

JOURNAL OF THE HOUSE

Fifty-seventh Legislative Assembly

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Bismarck, March 28, 2001

The House convened at 9:30 a.m., with Speaker Bernstein presiding.

The prayer was offered by Pastor John Luhmann, Bismarck Evangelical Church.

The roll was called and all members were present except Representatives Maragos, Onstad, Renner, Solberg, and Svedjan.

A quorum was declared by the Speaker.

COMMUNICATION FROM GOVERNOR JOHN HOEVEN

This is to inform you that on March 27, 2001, I have signed the following: HB 1108, HB 1159, HB 1161, HB 1166, HB 1238, HB 1260, HB 1297, HB 1302, HB 1329, HB 1331, HB 1342, HB 1352, HB 1353, HB 1367, HB 1415, and HB 1448.

March 28, 2001

The Honorable LeRoy Bernstein
Speaker of the House
House Chamber
State Capitol
Bismarck, ND 58505

Dear Speaker Bernstein:

I have signed HB 1448, which clarifies, but does not change, existing North Dakota law. This bill has been the subject of some confusion among the public, and I am offering comments to provide better understanding of the current law and the effect of this legislation.

Currently, North Dakota property owners may choose whether or not to rent property to unmarried people of opposite gender. Simply put, landlords have this discretion in North Dakota, Minnesota and other states.

While HB 1448 does not alter existing law, it may serve to help landlords and tenants avoid confusion and litigation. To help the legislature clarify this issue I have signed this legislation.

Sincerely,

John Hoeven
Governor

SIXTH ORDER OF BUSINESS

REP. BELTER MOVED that the amendments on the Sixth order of business to SB 2150 SB 2162, SB 2373, and SB 2380 be adopted, which motion prevailed.

SB 2380, as amended, was rereferred to the **Appropriations Committee**.

SB 2150 SB 2162, and SB 2373, as amended, were placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

SECOND READING OF SENATE BILL

SB 2413: A BILL for an Act to create and enact a new section to chapter 60-02 and a new section to chapter 60-02.1 of the North Dakota Century Code, relating to agricultural 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 47 YEAS, 47 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Belter; Boucher; Brandenburg; Brekke; Cleary; Devlin; Disrud; Dosch; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Glassheim; Gulleeson; Haas; Hanson; Hunsakor; Johnson, D.; Kelsh, S.; Kerzman; Kingsbury; Klein, M.; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Mahoney; Maragos; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Pietsch; Sandvig; Schmidt; Severson; Skarphol; Thorpe; Tieman; Warner; Winrich

NAYS: Bellew; Berg; Boehm; Brusegaard; Byerly; Carlisle; Carlson; Clark; DeKrey; Delmore; Delzer; Drovdal; Galvin; Grande; Grosz; Grumbo; Gunter; Hawken; Herbel; Huether; Jensen; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kempenich; Klein, F.; Klemin; Kliniske; Kretschmar; Martinson; Nottestad; Pollert; Porter; Price; Rennerfeldt; Ruby; Thoreson, B.; Thoreson, L.; Timm; Wald; Weiler; Weisz; Wentz; Wikenheiser; Wrangham; Speaker Bernstein

ABSENT AND NOT VOTING: Onstad; Renner; Solberg; Svedjan

Engrossed SB 2413 lost.

SECOND READING OF SENATE BILL

SB 2415: A BILL for an Act to create and enact a new subsection to section 57-40.6-01 of the North Dakota Century Code, relating to a definition; and to amend and reenact sections 57-40.6-06 and 57-40.6-07 of the North Dakota Century Code, relating to a 911 system data base.

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 92 YEAS, 2 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Bellew; Belter; Berg; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; 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; Huether; Hunsakor; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Kliniske; Koppang; Koppelman; Kretschmar; Kroeber; Lemieux; Lloyd; Mahoney; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Nottestad; Pietsch; Pollert; Porter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Skarphol; Thoreson, B.; Thoreson, L.; Thorpe; Tieman; Timm; Wald; Warner; Weiler; Weisz; Wentz; Wikenheiser; Winrich; Wrangham; Speaker Bernstein

NAYS: Byerly; Kasper

ABSENT AND NOT VOTING: Onstad; Renner; Solberg; Svedjan

Engrossed SB 2415 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2427: A BILL for an Act to amend and reenact subsection 6 of section 20.1-03-11 of the North Dakota Century Code, relating to the hunting of deer by handicapped persons.

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; Gulleeson; Gunter; Haas; Hanson; Hawken; Herbel; Huether; Hunsakor; Jensen; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Kliniske; Koppang; Koppelman; Kretschmar; Kroeber; Lemieux; Lloyd; Mahoney; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Nottestad; Pietsch; Pollert; Porter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Skarphol;

Thoreson, B.; Thoreson, L.; Thorpe; Tieman; Timm; Wald; Warner; Weiler; Weisz; Wentz; Wikenheiser; Winrich; Wrangham; Speaker Bernstein

ABSENT AND NOT VOTING: Onstad; Renner; Solberg; Svedjan

Engrossed SB 2427 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2436: A BILL for an Act to amend and reenact section 39-06-01.1 of the North Dakota Century Code, relating to operators' licenses for minors.

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 91 YEAS, 3 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; Froseth; Galvin; Glassheim; Grande; Grosz; Grumbo; Gulleson; Gunter; Haas; Hanson; Hawken; Huether; Hunsakor; Jensen; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemm; Kliniske; Koppang; Koppelman; Kretschmar; Kroeber; Lemieux; Lloyd; Mahoney; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Nottestad; Pietsch; Pollert; Porter; Price; Rennerfeldt; Ruby; Sandvig; Severson; Skarphol; Thoreson, B.; Thoreson, L.; Thorpe; Tieman; Timm; Wald; Warner; Weiler; Weisz; Wentz; Wikenheiser; Winrich; Wrangham; Speaker Bernstein

NAYS: Froelich; Herbel; Schmidt

ABSENT AND NOT VOTING: Onstad; Renner; Solberg; Svedjan

Engrossed SB 2436 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2449: A BILL for an Act to create and enact a new section to chapter 20.1-03 of the North Dakota Century Code, relating to restrictions on guides and outfitters; and to amend and reenact subsection 17 of section 20.1-02-05 of the North Dakota Century Code, relating to the powers of the director of the game and fish department.

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 87 YEAS, 7 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

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

NAYS: Bellew; Brandenburg; Delzer; Froelich; Gulleson; Kasper; Thoreson, L.

ABSENT AND NOT VOTING: Onstad; Renner; Solberg; Svedjan

Engrossed SB 2449 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2034: A BILL for an Act to create and enact three new sections to chapter 25-03.3 of the North Dakota Century Code, relating to the referral of inmates for civil commitment and rulemaking; and to amend and reenact sections 25-03.3-01, 25-03.3-02, 25-03.3-03, 25-03.3-07, 25-03.3-08, subsection 2 of section 25-03.3-09, sections 25-03.3-10, 25-03.3-11, 25-03.3-12, 25-03.3-13, subsection 1 of section 25-03.3-17, subsection 1 of section 25-03.3-18, and section 25-03.3-19 of the North Dakota Century Code, relating to the civil commitment of sexual predators.

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 77 YEAS, 17 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Bellew; Belter; Boucher; Brandenburg; Brekke; Byerly; Carlisle; Cleary; DeKrey; Delmore; Devlin; Disrud; Dosch; Drovdal; Eckre; Froelich; Froseth; Galvin; Glassheim; Grande; Grumbo; Gulleeson; 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; Koppang; Koppelman; Kretschmar; Kroeber; Lemieux; Lloyd; Mahoney; Maragos; Martinson; Metcalf; Mueller; Nelson; Nicholas; Niemeier; Nottestad; Pietsch; Pollert; Porter; Price; Rennerfeldt; Ruby; Schmidt; Severson; Skarphol; Thoreson, L.; Thorpe; Tieman; Timm; Warner; Weiler; Wentz; Wikenheiser; Winrich; Wrangham; Speaker Bernstein

NAYS: Berg; Boehm; Brusegaard; Carlson; Clark; Delzer; Ekstrom; Fairfield; Grosz; Gunter; Kliniske; Meier; Monson; Sandvig; Thoreson, B.; Wald; Weisz

ABSENT AND NOT VOTING: Onstad; Renner; Solberg; Svedjan

Engrossed SB 2034 passed and the title was agreed to.

MOTION

REP. BELTER MOVED that the House stand in recess until 1:00 p.m., which motion prevailed.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

REP. BRUSEGAARD MOVED that the conference committee report on Reengrossed HB 1182 be adopted, which motion prevailed on a voice vote.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

REP. MARAGOS MOVED that the conference committee report on Engrossed HB 1363 be adopted, which motion prevailed on a voice vote.

Engrossed HB 1363, as amended, was placed on the Eleventh order.

SECOND READING OF HOUSE BILL

HB 1363: A BILL for an Act to create and enact a new subsection to section 12.1-17-01 of the North Dakota Century Code, relating to a mandatory assessment process for simple assault in domestic violence cases; to amend and reenact subsection 2 of section 12.1-17-01 and subsection 1 of section 12.1-32-01 of the North Dakota Century Code, relating to the penalty for assault in a domestic violence case and supervision of probation; 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 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; Huether; Hunskor; Jensen; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Kliniske; Koppang; Koppelman; Kretschmar; Kroeber; Lemieux; Lloyd; Mahoney; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Nottestad; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Skarphol; Thoreson, B.; Thoreson, L.; Thorpe; Tieman; Timm; Wald; Warner; Weiler; Weisz; Wentz; Wikenheiser; Winrich; Wrangham; Speaker Bernstein

ABSENT AND NOT VOTING: Onstad; Solberg; Svedjan

Reengrossed HB 1363 passed and the title was agreed to.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

REP. KLEMIN MOVED that the conference committee report on Engrossed HB 1398 be adopted, which motion prevailed on a voice vote.

Engrossed HB 1398, as amended, was placed on the Eleventh order.

SECOND READING OF HOUSE BILL

HB 1398: A BILL for an Act to create and enact a new section to chapter 12-44.1 of the North Dakota Century Code, relating to correctional facility files and records.

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; 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; Monson; Mueller; Nelson; Nicholas; Niemeier; Nottestad; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Skarphol; Thoreson, B.; Thoreson, L.; Thorpe; Tieman; Timm; Wald; Warner; Weiler; Weisz; Wentz; Wikenheiser; Winrich; Wrangham; Speaker Bernstein

ABSENT AND NOT VOTING: Onstad; Solberg; Svedjan

Reengrossed HB 1398 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. R. KELSCH MOVED that the House do concur in the Senate amendments to HB 1046 as printed on HJ page 1100, which motion prevailed on a voice vote.

HB 1046, as amended, was placed on the Eleventh order of business.

SECOND READING OF SENATE BILL

HB 1046: A BILL for an Act to create and enact two new sections to chapter 15-10, a new section to chapter 15.1-09, and a new section to chapter 15.1-19 of the North Dakota Century Code, relating to oaths by faculty members, vehicle and heating fuel purchases, and student usage of alcohol or controlled substances; to amend and reenact subsection 1 of section 6-09.4-23, sections 15-19-01, 15-19-04, 15.1-06-01, 15.1-07-02, 15.1-07-03, 15.1-07-17, and 15.1-08-06, subsection 2 of section 15.1-09-01, subsection 4 of section 15.1-09-05, sections 15.1-09-25, 15.1-09-26, 15.1-09-31, 15.1-09-34, 15.1-09-44, and 15.1-09-50, subsection 9 of section 15.1-12-10, section 15.1-19-09, subsection 7 of section 21-03-07, sections 21-06-12, 25-01.2-13, 34-07-02, and 34-07-15, subsection 5 of section 50-11.1-02, subsection 1 of section 54-07-01.2, sections 54-23.2-04.2, 57-15-14, 57-15-14.2, 57-15-55.1, 57-16-04, and subsection 1 of section 57-62-02 of the North Dakota Century Code, relating to evidences of indebtedness, correspondence courses, school admission, school district petitions, school district contracts, schoolbuses, military installation school districts, school board member oaths, school board size, school board minutes, fuel purchases, school board powers, reorganization, bond issuances, labor by minors, early childhood services, boards and commissions, vital records, educational foundations, special education, mill levies, education funding, and the coal development trust fund; and to repeal sections 15.1-07-22, 15.1-09-37, and 57-51.1-08 of the North Dakota Century Code, relating to oaths of school district business managers, fees, and legislative intent.

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; 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.; Klemin; Kliniske; Koppang; Koppelman; Kretschmar; Kroeber; Lemieux; Lloyd; Mahoney; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Nottestad; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Skarphol; Thoreson, B.; Thoreson, L.; Thorpe; Tieman; Timm; Wald; Warner; Weiler; Weisz; Wentz; Wikenheiser; Winrich; Wrangham; Speaker Bernstein

ABSENT AND NOT VOTING: Onstad; Solberg; Svedjan

Engrossed HB 1046 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 HB 1141 as printed on HJ pages 1095-1097 and that a conference committee be appointed to meet with a like committee from the Senate.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1141: Reps. R. Kelsch, Haas, Hanson.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. TIMM MOVED that the House do not concur in the Senate amendments to HB 1197 as printed on HJ page 1101 and that a conference committee be appointed to meet with a like committee from the Senate.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1197: Reps. Timm, Wald, Huether.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. DEKREY MOVED that the House do concur in the Senate amendments to HB 1218 as printed on HJ page 1100, which motion prevailed on a voice vote.

HB 1218, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1218: A BILL for an Act to amend and reenact subsection 4 of section 39-08-01 of the North Dakota Century Code, relating to driving under the influence of intoxicating liquor or any other drug or substance; to provide an expiration date; 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 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; 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.; Klemin; Kliniske; Koppang; Koppelman; Kretschmar; Kroeber; Lemieux; Lloyd; Mahoney; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Nottestad; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Skarphol; Thoreson, B.; Thoreson, L.; Thorpe; Tieman; Timm; Wald; Warner; Weiler; Weisz; Wentz; Wikenheiser; Winrich; Wrangham; Speaker Bernstein

ABSENT AND NOT VOTING: Onstad; Solberg; Svedjan

Engrossed HB 1218 passed, the title was agreed to, and the emergency clause was declared carried.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. PRICE MOVED that the House do concur in the Senate amendments to HB 1234 as printed on HJ pages 1102-1103, which motion prevailed on a voice vote.

HB 1234, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1234: A BILL for an Act to amend and reenact section 23-12-14 of the North Dakota Century Code, relating to consent to release of medical records.

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; 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; Monson; Mueller; Nelson; Nicholas; Niemeier; Nottestad; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Skarphol; Thoreson, B.; Thoreson, L.; Thorpe; Tieman; Timm; Wald; Warner; Weiler; Weisz; Wentz; Wikenheiser; Winrich; Wrangham; Speaker Bernstein

ABSENT AND NOT VOTING: Onstad; Solberg; Svedjan

Engrossed HB 1234 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. WEISZ MOVED that the House do not concur in the Senate amendments to HB 1261 as printed on HJ page 1097 and that a conference committee be appointed to meet with a like committee from the Senate.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1261: Reps. Hawken, Ruby, Schmidt.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. DEKREY MOVED that the House do not concur in the Senate amendments to HB 1267 as printed on HJ page 1097 and that a conference committee be appointed to meet with a like committee from the Senate.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1267: Reps. DeKrey, Kretschmar, Mahoney.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. RENNERFELDT MOVED that the House do not concur in the Senate amendments to HB 1269 as printed on HJ pages 1101-1102 and that a conference committee be appointed to meet with a like committee from the Senate.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1269: Reps. Rennerfeldt, DeKrey, S. Kelsh.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. DEKREY MOVED that the House do concur in the Senate amendments to HB 1350 as printed on HJ pages 1097-1098, which motion prevailed on a voice vote.

HB 1350, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1350: A BILL for an Act to create and enact a new section to chapter 12-47 of the North Dakota Century Code, relating to the transporting of certain prisoners.

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

NAYS: Froelich

ABSENT AND NOT VOTING: Onstad; Solberg; Svedjan

Engrossed HB 1350 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. PRICE MOVED that the House do not concur in the Senate amendments to HB 1385 as printed on HJ page 1099 and that a conference committee be appointed to meet with a like committee from the Senate.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1385: Reps. Weisz, Galvin, Sandvig.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. BERG MOVED that the House do concur in the Senate amendments to HB 1391 as printed on HJ page 1026, which motion prevailed on a voice vote.

HB 1391, as amended, was placed on the Eleventh order of business.

SECOND READING OF SENATE BILL

HB 1391: A BILL for an Act to amend and reenact sections 23-37-01, 23-37-02, 23-37-03, 23-37-04, 23-37-05, 23-37-06, 23-37-07, 23-37-08, 23-37-09, 23-37-10, 23-37-11, 23-37-12, 23-37-13, 23-37-14, 23-37-15, 23-37-16, 23-37-17, 23-37-18, 23-37-19, 23-37-20, 23-37-21, 23-37-22, 23-37-23, 23-37-24, 23-37-25, 23-37-26, 23-37-27, 23-37-28, 23-37-29, and 23-37-30 of the North Dakota Century Code, relating to petroleum release remediation.

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; Huether; Hunskor; Jensen; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Kliniske; Koppang; Koppelman; Kretschmar; Kroeber; Lemieux; Lloyd; Mahoney; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Nottestad; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson;

Skarphol; Thoreson, B.; Thoreson, L.; Thorpe; Tieman; Timm; Wald; Warner; Weiler; Weisz; Wentz; Wikenheiser; Winrich; Wrangham; Speaker Bernstein

ABSENT AND NOT VOTING: Onstad; Solberg; Svedjan

Engrossed HB 1391 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. DEKREY MOVED that the House do concur in the Senate amendments to HB 1401 as printed on HJ page 1099, which motion prevailed on a voice vote.

HB 1401, as amended, was placed on the Eleventh order of business.

SECOND READING OF SENATE BILL

HB 1401: A BILL for an Act to create and enact a new section to chapter 12-44.1 of the North Dakota Century Code, relating to inmate accounts, payment of inmate financial obligations, and payment for medical and health care costs.

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

ABSENT AND NOT VOTING: Onstad; Solberg; Svedjan

Engrossed HB 1401 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 HB 1416 as printed on HJ page 1100 and that a conference committee be appointed to meet with a like committee from the Senate.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1416: Reps. Kretschmar, Grande, Mahoney.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. DEKREY MOVED that the House do not concur in the Senate amendments to HB 1455 as printed on HJ pages 1099-1100 and that a conference committee be appointed to meet with a like committee from the Senate.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1455: Reps. DeKrey, Devlin, Eckre.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. R. KELSCH MOVED that the House do concur in the Senate amendments to HB 1465 as printed on HJ page 1103, which motion prevailed on a voice vote.

HB 1465, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1465: A BILL for an Act to provide for a mental retardation credential; to create and enact two new sections to chapter 15-47 of the North Dakota Century Code or in the

alternative to create and enact two new sections to chapter 15.1-18 of the North Dakota Century Code, relating to the special education strategist credential; and to provide an expiration date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 95 YEAS, 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; Huether; Hunskor; Jensen; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Kliniske; Koppang; Koppelman; Kretschmar; Kroeber; Lemieux; Lloyd; Mahoney; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Nottestad; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Skarphol; Thoreson, B.; Thoreson, L.; Thorpe; Tieman; Timm; Wald; Warner; Weiler; Weisz; Wentz; Wikenheiser; Winrich; Wrangham; Speaker Bernstein

ABSENT AND NOT VOTING: Onstad; Solberg; Svedjan

Reengrossed HB 1465 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2106: A BILL for an Act to amend and reenact sections 15-40.3-01, 15-40.3-06, and 15-40.3-07 of the North Dakota Century Code or in the alternative to amend and reenact sections 15.1-31-01, 15.1-31-06, and 15.1-31-07 of the North Dakota Century Code, relating to open enrollment between school districts; 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 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; Huether; Hunskor; Jensen; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Kliniske; Koppang; Koppelman; Kretschmar; Kroeber; Lemieux; Lloyd; Mahoney; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Nottestad; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Skarphol; Thoreson, B.; Thoreson, L.; Thorpe; Tieman; Timm; Wald; Warner; Weiler; Weisz; Wentz; Wikenheiser; Winrich; Wrangham; Speaker Bernstein

ABSENT AND NOT VOTING: Onstad; Solberg; Svedjan

Engrossed SB 2106 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2166: A BILL for an Act to amend and reenact subdivision b of subsection 1 of section 15.1-06-05 and section 15.1-06-08 of the North Dakota Century Code, relating to the modification of the school calendar and the waiver of accreditation rules by the superintendent of public instruction.

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 56 YEAS, 39 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Bellew; Belter; Berg; Boehm; Brandenburg; Brusegaard; Byerly; Carlson; Clark; DeKrey; Delzer; Devlin; Disrud; Dosch; Froelich; Froseth; Glassheim; Grande; Grosz;

Grumbo; Gulleeson; Gunter; Herbel; Huether; Kasper; Keiser; Kelsch, R.; Kingsbury; Klein, M.; Klemin; Kliniske; Koppang; Koppelman; Kretschmar; Lemieux; Meier; Monson; Nicholas; Nottestad; Pietsch; Porter; Price; Renner; Rennerfeldt; Ruby; Severson; Skarphol; Thoreson, B.; Thoreson, L.; Tieman; Timm; Wald; Weiler; Wikenheiser; Wrangham; Speaker Bernstein

NAYS: Aarsvold; Boucher; Brekke; Carlisle; Cleary; Delmore; Drovdal; Eckre; Ekstrom; Fairfield; Galvin; Haas; Hanson; Hawken; Hunskor; Jensen; Johnson, D.; Johnson, N.; Kelsh, S.; Kempenich; Kerzman; Klein, F.; Kroeber; Lloyd; Mahoney; Maragos; Martinson; Metcalf; Mueller; Nelson; Niemeier; Pollert; Sandvig; Schmidt; Thorpe; Warner; Weisz; Wentz; Winrich

ABSENT AND NOT VOTING: Onstad; Solberg; Svedjan

Engrossed SB 2166 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2217: A BILL for an Act to create and enact two new sections to chapter 14-02.4 of the North Dakota Century Code, relating to the authority of the department of labor to receive discriminatory practices complaints; to amend and reenact sections 14-02.4-02, 14-02.4-19, 14-02.4-20, 14-02.4-21, 14-02.5-02, 14-02.5-03, 14-02.5-04, 14-02.5-05, 14-02.5-07, 14-02.5-08, 14-02.5-10, and 14-02.5-45 of the North Dakota Century Code, relating to discriminatory practices and the authority of the department of labor; to repeal section 14-02.4-12.1 of the North Dakota Century Code, relating to discriminatory housing practices; to provide a penalty; and to provide for a report to the legislative assembly.

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

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

NAYS: Cleary; Fairfield; Hanson; Sandvig; Thorpe

ABSENT AND NOT VOTING: Onstad; Solberg; Svedjan; Wald; Wikenheiser

Engrossed SB 2217 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2251: A BILL for an Act to create and enact two new sections to chapter 54-59 of the North Dakota Century Code, relating to the establishment, powers, and duties of an educational technology council; to amend and reenact sections 15-19-02 and 15-19-06, subsection 1 of section 15.1-02-07, subdivision h of subsection 2 of section 28-32-01, and subsection 1 of section 54-07-01.2 of the North Dakota Century Code, relating to the administration of the division of independent study and the appointment of members of the educational telecommunications council; to repeal chapter 15.1-05 of the North Dakota Century Code, relating to the educational telecommunications council; to provide for a transfer of funds; and to provide for reports to the legislative council.

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 90 YEAS, 3 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: 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; 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.; Klemin; Kliniske; Koppang; Koppelman; Kretschmar; Kroeber; Lemieux; Lloyd; Mahoney; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Nottestad; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Skarphol; Thoreson, B.; Thoreson, L.; Thorpe; Tieman; Timm; Warner; Weiler; Weisz; Wentz; Wikenheiser; Winrich; Wrangham; Speaker Bernstein

NAYS: Aarsvold; Grumbo; Niemeier

ABSENT AND NOT VOTING: Delzer; Onstad; Solberg; Svedjan; Wald

Engrossed SB 2251 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2315: A BILL for an Act to create and enact two new sections to chapter 58-13 of the North Dakota Century Code, relating to immunity from liability and to estrays; and to amend and reenact sections 58-13-01, 58-13-03, 58-13-04, and 58-13-05 of the North Dakota Century Code, relating to pounds and poundmasters.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 87 YEAS, 7 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

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

NAYS: DeKrey; Devlin; Gulleon; Kasper; Ruby; Thoreson, L.; Weisz

ABSENT AND NOT VOTING: Delzer; Onstad; Solberg; Svedjan

Engrossed SB 2315 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2397: A BILL for an Act to amend and reenact sections 5-01-16 and 5-03-05 of the North Dakota Century Code, relating to direct sales of alcoholic beverages; 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 NOT PASS, the roll was called and there were 56 YEAS, 39 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Boehm; Boucher; Brekke; Brusegaard; Carlisle; Cleary; Delmore; Dosch; Drovdal; Ekstrom; Fairfield; Froelich; Glassheim; Grumbo; Gunter; Hanson; Hawken; Herbel; Huether; Hunsakor; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Maragos; Meier; Metcalf; Mueller; Nelson; Niemeier; Nottestad; Pietsch; Porter; Price; Renner; Sandvig; Schmidt; Thoreson, L.; Thorpe; Wald; Warner; Weiler; Winrich; Wrangham; Speaker Bernstein

NAYS: Bellew; Belter; Berg; Brandenburg; Byerly; Carlson; Clark; DeKrey; Delzer; Devlin; Disrud; Eckre; Froseth; Galvin; Grande; Grosz; Gulleon; Haas; Jensen; Johnson, N.;

Kasper; Kretschmar; Lemieux; Lloyd; Mahoney; Martinson; Monson; Nicholas; Pollert; Rennerfeldt; Ruby; Severson; Skarphol; Thoreson, B.; Tieman; Timm; Weisz; Wentz; Wikenheiser

ABSENT AND NOT VOTING: Onstad; Solberg; Svedjan

Engrossed SB 2397 passed and the title was agreed to.

SECOND READING OF SENATE BILL

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

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

NAYS: Kasper; Thoreson, B.

ABSENT AND NOT VOTING: Gulleeson; Lemieux; Onstad; Solberg; Svedjan

SB 2127 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2182: A BILL for an Act to amend and reenact section 61-04-22 of the North Dakota Century Code, relating to prescriptive water rights.

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, 2 NAYS, 0 EXCUSED, 3 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; Gulleeson; Gunter; Haas; Hanson; Hawken; Herbel; Huether; Hunsakor; Jensen; Johnson, D.; Johnson, N.; Kasper; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemm; Kliniske; Koppang; Koppelman; Kretschmar; Kroeber; Lemieux; Lloyd; Mahoney; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Nottestad; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Skarphol; Thoreson, B.; Thoreson, L.; Thorpe; Tieman; Timm; Wald; Warner; Weiler; Weisz; Wentz; Wikenheiser; Winrich; Wrangham; Speaker Bernstein

NAYS: Bellew; Keiser

ABSENT AND NOT VOTING: Onstad; Solberg; Svedjan

SB 2182 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2407: A BILL for an Act to create and enact a new subsection to section 53-06.1-14 of the North Dakota Century Code, relating to manufacturers and distributors of gaming equipment.

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 52 YEAS, 43 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Cleary; DeKrey; Delmore; Disrud; Ekstrom; Fairfield; Froelich; Froseth; Glassheim; Grumbo; Guleson; Gunter; Hanson; Hawken; Herbel; Huether; Hunsakor; Johnson, N.; Kelsch, R.; Kelsh, S.; Kerzman; Kingsbury; Klein, M.; Koppang; Kretschmar; Kroeber; Lemieux; Maragos; Martinson; Monson; Mueller; Nicholas; Niemeier; Nottestad; Porter; Renner; Ruby; Schmidt; Thoreson, L.; Thorpe; Tieman; Timm; Wald; Warner; Wentz; Winrich

NAYS: Bellew; Belter; Berg; Byerly; Carlisle; Carlson; Clark; Delzer; Devlin; Dosch; Drovdal; Eckre; Galvin; Grande; Grosz; Haas; Jensen; Johnson, D.; Kasper; Keiser; Kempenich; Klein, F.; Klemm; Kliniske; Koppelman; Lloyd; Mahoney; Meier; Metcalf; Nelson; Pietsch; Pollert; Price; Rennerfeldt; Sandvig; Severson; Skarphol; Thoreson, B.; Weiler; Weisz; Wikenheiser; Wrangham; Speaker Bernstein

ABSENT AND NOT VOTING: Onstad; Solberg; Svedjan

SB 2407 passed and the title was agreed to.

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

MR. SPEAKER: The President has signed and your signature is respectfully requested on: SB 2081, SB 2163, SB 2216, SB 2290, SB 2383, SCR 4001, SCR 4014, SCR 4022, SCR 4027, SCR 4032, SCR 4033, SCR 4034, SCR 4042.

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

MR. SPEAKER: The President has signed: HB 1100, HB 1106, HB 1125, HB 1151, HB 1174, HB 1181, HB 1203, HB 1242, HB 1262, HB 1274, HB 1360, HB 1427, HCR 3030, HCR 3037.

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

MR. SPEAKER: The President has signed and your signature is respectfully requested on: SB 2091, SB 2143, SB 2180, SB 2190, SB 2252, SB 2298, SCR 4003, SCR 4004, SCR 4005, SCR 4006, SCR 4024, SCR 4029, SCR 4031, SCR 4045.

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

MR. SPEAKER: The Senate has amended and subsequently passed: HB 1435.

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1435

Page 1, line 19, after the period insert "Prohibit programs and policies at public and nonpublic institutions of higher education intended to encourage diversity and provide opportunities for members of disadvantaged or diverse groups in order to prepare students to be knowledgeable, contributing members of an increasingly global, multicultural society;

e."

Page 1, line 21, replace "e" with "f"

Page 2, line 1, replace "f" with "g"

Page 2, line 5, replace "g" with "h"

Renumber accordingly

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

MR. SPEAKER: The Senate has passed unchanged: HB 1032, HB 1216, HB 1259, HB 1282, HB 1406, HB 1417, HB 1431.

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

MR. SPEAKER: The Senate has amended and subsequently passed: HCR 3015, HCR 3039.

SENATE AMENDMENTS TO HOUSE CONCURRENT RESOLUTION NO. 3015

Page 1, line 2, after "legislative" insert ", executive,"

Page 1, line 7, after "Assembly" insert ", the judicial power of the state is vested in the courts, and the the administrative power of the state is vested in the executive branch"

Page 1, line 8, remove "due to judicial activism and the apparent desire of the courts throughout" and after the second "the" insert "thoughtful and prudent exercise of these powers by each of these separate and coequal branches, with due respect and consideration for authority and responsibility of the other, is in the best interest of the people;"

Page 1, remove lines 9 and 10

Page 1, line 13, after "legislative" insert ", executive,"

Page 1, line 14, after the semicolon insert "and"

Renumber accordingly

SENATE AMENDMENTS TO HOUSE CONCURRENT RESOLUTION NO. 3039

Page 1, after line 17, insert:

"**BE IT FURTHER RESOLVED**, that if the Secretary of State appoints such a committee, the Legislative Council be authorized to appoint up to four members of the Legislative Assembly to the committee, with members from the majority and minority parties and from the House of Representatives and the Senate; and"

Renumber accordingly

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

MR. SPEAKER: The Senate has amended and subsequently failed to pass: HB 1305.

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

MR. SPEAKER: The Senate has amended and subsequently passed: HB 1462.

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1462

Page 1, line 15, after "individual" insert "performing diagnosis or treatment"

Page 1, line 21, remove "Unless the injured person is being treated for injuries inflicted by means"

Page 1, remove lines 22 through 24

Page 2, remove lines 1 through 5

Renumber accordingly

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

MR. SPEAKER: The Senate has amended, subsequently passed, and the emergency clause carried: HB 1115.

SENATE AMENDMENTS TO REENGROSSED HOUSE BILL NO. 1115

Page 1, line 2, after "facilities" insert "; and to declare an emergency"

Page 1, after line 9, insert:

"**SECTION 2. EMERGENCY.** This Act is declared to be an emergency measure."

Renumber accordingly

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

MR. SPEAKER: The Senate has failed to pass: HCR 3019, HCR 3041.

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

MR. PRESIDENT: The House has passed unchanged: SB 2053.

MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK)
MR. PRESIDENT: The House has amended and subsequently passed: SB 2088, SB 2117, SB 2244, SB 2345.

MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK)
MR. PRESIDENT: The House has failed to pass: SCR 4036.

MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK)
MR. PRESIDENT: The House has amended and subsequently failed: SB 2388, SB 2414.

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 1105, HB 1270, HCR 3034, and HCR 3066.

MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK)
MR. PRESIDENT: The House does not concur in the Senate amendments to HB 1457 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1457: Reps. Ruby; Severson; Lemieux

MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK)
MR. PRESIDENT: The House does not concur in the Senate amendments to HB 1141, HB 1197, HB 1261, HB 1267, HB 1269, HB 1385, HB 1416, and HB 1455 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1141: Reps. R. Kelsch; Haas; Hanson

HB 1197: Reps. Timm; Wald; Huether

HB 1261: Reps. Hawken; Ruby; Schmidt

HB 1267: Reps. DeKrey; Kretschmar; Mahoney

HB 1269: Reps. Rennerfeldt; DeKrey; S. Kelsh

HB 1385: Reps. Weisz; Galvin; Sandvig

HB 1416: Reps. Kretschmar; Grande; Mahoney

HB 1455: Reps. DeKrey; Devlin; Eckre

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: The Senate does not concur in the House amendments to SB 2118, SB 2181, SB 2365, and SB 2455 and the President has appointed as a conference committee to act with a like committee from the House on:

SB 2118: Sens. Dever; Trenbeath; Lyson

SB 2181: Sens. Stenehjem; Wardner; Kroeplin

SB 2365: Sens. Trenbeath; Dever; C. Nelson

SB 2455: Sens. Wardner; Christmann; Kroeplin

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: The President has appointed as a conference committee to act with a like committee from the House on:

HB 1099: Sens. Wardner; Krebsbach; C. Nelson

HB 1119: Sens. Dever; Kilzer; C. Nelson

HB 1184: Sens. Stenehjem; Trenbeath; O'Connell

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: The President has appointed as a conference committee to act with a like committee from the House on:

HB 1226: Sens. Klein; Espegard; D. Mathern

HB 1283: Sens. Cook; Flakoll; O'Connell

MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK)
MR. PRESIDENT: The Speaker has appointed as a conference committee to act with a like committee from the Senate on:

SB 2201: Reps. Rennerfeldt; Brekke; Winrich

SB 2226: Reps. Klemin; Kingsbury; Mahoney

REPORT OF CONFERENCE COMMITTEE

HB 1226, as engrossed: Your conference committee (Sens. Klein, Espgaard, D. Mathern and Reps. Devlin, Porter, Metcalf) recommends that the **SENATE RECEDE** from the Senate amendments on HJ pages 811-812 and place HB 1226 on the Seventh order.

Engrossed HB 1226 was placed on the Seventh order of business on the calendar.

REPORT OF STANDING COMMITTEE

SB 2001, as engrossed: Appropriations Committee (Rep. Timm, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (17 YEAS, 1 NAY, 3 ABSENT AND NOT VOTING). Engrossed SB 2001 was placed on the Sixth order on the calendar.

Page 1, line 15, replace "450,800" with "350,800"

Page 1, line 17, replace "9,170,163" with "9,070,163"

Page 1, line 22, replace "183,300" with "148,300"

Page 2, line 1, replace "7,208,402" with "7,173,402"

Page 2, line 2, replace "16,378,565" with "16,243,565"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:**Senate Bill No. 2001 - Summary of House Action**

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Legislative Assembly				
Total all funds	\$9,170,163	\$9,170,163	(\$100,000)	\$9,070,163
Less estimated income				
General fund	\$9,170,163	\$9,170,163	(\$100,000)	\$9,070,163
Legislative Council				
Total all funds	\$7,208,402	\$7,208,402	(\$35,000)	\$7,173,402
Less estimated income				
General fund	\$7,208,402	\$7,208,402	(\$35,000)	\$7,173,402
Bill Total				
Total all funds	\$16,378,565	\$16,378,565	(\$135,000)	\$16,243,565
Less estimated income				
General fund	\$16,378,565	\$16,378,565	(\$135,000)	\$16,243,565

Senate Bill No. 2001 - Legislative Assembly - House Action

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$5,566,499	\$5,566,499		\$5,566,499
Operating expenses	2,987,567	2,987,567		2,987,567
Equipment	450,800	450,800	(\$100,000)	350,800
National Conference of State Legislatures	165,297	165,297		165,297
Total all funds	\$9,170,163	\$9,170,163	(\$100,000)	\$9,070,163
Less estimated income				
General fund	\$9,170,163	\$9,170,163	(\$100,000)	\$9,070,163
FTE	0.00	0.00	0.00	0.00

Dept. 150 - Legislative Assembly - Detail of House Changes

	REDUCE EQUIPMENT	TOTAL HOUSE CHANGES
Salaries and wages		
Operating expenses		
Equipment	(\$100,000)	(\$100,000)
National Conference of State Legislatures		
Total all funds	(\$100,000)	(\$100,000)
Less estimated income		
General fund	(\$100,000)	(\$100,000)
FTE	0.00	0.00

Senate Bill No. 2001 - Legislative Council - House Action

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$4,594,446	\$4,594,446		\$4,594,446
Operating expenses	2,190,656	2,190,656		2,190,656
Equipment	183,300	183,300	(\$35,000)	148,300
Information technology program	240,000	240,000		240,000
Total all funds	\$7,208,402	\$7,208,402	(\$35,000)	\$7,173,402
Less estimated income				
General fund	\$7,208,402	\$7,208,402	(\$35,000)	\$7,173,402
FTE	33.00	33.00	0.00	33.00

Dept. 160 - Legislative Council - Detail of House Changes

	REDUCE EQUIPMENT	TOTAL HOUSE CHANGES
Salaries and wages		
Operating expenses		
Equipment	(\$35,000)	(\$35,000)
Information technology program		
Total all funds	(\$35,000)	(\$35,000)
Less estimated income		
General fund	(\$35,000)	(\$35,000)
FTE	0.00	0.00

REPORT OF STANDING COMMITTEE

SB 2005: Appropriations Committee (Rep. Timm, Chairman) recommends **DO PASS** (17 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING). SB 2005 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2006: Appropriations Committee (Rep. Timm, Chairman) recommends **DO PASS** (20 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2006 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2010, as engrossed: Appropriations Committee (Rep. Timm, Chairman) recommends **DO PASS** (16 YEAS, 3 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2010 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2033, as reengrossed: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Reengrossed SB 2033 was placed on the Sixth order on the calendar.

Page 1, line 4, remove "and"

Page 1, line 6, after "use" insert "; and to provide for an application date"

Page 3, line 9, after "57-38" insert "and includes a partnership, subchapter S corporation, limited partnership, limited liability company, or any other passthrough entity"

Page 6, line 24, after "~~investment~~" insert "If the cost of a new business purchase or expansion of an existing business, approved as a zone project, exceeds seventy-five thousand dollars, and the business is located in a city with a population of not more than two thousand five hundred, an individual taxpayer may, in lieu of the exemption provided in subsection 2, elect to take an income tax exemption of up to two thousand dollars of personal income tax liability as determined under section 57-38-29 or 57-38-30.3. The election must be made on the taxpayer's zone project application. The election is irrevocable and binding for the duration of the exemptions provided in subsection 2 or 3. If no election is made on the zone project application, the taxpayer is only eligible for the exemption provided in subsection 2" and remove the overstrike over the period

Page 6, line 25, remove the overstrike over "4."

Page 7, line 7, replace "on improvements made" with "rehabilitated"

Page 7, line 23, after "~~year~~" insert ", up to a maximum of two hundred fifty thousand dollars"

Page 7, line 25, remove "up to a maximum of two hundred fifty thousand dollars"

Page 8, line 11, after "~~cities~~" insert "and to make investments in businesses within a city's zone"

Page 8, line 12, overstrike "zone"

Page 8, line 13, overstrike ", including projects"

Page 8, after line 17, insert:

"3. A renaissance fund organization that is established by a city may provide financing to businesses within the city's zone and may provide financing to zone-approved projects throughout the state."

Page 8, line 18, remove the overstrike over "~~4.~~" and remove "3."

Page 8, line 19, after the period insert "An exemption under this section may be passed through to any shareholder, partner, and owner if the renaissance fund organization is a passthrough entity for tax purposes."

Page 8, line 25, remove the overstrike over "~~5.~~" and remove "4."

Page 9, line 1, remove the overstrike over "~~6.~~" and remove "5."

Page 9, line 4, remove the overstrike over "~~7.~~" and remove "6."

Page 9, line 11, remove the overstrike over "~~8.~~" and remove "7."

Page 9, line 14, remove the overstrike over "~~9.~~" and remove "8."

Page 9, line 22, remove the overstrike over "~~10.~~" and remove "9."

Page 10, after line 26, insert:

"**SECTION 12. APPLICATION.** Sections 4 and 5 of this Act apply to zone projects approved after December 31, 1999, and section 6 of this Act applies to zone projects approved after July 31, 2001."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2090, as engrossed: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2090 was placed on the Sixth order on the calendar.

Page 1, line 11, after the semicolon insert "to direct the securities commissioner to review policies and procedures regarding financing for North Dakota companies and to report to the legislative council;"

Page 22, after line 2, insert:

"**SECTION 15. SECURITIES COMMISSIONER REVIEW OF POLICIES AND PROCEDURES.** During the 2001-02 interim, the securities commissioner shall conduct a review of policies and procedures relating to access to capital for North Dakota companies, with the goal of increasing North Dakota companies' access to capital investment. Before August 1, 2002, the securities commissioner shall report the commissioner's findings and any recommendations to the legislative council."

Page 22, line 3, replace "Section" with "Sections 6 and" and replace "is" with "are"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2124, as engrossed: Appropriations Committee (Rep. Timm, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS**

(17 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2124 was placed on the Sixth order on the calendar.

In lieu of the amendments adopted by the House as printed on page 982 of the House Journal, Engrossed Senate Bill No. 2124 is amended as follows:

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

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

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

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

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

Page 2, line 20, after "fees" insert ", not to exceed twenty-five dollars for each worker,"

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

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

Page 3, replace lines 3 through 9 with:

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

Page 3, line 10, remove "out of any moneys in the"

Page 3, remove line 11

Page 3, line 12, remove "of the sum as may be necessary, and"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Dept. 301 - Department of Health - House Action

The amendment removes the general fund appropriation and establishes the maximum annual fees and renewal fees for asbestos and lead-based paint contractors (\$100) and examination fees for workers (\$25).

REPORT OF STANDING COMMITTEE (MAJORITY)

SB 2191, as engrossed: Industry, Business and Labor Committee (Rep. Berg, Chairman) A MAJORITY of your committee (Reps. Berg, Ekstrom, Froelich, Froseth, Jensen, N. Johnson, M. Klein, Koppang, Pietsch, Thorpe) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS**.

Page 1, line 1, after "6-08.1-02" insert "and a new section to chapter 6-08.1"

Page 1, line 2, after "institutions" insert "and notification of privacy policies"

Page 1, line 4, after the second semicolon insert "to provide an expiration date;"

Page 2, after line 23, insert:

"SECTION 3. A new section to chapter 6-08.1 of the North Dakota Century Code is created and enacted as follows:

Agricultural and commercial accounts.

1. A financial institution shall notify the financial institution's agricultural and commercial customers in this state of the financial institution's privacy policies and practices relating to agricultural and commercial accounts.

2. If the financial institution discloses nonpublic information about agricultural or commercial accounts to nonaffiliated third parties, the financial institution shall annually allow agricultural and commercial customers to not agree to disclosing that information. An agricultural or commercial customer also may agree to the disclosure of nonpublic information.
3. The exceptions in section 502(b)(2) of the Gramm Leach Bliley Financial Service Modernization Act [Pub. L. 106-102; 113 Stat. 1437; 15 U.S.C. 6802] and section 6-08.1-02 apply to agricultural and commercial accounts."

Page 2, after line 24, insert:

"SECTION 5. EXPIRATION DATE. Section 3 of this Act is effective through July 31, 2003, and after that date is ineffective."

Renumber accordingly

The reports of the majority and the minority were placed on the Seventh order of business on the calendar for the succeeding legislative day.

REPORT OF STANDING COMMITTEE (MINORITY)

SB 2191, as engrossed: Industry, Business and Labor Committee (Rep. Berg, Chairman) A MINORITY of your committee (Reps. Keiser, Kasper, Lemieux, Ruby) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS**.

Page 1, line 1, after "enact" insert "two new subsections to section 6-08.1-01," and after "6-08.1-02" insert ", a new section to chapter 10-04, and a new section to chapter 26.1-02"

Page 1, line 2, after "Code" insert "and to create and enact a new section to Senate Bill No. 2127, as approved by the fifty-seventh legislative assembly" and after "institutions" insert "and the effective date of section 1 of Senate Bill No. 2127"

Page 1, line 4, replace "definition of a customer and" with "definitions relating to disclosure of" and after "date" insert "; to provide an expiration date"

Page 1, line 10, remove ", with respect to a financial institution," and remove the overstrike over "person who has"

Page 1, remove the overstrike over line 11

Page 1, line 12, remove "individual or authorized representative of an individual to whom"

Page 1, line 13, remove the overstrike over ", ~~or for whom a financial institution has acted~~" and remove "provides a product or"

Page 1, line 14, remove "service for personal, family, or household use, including that of acting"

Page 1, line 15, remove the overstrike over "~~with respect to trust property~~"

Page 1, line 19, after "~~subsection~~" insert "any" and after "~~nonpublic~~" insert ", personally identifiable financial information of a customer which is obtained by the financial institution by any means, except for information that is otherwise publicly available"

Page 1, remove lines 20 and 21

Page 1, line 22, remove "customer of the financial institution and is identified with the customer"

Page 2, line 3, overstrike "means any of the following" and insert immediately thereafter "includes"

Page 2, overstrike lines 16 and 17

Page 2, after line 17, insert:

"SECTION 2. Two new subsections to section 6-08.1-01 of the 1999 Supplement to the North Dakota Century Code are created and enacted as follows:

"Affiliate" means any company that controls, is controlled by, or is under common control with another company.

"Nonaffiliated third party" means any entity that is not an affiliate of, or related by common ownership or affiliated by corporate control with, the financial institution. The term does not include a joint employee of such a financial institution."

Page 2, after line 23, insert:

"SECTION 4. A new section to chapter 10-04 of the North Dakota Century Code is created and enacted as follows:

Disclosing customer information. Every dealer, agent, investment adviser, federal covered adviser, and investment adviser representative is a financial institution for purposes of chapter 6-08.1, relating to disclosure of customer information. The commissioner shall enforce compliance with this section.

SECTION 5. A new section to chapter 26.1-02 of the North Dakota Century Code is created and enacted as follows:

Disclosing customer information. Every insurance company, nonprofit health service corporation, and health maintenance organization is a financial institution for purposes of chapter 6-08.1, relating to disclosure of customer information. The commissioner shall enforce compliance with this section.

SECTION 6. A new section to Senate Bill No. 2127, as approved by the fifty-seventh legislative assembly, is created and enacted as follows:

SECTION 3. EFFECTIVE DATE. Section 1 of this Act becomes effective on August 1, 2003."

Page 2, line 24, after "**DATE**" insert "- **EXPIRATION DATE**", replace "This" with "Sections 1, 4, 5, 6, 7, and 8 of this", replace "becomes" with "become", after "2001" insert ", and sections 2 and 3 of this Act become effective on August 1, 2003", and after the period insert "Sections 4 and 5 of this Act are effective through July 31, 2003, and after that date are ineffective."

Renumber accordingly

The reports of the majority and the minority were placed on the Seventh order of business on the calendar for the succeeding legislative day.

REPORT OF STANDING COMMITTEE

SB 2297, as engrossed: Appropriations Committee (Rep. Timm, Chairman) recommends **DO PASS** (14 YEAS, 6 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2297 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2342: Appropriations Committee (Rep. Timm, Chairman) recommends **DO PASS** (18 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). SB 2342 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2454: Finance and Taxation Committee (Rep. Carlson, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). SB 2454 was placed on the Sixth order on the calendar.

Page 1, line 5, remove "and" and after "date" insert "; and to provide an expiration date"

Page 1, line 23, replace "and which is" with an underscored comma

Page 1, line 24, after "engines" insert ", and produced in a refining facility in this state which has a production capacity of at least ten million gallons [37854000 liters] of biodiesel per year"

Page 2, line 8, replace "two and one-tenth" with "one and five-hundredths"

Page 2, line 16, replace "eight-tenths" with "nine-tenths"

Page 2, line 18, after "**DATE**" insert "- **EXPIRATION DATE**"

Page 2, line 19, after "2001" insert ", and before July 1, 2003, and is thereafter ineffective"

Renumber accordingly

MOTION

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

MOTION

REP. MONSON MOVED that the House be on the Fifth, Twelfth, and Sixteenth orders of business and at the conclusion of those orders, the House stand adjourned until 1:00 p.m., Thursday, March 29, 2001, which motion prevailed.

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

MARK L. JOHNSON, Chief Clerk

