

JOURNAL OF THE HOUSE

Fifty-eighth Legislative Assembly

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Bismarck, January 30, 2003

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

The prayer was offered by Rev. Bob Nordvall, Charity Lutheran Church, Bismarck.

The roll was called and all members were present except Representatives D. Johnson, Kempenich, Warnke, and Wentz.

A quorum was declared by the Speaker.

SIXTH ORDER OF BUSINESS

REP. BERG MOVED that the amendments on the Sixth order of business to HB 1089, HB 1172, HB 1189, HB 1320 and HB 1351 be adopted, which motion prevailed.

HB 1089, HB 1172, HB 1189, HB 1320 and HB 1351, as amended, were placed on the Eleventh order of business on the calendar.

MOTION

REP. BERG MOVED that HB 1222 be returned to the House floor from the **Judiciary Committee** and be rereferred to the **Agriculture Committee**, which motion prevailed.

MOTION

REP. BERG MOVED that HB 1205 be returned to the House floor from the **Judiciary Committee** and be rereferred to the **Transportation Committee**, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1101: A BILL for an Act to amend and reenact subsections 2 and 13 of section 43-11-01, sections 43-11-04 and 43-11-06, subsection 3 of section 43-11-16, section 43-11-24, subsection 3 of section 43-11-27, and subsection 1 of section 43-11-28 of the North Dakota Century Code, relating to licensing of cosmetologists and cosmetology schools.

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

YEAS: Aarsvold; Amerman; Berg; Bernstein; Boe; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Clark; Delmore; Devlin; Dosch; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Gulleon; Haas; Hanson; Hawken; Herbel; Hunsakor; Iverson; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemm; Koppelman; Kreidt; Kroeber; Maragos; Martinson; Meier; Metcalf; Mueller; Nelson; Nicholas; Norland; Nottestad; Onstad; Pietsch; Porter; Potter; Price; Ruby; Sandvig; Schmidt; Severson; Sitte; Solberg; Svedjan; Thoreson; Thorpe; Tieman; Uglem; Wald; Warner; Weiler; Wieland; Wikenheiser; Williams; Winrich; Zaiser; Acting Speaker Kretschmar

NAYS: Bellew; Belter; DeKrey; Delzer; Grosz; Headland; Monson; Pollert; Rennerfeldt; Skarphol; Timm; Weisz; Wrangham

ABSENT AND NOT VOTING: Johnson, D.; Kempenich; Niemeier; Warnke; Wentz

HB 1101, as amended, passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1297: A BILL for an Act to create and enact section 48-05-02.1 of the North Dakota Century Code, relating to the purchasing of coal for heating purposes by the state and political subdivisions.

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

YEAS: Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Gulleson; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Acting Speaker Kretschmar

ABSENT AND NOT VOTING: Johnson, D.; Kempenich; Warnke; Wentz

HB 1297, as amended, passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1063: A BILL for an Act to create and enact a new section to chapter 52-09 and a new section to chapter 52-10 of the North Dakota Century Code, relating to administration of the old-age and survivor insurance system and authority of the executive director of job service North Dakota; to amend and reenact section 52-09-03, subsection 4 of section 52-09-07, and subsections 6 and 9 of section 52-09-20 of the North Dakota Century Code, relating to administration of the old-age and survivor insurance system, primary insurance benefits under the old-age and survivor insurance system, authority of the executive director of job service North Dakota, and legislative appropriations for the expenses of administration; to repeal section 52-09-04 of the North Dakota Century Code, relating to the previous authority of the employment security bureau; and to provide for implementation.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 89 YEAS, 0 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Gulleson; Haas; Hanson; Hawken; Headland; Herbel; Iverson; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Acting Speaker Kretschmar

ABSENT AND NOT VOTING: Hunskor; Johnson, D.; Kempenich; Warnke; Wentz

HB 1063, as amended, passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1090: A BILL for an Act to amend and reenact subsection 1 of section 27-20-51 and section 27-20-52 of the North Dakota Century Code, relating to juvenile 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 90 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Gulleson; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, N.; Kasper; Keiser;

Kelsch, R.; Kelsh, S.; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Acting Speaker Kretschmar

ABSENT AND NOT VOTING: Johnson, D.; Kempenich; Warnke; Wentz

HB 1090, as amended, passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1115: A BILL for an Act to create and enact a new subsection to section 57-38-57 of the North Dakota Century Code, relating to provision of income tax return information to the United States census bureau; to amend and reenact section 52-01-03 of the North Dakota Century Code, relating to the provision of unemployment insurance data to the United States census bureau; 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 81 YEAS, 8 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brusegaard; Carlson; Clark; DeKrey; Delmore; Devlin; Dosch; Drovda; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Gulleon; Haas; Hanson; Hawken; Headland; Herbel; Hunsdor; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Ruby; Sandvig; Schmidt; Severson; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Wieland; Wikenheiser; Williams; Winrich; Zaiser; Acting Speaker Kretschmar

NAYS: Carlisle; Delzer; Iverson; Rennerfeldt; Sitte; Weiler; Weisz; Wrangham

ABSENT AND NOT VOTING: Aarsvold; Johnson, D.; Kempenich; Warnke; Wentz

HB 1115, as amended, passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF HOUSE BILL

HB 1135: A BILL for an Act to amend and reenact section 49-21-01.7 of the North Dakota Century Code, relating to powers of the public service commission relating to the regulation for the provision of telecommunication service.

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

YEAS: Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovda; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Gulleon; Haas; Hanson; Hawken; Herbel; Hunsdor; Iverson; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Acting Speaker Kretschmar

NAYS: Headland

ABSENT AND NOT VOTING: Johnson, D.; Kempenich; Onstad; Warnke; Wentz

HB 1135, as amended, passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1149: A BILL for an Act to amend and reenact sections 65-01-09, 65-04-03.1, 65-04-04, 65-04-15, subsection 1 of section 65-04-26.1, subsections 1 and 2 of section 65-04-32, subsection 3 of section 65-04-33, sections 65-05-07.2, 65-05-28.1, 65-06-01, 65-06-02, 65-06-03, and 65-06-04 of the North Dakota Century Code, relating to the workers compensation bureau's subrogation interests and participation in third-party actions, elimination of the expiration date for the state entities account, employer certificates of coverage, release of information from employer files, personal liability for failure to pay premiums or file premium reports, notice of decisions issued by the workers compensation bureau affecting employer accounts, the penalty structure for failure to secure workers' compensation coverage, employer medical assessments, eligibility of an employer to select preferred providers to render medical treatment, and emergency and disaster volunteers and volunteer firefighters; to repeal section 65-04-19.2 and chapter 65-14 of the North Dakota Century Code, relating to state agency participation in the workers' compensation risk management program and the employee information program on hazardous substances; to provide an effective 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 90 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Gulleson; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Acting Speaker Kretschmar

ABSENT AND NOT VOTING: Johnson, D.; Kempenich; Warnke; Wentz

HB 1149, as amended, passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF HOUSE BILL

HB 1168: A BILL for an Act to amend and reenact sections 44-06-04, 44-06-12, 44-06-13.1, 44-06-14, and 44-08-06 of the North Dakota Century Code, relating to notaries public and their seals and fees.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 90 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Gulleson; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Acting Speaker Kretschmar

ABSENT AND NOT VOTING: Johnson, D.; Kempenich; Warnke; Wentz

HB 1168, as amended, passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1196: A BILL for an Act to repeal sections 57-38-34.3 and 57-38-34.6 of the North Dakota Century Code, relating to elimination of optional contributions on income tax returns for the nongame wildlife fund and trees for North Dakota program trust fund; 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 44 YEAS, 46 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Bellew; Belter; Berg; Bernstein; Boehning; Brusegaard; Carlson; Clark; DeKrey; Delzer; Devlin; Dosch; Drovda; Froseth; Grande; Grosz; Haas; Hawken; Headland; Herbel; Iverson; Johnson, N.; Kasper; Keiser; Kingsbury; Klein, M.; Koppelman; Kreidt; Maragos; Pietsch; Pollert; Price; Ruby; Severson; Skarphol; Svedjan; Thoreson; Tieman; Timm; Uglem; Wald; Weisz; Wieland; Wrangham

NAYS: Aarsvold; Amerman; Boe; Boucher; Carlisle; Delmore; Eckre; Ekstrom; Froelich; Galvin; Glassheim; Gulleson; Hanson; Hunskor; Kelsch, R.; Kelsch, S.; Kerzman; Klein, F.; Klemm; Kroeber; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Porter; Potter; Rennerfeldt; Sandvig; Schmidt; Sitte; Solberg; Thorpe; Warner; Weiler; Wikenheiser; Williams; Winrich; Zaiser; Acting Speaker Kretschmar

ABSENT AND NOT VOTING: Johnson, D.; Kempenich; Warnke; Wentz

HB 1196, as amended, lost.

SECOND READING OF HOUSE BILL

HB 1210: A BILL for an Act to create and enact a new subsection to section 57-51.1-03.1 of the North Dakota Century Code, relating to eligibility of a two-year inactive well for exemption from the oil extraction tax; and to amend and reenact subsection 12 of section 57-51.1-01 and subsection 4 of section 57-51.1-03 of the North Dakota Century Code, relating to the definition of a two-year inactive well and eligibility of a work-over project for exemption from the oil extraction tax.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 89 YEAS, 0 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovda; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Gulleson; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsch, S.; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemm; Koppelman; Kreidt; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Acting Speaker Kretschmar

ABSENT AND NOT VOTING: Johnson, D.; Kempenich; Warnke; Wentz; Zaiser

HB 1210, as amended, passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1269: A BILL for an Act to create and enact a new section to chapter 57-36 of the North Dakota Century Code, relating to the sale and distribution of tobacco products manufactured by tobacco product manufacturers not in compliance with state or federal law; 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 84 YEAS, 5 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Carlisle; Carlson; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Gulleson; Haas; Hanson; Hawken; Headland; Herbel; Hunsakor; Iverson; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kerzman; Kingsbury; Klein, M.; Klemin; Koppelman; Kreidt; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Sandvig; Schmidt; Severson; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Weiler; Weisz; Wieland; Wikenheiser; Winrich; Wrangham; Zaiser; Acting Speaker Kretschmar

NAYS: Brusegaard; Clark; Grosz; Klein, F.; Ruby

ABSENT AND NOT VOTING: Johnson, D.; Kempenich; Warnke; Wentz; Williams

HB 1269, as amended, passed, the title was agreed to, and the emergency clause was declared carried.

MOTION

REP. BERG MOVED that HB 1432 be moved to the top of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1432: A BILL for an Act to impose limitations on the sales of tobacco products of tobacco product manufacturers not participating in the tobacco settlement agreement; and to provide a penalty.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 5 YEAS, 84 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Bernstein; Carlson; Delzer; Grande; Skarphol

NAYS: Aarsvold; Amerman; Bellew; Berg; Boe; Boehning; Boucher; Brusegaard; Carlisle; Clark; DeKrey; Delmore; Devlin; Dosch; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grosz; Gulleson; Haas; Hanson; Hawken; Headland; Herbel; Hunsakor; Iverson; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Solberg; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Acting Speaker Kretschmar

ABSENT AND NOT VOTING: Belter; Johnson, D.; Kempenich; Warnke; Wentz

HB 1432 lost.

SECOND READING OF HOUSE BILL

HB 1163: A BILL for an Act to create and enact section 25-03.1-03.1 of the North Dakota Century Code, relating to disclosure of health information for treatment of mental illness; to amend and reenact section 25-03.1-10, subsection 1 of section 25-03.1-13, section 25-03.1-43, and subsection 20 of section 43-17-31 of the North Dakota Century Code, relating to civil commitment for treatment of mental illness and substance abuse and a physician's duty to transfer medical records; to repeal section 25-03.1-44 of the North Dakota Century Code, relating to accounting for the disclosure of health information of an individual committed for the treatment of mental illness; to provide an effective date; and to declare an emergency.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 88 YEAS, 0 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Gulleson; Haas; Hanson; Hawken; Headland; Herbel; Hunsakor; Iverson; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Acting Speaker Kretschmar

ABSENT AND NOT VOTING: Bernstein; Johnson, D.; Kempenich; Severson; Warnke; Wentz

HB 1163 passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF HOUSE BILL

HB 1171: A BILL for an Act to amend and reenact section 12.1-31-03 of the North Dakota Century Code, relating to the sale of tobacco to individuals under the age of twenty-one and the use of tobacco by minors; to provide a penalty; and to provide for application.

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 12 YEAS, 78 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Belter; Bernstein; Boucher; DeKrey; Drovdal; Galvin; Grosz; Haas; Kelsh, S.; Niemeier; Rennerfeldt

NAYS: Amerman; Bellew; Berg; Boe; Boehning; Brusegaard; Carlisle; Carlson; Clark; Delmore; Delzer; Devlin; Dosch; Eckre; Ekstrom; Froelich; Froseth; Glassheim; Grande; Gulleson; Hanson; Hawken; Headland; Herbel; Hunsakor; Iverson; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Acting Speaker Kretschmar

ABSENT AND NOT VOTING: Johnson, D.; Kempenich; Warnke; Wentz

HB 1171 lost.

MOTION

REP. BERG MOVED that HB 1173 be laid over two legislative days, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1177: A BILL for an Act to amend and reenact sections 37-01-01, 37-01-04, 37-01-09, 37-01-11, 37-01-12, 37-01-21, 37-01-26, 37-01-28, 37-01-30, 37-02-01, 37-02-02, 37-02-04, 37-03-05, 37-03-07, 37-03-11, 37-04-02, 37-04-07, 37-04-09, 37-07-01, 37-07-03, 37-07-04, 37-07-05, 37-07-06, 37-08-03, 37-08-04, 37-11-01, and 37-11-02 of the North Dakota Century Code, relating to requirements for membership in the military forces of the state; 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 1 YEA, 89 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: DeKrey

NAYS: Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Clark; Delmore; Delzer; Devlin; Dosch; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Gulleson; Haas; Hanson; Hawken; Headland; Herbel; Hunsakor; Iverson; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson;

Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Acting Speaker Kretschmar

ABSENT AND NOT VOTING: Johnson, D.; Kempenich; Warnke; Wentz

HB 1177 lost.

SECOND READING OF HOUSE BILL

HB 1178: A BILL for an Act to amend and reenact subsection 1 of section 28-32-10 of the North Dakota Century Code, relating to the contents of a notice of administrative rulemaking; and to provide an effective date.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 89 YEAS, 1 NAY, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovda; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Gulleson; Haas; Hanson; Hawken; Headland; Herbel; Hunsakor; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Acting Speaker Kretschmar

NAYS: Iverson

ABSENT AND NOT VOTING: Johnson, D.; Kempenich; Warnke; Wentz

HB 1178 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1182: A BILL for an Act to amend and reenact sections 15.1-23-05, 15.1-23-06, 15.1-23-08, 15.1-23-09, 15.1-23-10, 15.1-23-11, and 15.1-23-12 of the North Dakota Century Code, relating to testing of students attending home schools.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 2 YEAS, 87 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Boucher; Winrich

NAYS: Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovda; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Gulleson; Haas; Hanson; Hawken; Headland; Herbel; Hunsakor; Iverson; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kerzman; Kingsbury; Klein, M.; Klemin; Koppelman; Kreidt; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Weiler; Weisz; Wieland; Wikenheiser; Williams; Wrangham; Zaiser; Acting Speaker Kretschmar

ABSENT AND NOT VOTING: Johnson, D.; Kempenich; Klein, F.; Warnke; Wentz

HB 1182 lost.

SECOND READING OF HOUSE BILL

HB 1184: A BILL for an Act to create and enact a new section to chapter 13-03.1 and a new section to chapter 13-05 of the North Dakota Century Code, relating to consumer finance license renewals and subpoena powers for collection agency information; and to amend and reenact sections 13-04.1-05 and 13-05-05 of the North Dakota Century Code, relating to money broker and collection agency license renewals and renewal late fees.

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

YEAS: Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Devlin; Dosch; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Gulleon; Haas; Hanson; Hawken; Headland; Herbel; Hunsakor; Iverson; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Tieman; Uglem; Wald; Warner; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Acting Speaker Kretschmar

NAYS: Delzer; Timm

ABSENT AND NOT VOTING: Johnson, D.; Kempenich; Warnke; Wentz

HB 1184 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1185: A BILL for an Act to amend and reenact subsection 6 of section 41-09-73 and section 41-09-84 of the North Dakota Century Code, relating to financing statements and termination statements under the Uniform Commercial Code.

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

YEAS: Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Gulleon; Haas; Hanson; Hawken; Headland; Herbel; Hunsakor; Iverson; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kroeber; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Acting Speaker Kretschmar

ABSENT AND NOT VOTING: Johnson, D.; Kempenich; Maragos; Warnke; Wentz

HB 1185 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1187: A BILL for an Act to amend and reenact section 54-10-14 of the North Dakota Century Code, relating to audits of political subdivisions; and to repeal section 54-10-13 of the North Dakota Century Code, relating to audits of political subdivisions by the state auditor.

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

YEAS: Herbel; Iverson; Thoreson

NAYS: Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Gulleson; Haas; Hanson; Hawken; Headland; Hunsakor; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Solberg; Svedjan; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Acting Speaker Kretschmar

ABSENT AND NOT VOTING: Johnson, D.; Kempenich; Warnke; Wentz

HB 1187 lost.

SECOND READING OF HOUSE BILL

HB 1188: A BILL for an Act to amend and reenact sections 12.1-32-01, 12.1-32-03.1, 12.1-32-09.1, and 39-24.1-07 of the North Dakota Century Code, relating to the classification of offenses; and to provide a penalty.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 2 YEAS, 88 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Iverson; Ruby

NAYS: Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Gulleson; Haas; Hanson; Hawken; Headland; Herbel; Hunsakor; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Sandvig; Schmidt; Severson; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Acting Speaker Kretschmar

ABSENT AND NOT VOTING: Johnson, D.; Kempenich; Warnke; Wentz

HB 1188 lost.

SECOND READING OF HOUSE BILL

HB 1202: A BILL for an Act to amend and reenact section 20.1-02-28 of the North Dakota Century Code, relating to eligibility to participate in the deerproof hay yard program.

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 42 YEAS, 47 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Bellew; Berg; Carlisle; Carlson; Clark; Delzer; Dosch; Eckre; Ekstrom; Glassheim; Grande; Hanson; Hawken; Hunsakor; Iverson; Keiser; Kelsch, R.; Kelsh, S.; Kerzman; Koppelman; Kroeber; Martinson; Meier; Metcalf; Monson; Mueller; Niemeier; Onstad; Pietsch; Porter; Potter; Price; Ruby; Skarphol; Thorpe; Weiler; Wieland; Williams; Winrich; Wrangham; Zaiser

NAYS: Amerman; Belter; Boe; Boehning; Boucher; Brusegaard; DeKrey; Delmore; Devlin; Drovdal; Froelich; Froseth; Galvin; Grosz; Gulleson; Haas; Headland; Herbel; Johnson, N.; Kasper; Kingsbury; Klein, F.; Klein, M.; Klemin; Kreidt; Maragos; Nelson; Nicholas; Norland; Nottestad; Pollert; Rennerfeldt; Sandvig; Schmidt; Severson; Sitte; Solberg; Svedjan; Thoreson; Tieman; Timm; Uglem; Wald; Warner; Weisz; Wikenheiser; Acting Speaker Kretschmar

ABSENT AND NOT VOTING: Bernstein; Johnson, D.; Kempenich; Warnke; Wentz

HB 1202 lost.

SECOND READING OF HOUSE BILL

HB 1212: A BILL for an Act to create and enact a new section to chapter 28-32 of the North Dakota Century Code, relating to requirement of consideration the effect of proposed administrative rules on small businesses, organizations, and political subdivisions; and to provide an effective date.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 88 YEAS, 1 NAY, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovda; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Gullerson; Haas; Hanson; Hawken; Headland; Herbel; Hunsakor; Iverson; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Acting Speaker Kretschmar

NAYS: Zaiser

ABSENT AND NOT VOTING: Bernstein; Johnson, D.; Kempenich; Warnke; Wentz

HB 1212 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1230: A BILL for an Act to amend and reenact section 54-35-02.7 of the North Dakota Century Code, relating to legislative overview of the Garrison diversion project.

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

YEAS: Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovda; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Gullerson; Haas; Hanson; Hawken; Headland; Herbel; Hunsakor; Iverson; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Acting Speaker Kretschmar

ABSENT AND NOT VOTING: Bernstein; Johnson, D.; Kempenich; Warnke; Wentz

HB 1230 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1236: A BILL for an Act to amend and reenact sections 43-19.1-18 and 43-19.1-25 of the North Dakota Century Code, relating to professional engineer and land surveyor registration fees and recovery of legal costs in disciplinary matters.

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 78 YEAS, 10 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brusegaard; Carlisle; Clark; Delmore; Devlin; Dosch; Drovdal; Eckre; Ekstrom; Froseth; Galvin; Glassheim; Gulleson; Haas; Hanson; Hawken; Headland; Herbel; Hunsakor; Iverson; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Solberg; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Warner; Weiler; Wieland; Wikenheiser; Williams; Winrich; Zaiser; Acting Speaker Kretschmar

NAYS: Carlson; DeKrey; Delzer; Froelich; Grande; Grosz; Kerzman; Skarphol; Weisz; Wrangham

ABSENT AND NOT VOTING: Bernstein; Johnson, D.; Kempenich; Wald; Warnke; Wentz

HB 1236 passed and the title was agreed to.

MESSAGE TO THE SENATE FROM THE HOUSE (BRADLEY C. FAY, CHIEF CLERK)

MR. PRESIDENT: The House has passed and your favorable consideration is requested on: HB 1061, HB 1082, HB 1102, HB 1139, HB 1150, HB 1167, HB 1186, HB 1262, HB 1299, HB 1319.

MESSAGE TO THE SENATE FROM THE HOUSE (BRADLEY C. FAY, CHIEF CLERK)

MR. PRESIDENT: The House has passed, the emergency clause carried, and your favorable consideration is requested on: HB 1169.

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

MR. SPEAKER: The Senate has passed, the emergency clause carried, and your favorable consideration is requested on: SB 2064, SB 2073.

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

MR. SPEAKER: The Senate has passed and your favorable consideration is requested on: SB 2078, SB 2093, SB 2107, SB 2118, SB 2245, SB 2274, SCR 4006.

FIRST READING OF HOUSE CONCURRENT RESOLUTIONS

Reps. Price, Ruby, Warner and Sens. Krebsbach, O'Connell, Taylor introduced:

HCR 3042: A concurrent resolution expressing the Legislative Assembly's support and endorsement for the Northwest Venture Communities, Inc., project to reduce poverty and improve the quality of life in North Dakota.

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

Reps. Carlson, Belter, Timm introduced:

HCR 3043: A concurrent resolution urging Congress to eliminate the estate tax.

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

Reps. Carlson, Belter, Timm introduced:

HCR 3044: A concurrent resolution urging Congress to enact the President's 2002 economic growth and tax relief plan.

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

Reps. Monson, Carlson, Warnke introduced:

HCR 3045: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of implementing beverage container deposit legislation and other legislation to encourage recycling.

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

Reps. Pollert, Headland introduced:

HCR 3046: A concurrent resolution urging the Department of Transportation to extend the Highway 281 bypass around Jamestown.

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

Reps. Solberg, Drovdal, Norland and Sen. Andrist introduced:

HCR 3047: A concurrent resolution urging the State Historical Society of North Dakota to rethink and amend the proposed stodgy and unmarketable name of the state visitor center at the confluence of the Yellowstone and Missouri Rivers.

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

Reps. Boucher, Glassheim and Sens. Every, O'Connell introduced:

HCR 3048: A concurrent resolution celebrating the one-hundredth anniversary of Theodore Roosevelt's election as President of the United States.

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

REPORT OF STANDING COMMITTEE

HB 1092: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1092 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "two" with "a new section to chapter 11-18, a new subsection to section 23-02.1-28, and three"

Page 1, line 2, after "to" insert "redaction of social security numbers by the county recorder," and replace "and" with ", the confidentiality of"

Page 1, line 3, after "law" insert ", and the confidentiality of records of fire departments and rural fire protection districts"

Page 1, line 4, after the first comma insert "section 23-02.1-27, subsection 6 of section 41-09-73,"

Page 1, after line 9, insert:

"SECTION 1. A new section to chapter 11-18 of the North Dakota Century Code is created and enacted as follows:

Filing or recording documents with recorder - Social security numbers.

1. A document that includes a social security number may not be filed or recorded with the recorder unless a law requires the social security number to be in the document in order to be filed or recorded. A document that is required to contain a social security number may be recorded in the real estate records with the social security number redacted.
2. Notwithstanding any other provision of law, when a copy of a document that includes a social security number is requested, the recorder is not required to redact the social security number unless the document was filed or recorded with the recorder after the effective date of this Act.
3. A document that must include a social security number under chapters 14-03 and 23-02.1 may be processed and recorded under those chapters; however, the social security number is confidential and must be redacted before a copy or certified copy may be provided to the public."

Page 1, after line 22, insert:

"SECTION 4. AMENDMENT. Section 23-02.1-27 of the North Dakota Century Code is amended and reenacted as follows:

23-02.1-27. Disclosure of records. The state registrar, and local registrars, may supervise and regulate physical access to vital records to protect vital records from loss, mutilation, or destruction and to prevent improper disclosure of records that are confidential. Information relating to the birth or fetal death of a child to a woman who was not married to the child's father when the child was conceived or born may be disclosed only to the child's guardian, to the ~~person~~ individual to whom the record relates if that ~~person~~ individual is at least eighteen years old, to the parent of the child, or upon order of a court of competent jurisdiction. Information in vital records indicating cause of death may not be disclosed except to a relative or personal representative of the deceased, to the attorney or the agent of a relative or personal representative of the deceased, to the child fatality review panel, or upon order of a court of competent jurisdiction. An individual's social security number contained in vital records may not be disclosed except to the individual to whom it pertains, that individual's lawful agent or

guardian, or by order of a court. Only a certified copy of a certificate or record may be provided to the public.

SECTION 5. A new subsection to section 23-02.1-28 of the North Dakota Century Code is created and enacted as follows:

A certified copy may not disclose an individual's social security number unless the copy is being provided to the individual to whom it pertains, that individual's lawful agent or guardian, or by order of a court.

SECTION 6. AMENDMENT. Subsection 6 of section 41-09-73 of the North Dakota Century Code is amended and reenacted as follows:

6. ~~Effective January 1, 2002, any~~ Any social security number or federal tax identification number submitted under subdivision e of subsection 1 is not a public record and may not be disclosed as part of any search under section 41-09-94 or 41-09-96 or as part of a copy of the record. A debtor's social security number or federal tax identification number may be filed only in the filing office with the central indexing system and may not be recorded in the real property records."

Page 2, line 25, replace "person" with "individual" and after "assigned" insert ", that individual's lawful agent or guardian, or by order of a court"

Page 2, after line 31, insert:

"SECTION 11. A new section to chapter 44-04 of the North Dakota Century Code is created and enacted as follows:

Records of fire departments and rural fire protection districts confidential.

1. a. An investigation record of a fire department or a rural fire protection district is confidential until the investigation:
 - (1) Is closed and not referred for further criminal investigation or prosecution; or
 - (2) The criminal investigation is no longer active under section 44-04-18.7.
- b. This subsection does not restrict the release of the name and identifiable biographical information of a child under section 12.1-35-03.
2. Standard operating procedures written for emergency response, prefire action plans, plans of a building, pipeline, electrical system, or any other infrastructure plan in the hands of a fire department or rural fire protection district are exempt from section 44-04-18.
3. Individually identifiable health information obtained by a fire department or rural fire protection district in the course of an investigation is confidential."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1159: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (9 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). HB 1159 was placed on the Sixth order on the calendar.

Page 1, line 21, remove "which must be considered to be engaged in the business of providing"

Page 1, line 22, remove "private investigative services"

Page 2, line 19, overstrike "protect persons or property, or to" and after the underscored colon insert:

"a. Protect person or property;"

Page 2, line 20, replace "a." with "b."

Page 2, line 25, replace "b." with "c."

Page 2, line 27, replace "c." with "d."

Page 2, line 29, replace "d. The" with "e. Engage in the"

Page 3, line 1, replace "e. Transporting" with "f. Transport"

Page 3, line 28, overstrike "the"

Page 3, line 29, overstrike "person by whom", overstrike "person is solely employed" and insert immediately thereafter "person's employer", after the second "is" insert "legally", and after "or" insert "is directly"

Page 4, line 5, replace the underscored semicolon with an underscored period

Page 4, line 13, replace "Exemptions for security system industry." with "A person testing for fair housing compliance who has a state and nationwide criminal history record check with the federal bureau of investigation for federal purposes and with the bureau of criminal investigation for state purposes on file with the person's sponsoring organization, provided that upon request the board may review the criminal history background checks."

10. A person engaged in conducting or gathering objective observations of consumer purchases of products and or services in the public environments of a business, and a mystery and or secret shopper used for gathering information relative to marketing, demographic, competitive, and customer service or satisfaction purposes.

11. A person reporting for any media, including a news reporter or news investigator."

Page 4, remove lines 14 through 21

Page 4, line 27, remove the overstrike over "or", remove the first underscored comma, and remove ", or security systems"

Page 4, line 28, remove the overstrike over "or" and remove the underscored comma

Page 4, line 29, remove "or security systems industry."

Page 5, line 9, after "B" insert "A", remove the overstrike over "misdemeanor", and remove "C felony"

Page 6, line 1, replace "two" with "not more than one" and remove "five hundred"

Page 6, line 2, replace "five" with "not more than two" and after "thousand" insert "five hundred"

Page 6, line 3, replace "ten" with "not more than five"

Page 6, line 29, replace "twenty-five" with "two" and after "thousand" insert "five hundred"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1227: Education Committee (Rep. R. Kelsch, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1227 was placed on the Sixth order on the calendar.

Page 1, line 19, after "3." insert "Any Vietnam conflict veteran who did not receive a high school diploma may apply for an honorary high school diploma, provided:

- a. The veteran entered the United States armed forces between February 28, 1961, and May 7, 1975; and
- b. The veteran was honorably discharged from the United States armed forces.

4."

Page 2, line 6, replace "4." with "5."

Page 2, line 8, replace "5." with "6."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1237: Education Committee (Rep. R. Kelsch, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1237 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact sections 15.1-19-09 and 15.1-19-10 of the North Dakota Century Code, relating to the suspension and expulsion of students and school district weapons policies.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 15.1-19-09 of the North Dakota Century Code is amended and reenacted as follows:

15.1-19-09. Students - Suspension and expulsion - Rules.

1. The board of a school district shall adopt rules regarding the suspension and expulsion of a student. The rules for expulsion must provide for a procedural due process hearing in the manner provided for in subsection 2 of section 15.1-19-10, before the determination to expel a student is made. A student's parent or representative must be allowed to participate in the expulsion hearing.
2. A student may be suspended for up to ten days for insubordination, habitual indolence, disorderly conduct, or for violating a school district weapons policy.
3. A student enrolled in an alternative education program for which state per student payments are available may be suspended for up to twenty days for insubordination, habitual indolence, disorderly conduct, or for violating a school district weapons policy.
4. A student, including one enrolled in an alternative education program, may be expelled from school for insubordination, habitual indolence, or disorderly conduct; provided the expulsion does not last beyond the termination of the current school year. A student who violates the school district's weapons policy may be expelled for up to twelve months.

SECTION 2. AMENDMENT. Section 15.1-19-10 of the North Dakota Century Code is amended and reenacted as follows:

15.1-19-10. Possession of a weapon - Policy - Expulsion from school.

1. The board of each school district shall adopt a policy governing the possession of weapons and firearms on school property or at a school function and provide for the punishment of any student found to be in violation of the policy.
2. The ~~weapons~~ policy must prohibit the possession of a weapon or a firearm by a student on school property and at school functions and provide for the punishment of any student found to be in violation. Punishment must include immediate suspension from school and expulsion. A student who possesses a firearm in violation of this section must be expelled for at least one year. The school district firearms policy must authorize the school district superintendent or the school principal, if the school district does not have a superintendent, to modify an expulsion for firearms possession under this section on a case-by-case basis in accordance with criteria established by the board. Before expelling a student, a school board or its designated hearing officer, within ten days of the student's suspension,

shall provide the student with a hearing ~~before the school board~~ at which time the school board or its designated hearing officer shall take testimony and consider evidence, including the existence of mitigating circumstances. If a designated hearing officer orders that a student be expelled, the student may seek a review of the decision by the school board, based on the record of the expulsion hearing.

3. If a ~~board~~ school district expels a student under this section, the ~~board~~ district may authorize the provision of educational services to the student in an alternative setting.
4. Actions under this section may not conflict with state special education laws or with the Individuals With Disabilities Education Act [Pub. L. 91-230; 84 Stat. 121; 20 U.S.C. 1400 et seq.].
5. This section does not apply to any student participating in a school-sponsored shooting sport, provided the student informs the school principal of the student's participation and the student complies with all requirements set by the principal regarding the safe handling and storage of the firearm.
6. For purposes of this section:
 - a. "Firearm" has the meaning provided in Public Law No. 90-351 [82 Stat. 197; 18 U.S.C. 921].
 - b. "School property" includes all land within the perimeter of the school site and all school buildings, structures, facilities, and school vehicles, whether owned or leased by a school district, and the site of any school-sponsored event or activity."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1240: Government and Veterans Affairs Committee (Rep. M. Klein, Chairman) recommends **DO NOT PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1240 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1266: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1266 was placed on the Sixth order on the calendar.

Page 1, line 14, overstrike "written"

Page 2, line 6, replace "Eighty-five" with "Ninety"

Page 2, line 17, replace "current unused" with "complete"

Page 2, remove lines 19 and 20

Page 2, line 21, replace "f." with "e."

Page 4, line 12, replace "manufacturer, wholesaler, or distributor" with "retailer"

Page 4, line 16, overstrike "written"

Page 5, line 20, overstrike "June 30, 1987" and insert immediately thereafter "July 31, 2003"

Page 5, line 21, overstrike "July 1, 1987" and insert immediately thereafter "August 1, 2003"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1283: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1283 was placed on the Sixth order on the calendar.

Page 1, line 1, remove ", a new section to chapter"

Page 1, line 2, remove "43-15.1, and a new subsection to section 43-17-31"

Page 1, line 3, replace the first comma with "and" and replace the second comma with a period

Page 1, remove line 4

Page 1, line 11, replace "identifying customer" with "individually identifiable health"

Page 1, line 15, replace "an" with "a business associate"

Page 1, line 16, remove "affiliate or a third party"

Page 1, line 17, replace "administration" with "treatment or health care operations"

Page 1, line 18, replace "identifying customer" with "individually identifiable"

Page 1, line 20, replace "is valid for no more than" with "must include an expiration date"

Page 1, line 21, remove "one year" and replace "identifying customer" with "individually identifiable"

Page 1, line 22, replace "identifying customer" with "individually identifiable health"

Page 2, remove lines 3 through 16

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1285: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **DO NOT PASS** (8 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). HB 1285 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1286: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **DO NOT PASS** (11 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1286 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1298: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1298 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1302: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **DO NOT PASS** (11 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1302 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1304: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **DO NOT PASS** (12 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). HB 1304 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1310: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). HB 1310 was placed on the Sixth order on the calendar.

Page 1, line 9, after "sale" insert "or a sale at public auction or by sealed bids"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1317: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **DO NOT PASS** (9 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). HB 1317 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1323: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **DO NOT PASS** (7 YEAS, 5 NAYS, 2 ABSENT AND NOT VOTING). HB 1323 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1336: Education Committee (Rep. R. Kelsch, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1336 was placed on the Sixth order on the calendar.

Page 1, line 9, remove "grade"

Page 1, line 10, after the period insert "The individual may work in the school setting without national certification until August 1, 2005, if the individual is being mentored by a trained mentor who is either a certified interpreter or a deaf adult. To continue working in the school setting after August 1, 2005, the individual must have obtained national certification."

Page 1, line 12, replace "a certificate" with "certification" and after "years" insert "from the date of completion of the program"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1355: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **DO PASS** (12 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). HB 1355 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1364: Government and Veterans Affairs Committee (Rep. M. Klein, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1364 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1374: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1374 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1377: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **DO NOT PASS** (10 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). HB 1377 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1382: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **DO PASS** (11 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1382 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1387: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **DO NOT PASS** (12 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). HB 1387 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1393: Government and Veterans Affairs Committee (Rep. M. Klein, Chairman) recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1393 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1407: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **DO NOT PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1407 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1409: Transportation Committee (Rep. Weisz, Chairman) recommends **DO NOT PASS** (9 YEAS, 1 NAY, 3 ABSENT AND NOT VOTING). HB 1409 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1436: Human Services Committee (Rep. Price, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1436 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "3" with "4"

Page 1, line 4, replace "3" with "4"

Page 1, replace lines 6 through 24 with:

- "4. Special license. The board may grant a temporary special license to an applicant who is a graduate of an international a medical school that is not located in the United States or Canada if that applicant has met all requirements for licensure except those pertaining to postgraduate training if the applicant; has successfully completed one year two years of approved postgraduate training in the United States or Canada; and is enrolled in a residency an approved postgraduate training program in this state. This special license is valid only for the purpose of practicing medicine within the scope of the residency training program while the licensee continues to be enrolled in an approved postgraduate training program in this state."

Page 2, remove lines 1 through 20

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1455: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **DO NOT PASS** (11 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1455 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1460: Human Services Committee (Rep. Price, Chairman) recommends **DO NOT PASS** (9 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). HB 1460 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1463: Human Services Committee (Rep. Price, Chairman) recommends **DO NOT PASS** (7 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). HB 1463 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1467: Human Services Committee (Rep. Price, Chairman) recommends **DO NOT PASS** (12 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1467 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1496: Human Services Committee (Rep. Price, Chairman) recommends **DO NOT PASS** (8 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). HB 1496 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3020: Education Committee (Rep. R. Kelsch, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (11 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). HCR 3020 was placed on the Tenth order on the calendar.

MOTION

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

MOTION

REP. MONSON MOVED that the House be on the Fifth and Ninth orders of business and at the conclusion of those orders, the House stand adjourned until 12:30 p.m., Friday, January 31, 2003, which motion prevailed.

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

BRADLEY C. FAY, Chief Clerk