENT: The House has amended and subsequently passed: SB 2102, SB 2173.

MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK)
MR. PRESIDENT: The House has passed, the emergency clause carried, unchanged: SB 2179.

MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK)
MR. PRESIDENT: The House has failed to pass: SB 2044, SB 2292.

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 1084.

REPORT OF STANDING COMMITTEE

SB 2034, as engrossed: Judiciary Committee (Rep. DeKrey, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2034 was placed on the Sixth order on the calendar.

Page 1, line 5, after the first comma insert "subsection 1 of section"

Page 1, line 16, replace "Disorder" with "Disorders"

Page 1, line 21, after the period insert "For purposes of evaluating an individual with mental retardation, the qualified expert must have specialized knowledge in sexual offender evaluations of individuals with mental retardation."

Page 2, line 17, after "~~with~~" insert "For these purposes," and remove the overstrike over "~~mental~~"

Page 2, line 18, remove the overstrike over "~~retardation~~" and insert immediately thereafter "is not a sexual disorder, personality disorder, or other mental disorder or dysfunction" and remove the overstrike over the period

Page 3, line 4, overstrike "suffers from" and insert immediately thereafter "has"

Page 3, line 5, overstrike "mental disease or defect" and insert immediately thereafter "disability", overstrike "renders" and insert immediately thereafter "substantially impairs", and overstrike "victim incapable of" and insert immediately thereafter "victim's"

Page 3, line 6, after "understanding" insert "of"

Page 3, line 7, overstrike "hospital" and insert immediately thereafter "treatment facility, health care facility" and overstrike "prison" and insert immediately thereafter "correctional facility"

Page 3, line 8, overstrike "or" and insert immediately thereafter an underscored comma and after "control" insert ", or care"

Page 5, line 11, replace "medical director of" with "superintendent of the developmental center and"

Page 6, line 15, after the underscored period insert "An individual with mental retardation may be detained in a correctional facility before the probable cause hearing only when no other secure facility is accessible, and then only under close supervision."

Page 6, line 21, overstrike "be signed by" and insert immediately thereafter "the respondent's" and overstrike "for the respondent" and insert immediately thereafter "shall separately certify that counsel has explained to the respondent the proceedings, the legal and factual issues, potential defenses, the burden of proof, and possible outcomes of the proceedings"

Page 7, line 5, replace "and" with an underscored comma and replace "or" with ", and"

Page 7, line 10, overstrike "chooses to waive" and insert immediately thereafter "knowingly waives"

Page 9, after line 11, insert:

"SECTION 12. AMENDMENT. Subsection 1 of section 25-03.3-17 of the 1999 Supplement to the North Dakota Century Code is amended and reenacted as follows:

1. A committed individual must remain in the care, custody, and control of the executive director until, in the opinion of the executive director, the individual is safe to be at large ~~and has received the maximum benefit of treatment.~~

Page 9, line 28, replace "and" with an underscored comma and replace "or" with ", and"

Page 10, line 8, replace "and" with an underscored comma and replace "or" with ", and"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2246, as engrossed: Judiciary Committee (Rep. DeKrey, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING). Engrossed SB 2246 was placed on the Sixth order on the calendar.

Page 1, line 7, after the second "the" insert "acquisition," and after "retention" insert a comma

Page 1, line 10, after "but" insert ", except as provided below,"

Page 1, line 17, replace "purchases or" with "acquires a replacement policy for the trust which replaces an existing policy owned by the trust or previously owned by the trust. The trustee's exoneration from duty provided in this section does not apply to the replacement policy and only applies to a policy transferred to a trust by the grantor or some other party other than the trustee or acquired by the trustee of a trust which before the acquisition of the policy had never owned any such life insurance policy."

Page 1, remove lines 18 and 19

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2265, as engrossed: Judiciary Committee (Rep. DeKrey, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING). Engrossed SB 2265 was placed on the Sixth order on the calendar.

Page 1, line 19, remove the overstrike over "~~the lesser of~~", after "~~one~~" insert "five", remove the overstrike over "~~hundred dollars or~~"

Page 1, line 20, remove "up to"

Page 2, line 6, remove the overstrike over "~~the lesser of~~", after "~~one~~" insert "five", remove the overstrike over "~~hundred dollars or~~", and remove "up to"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2400: Judiciary Committee (Rep. DeKrey, Chairman) recommends **DO NOT PASS** (12 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING). SB 2400 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2441, as engrossed: Judiciary Committee (Rep. DeKrey, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2441 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2451, as engrossed: Judiciary Committee (Rep. DeKrey, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2451 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4035: Judiciary Committee (Rep. DeKrey, Chairman) recommends **DO NOT PASS** (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SCR 4035 was placed on the Fourteenth order on the calendar.

MOTION

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

MOTION

REP. BELTER MOVED that the House be on the Fifth and Twelfth orders of business and at the conclusion of those orders, the House stand adjourned until 1:00 p.m., Thursday, March 15, 2001, which motion prevailed.

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

MARK L. JOHNSON, Chief Clerk