

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

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**Bismarck, February 11, 2003**

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

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

The roll was called and all members were present.

A quorum was declared by the Speaker.

**POINT OF PERSONAL PRIVILEGE**

**REP. WINRICH:** Madam Speaker: I rise on a point of personal privilege and request that my remarks be printed in the Journal, which motion prevailed.

**REQUEST**

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

Today, February 11, 2003, an event will take place on the campus of the University of North Dakota in Grand Forks that epitomizes the academic tradition of this great university. The Faculty Lecture Series was initiated in 1954, the first year of the presidency of Dr. George Starcher. It continued through 1988 and then lapsed until an ad hoc committee of UND's Chester Fritz Distinguished Professors began meeting in 1997 to revive the series.

The Faculty Lecture Series seeks to cultivate a stronger academic atmosphere on the University of North Dakota campus by showcasing the scholarly lives of several faculty selected across the disciplines. The faculty are typically scholars of national and international reputation and the lectures aim to present with some depth and rigor the scholarly questions and goals of each individual. In presenting the products of their scholarship, the Lecturers share with students and colleagues the enthusiasm and dedication that sustains their creative efforts.

About 150 faculty have participated in the series and the breadth and diversity of scholarship on the campus is reflected in a sampling of titles. Starting with the first lecture, "From Viking Ships to Kon-Tiki," topics have included, "I'm Not Interested in Love Poetry: A Feminist Discovers Elizabeth Barrett Browning," "The Politics of Affluence," "Problems in Achieving Sustained Economic Progress," "The Continuing Search for Energy Fuels," and today's lecture, "Of Mice and Men," offered by a professor of microbiology and immunology.

We congratulate the University of North Dakota and especially this year's lecturers: Dr. Scott Lowe, Professor of Philosophy and Religion, Dr. John Ettling, Provost and Vice President for Academic Affairs and Professor of History, Dr. Sandra Donaldson, Professor of English and Womens Studies, Dr. Roger Melvold, Professor and Chair of Microbiology and Immunology, and Dr. David Lambeth, Professor of Biochemistry and Molecular Biology.

We thank them for their dedication to their disciplines, for their service to the State of North Dakota, and for their contributions to the breadth of scholarship and the depth of learning at the University of North Dakota.

**SIXTH ORDER OF BUSINESS**

**REP. BERG MOVED** that the amendments on the Sixth order of business to HB 1123, HB 1148, HB 1253, HB 1255, HB 1264, HB 1265, HB 1278, HB 1280, HB 1307, HB 1308, HB 1345, HB 1411, HB 1416, HB 1417, HB 1430, HB 1435, HB 1451, HB 1475 and HB 1492 be adopted, which motion prevailed.

HB 1308 and HB 1430, as amended, were rereferred to the **Appropriations Committee**.

HB 1123, HB 1148, HB 1253, HB 1255, HB 1264, HB 1265, HB 1278, HB 1280, HB 1307, HB 1345, HB 1411, HB 1416, HB 1417, HB 1435, HB 1451, HB 1475 and HB 1492, as amended, were placed on the Eleventh order of business on the calendar.

**SIXTH ORDER OF BUSINESS**

**HB 1289: REP. CLARK (Finance and Taxation Committee) MOVED** that the amendments on HJ pages 439-440 be adopted with **DO NOT PASS**, which motion failed on a verification vote.

**MOTION**

**REP. BERG MOVED** that HB 1289 be placed at the bottom of the calendar, which motion prevailed.

**MOTION**

**REP. KEMPENICH MOVED** that the House reconsider its action whereby HB 1335 passed, which motion prevailed.

**SECOND READING OF HOUSE BILL**

**HB 1335:** A BILL for an Act to amend and reenact section 24-01-01.2 of the North Dakota Century Code, relating to the state highway system.

**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 30 YEAS, 64 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Boe; Boucher; Delmore; Eckre; Froelich; Gulleon; Hanson; Hawken; Hunskor; Johnson, D.; Kerzman; Kretschmar; Kroeber; Maragos; Metcalf; Mueller; Nelson; Nicholas; Niemeier; Nottestad; Onstad; Price; Sandvig; Schmidt; Solberg; Warner; Wikenheiser; Williams

**NAYS:** Bellew; Belter; Berg; Bernstein; Boehning; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delzer; Devlin; Dosch; Drovdal; Ekstrom; Froseth; Galvin; Glassheim; Grande; Grosz; Haas; Headland; Herbel; Iverson; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsch, S.; Kempenich; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Martinson; Meier; Monson; Norland; Pietsch; Pollert; Porter; Potter; Rennerfeldt; Ruby; Severson; Sitte; Skarphol; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warnke; Weiler; Weisz; Wieland; Winrich; Wrangham; Zaiser; Speaker Wentz

HB 1335 lost.

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**MOTION**

**REP. BERG MOVED** that HB 1435 be returned to the House floor from the **Natural Resources Committee** and be rereferred to the **Appropriations Committee**, which motion prevailed.

**MOTION**

**REP. BERG MOVED** that HB 1263 be returned to the House floor from the **Industry, Business and Labor Committee** and be rereferred to the **Industry, Business and Labor Committee**, which motion prevailed.

**SECOND READING OF HOUSE BILL**

**HB 1495:** A BILL for an Act to create and enact a new section to chapter 53-06.1, a new subsection to section 53-06.1-11, and a new subsection to section 53-06.1-12 of the North Dakota Century Code, relating to coin-operated gaming devices, and to amend and reenact subsection 3 of section 12.1-28-02, subsection 3 of section 53-06.1-03, and subsection 1 of section 53-06.1-14 of the North Dakota Century Code, relating to gambling offenses, rent limits, and gaming tax for coin-operated gaming devices.

**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 9 YEAS, 85 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Boehning; Delmore; Eckre; Ekstrom; Hawken; Klein, F.; Nelson; Sandvig; Timm

**NAYS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boucher; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delzer; Devlin; Dosch; Drovdal; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Gulleon; Haas; Hanson; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsch, S.; Kempenich; Kerzman; Kingsbury; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby;

Schmidt; Severson; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Tieman; Uglem; Wald; Warner; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Speaker Wentz

Engrossed HB 1495 lost.

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### SECOND READING OF HOUSE BILL

**HB 1095:** A BILL for an Act to amend and reenact section 37-15-14 of the North Dakota Century Code, relating to veterans' home general fund appropriation expenditures.

### 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, 2 NAYS, 0 EXCUSED, 1 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; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; 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; Svedjan; Thoreson; Tieman; Timm; Uglem; Wald; Warner; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Speaker Wentz

**NAYS:** Gulleson; Thorpe

**ABSENT AND NOT VOTING:** Solberg

Engrossed HB 1095 passed and the title was agreed to.

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### SECOND READING OF HOUSE BILL

**HB 1112:** A BILL for an Act to amend and reenact subsection 2 of section 39-06.1-06, sections 39-06.1-09 and 39-12-02, subsection 1 of section 39-12-05.3, and sections 39-12-08, 39-12-09, and 39-12-17 of the North Dakota Century Code, relating to noncriminal disposition fees, definition of moving violation, vehicles of excessive size and weight, and limitations on loads extending beyond the sides of a motor vehicle; 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 64 YEAS, 29 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Bellew; Berg; Bernstein; Boe; Boehning; Carlson; Clark; Devlin; Dosch; Drovdal; Eckre; Ekstrom; Galvin; Glassheim; Grande; Haas; Hawken; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Klein, M.; Klemin; Koppelman; Kreidt; Maragos; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Nottestad; Pietsch; Potter; Price; Ruby; Sandvig; Severson; Sitte; Skarphol; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Warnke; Weiler; Wieland; Wikenheiser; Williams; Zaiser; Speaker Wentz

**NAYS:** Amerman; Belter; Brusegaard; Carlisle; DeKrey; Delmore; Delzer; Froelich; Froseth; Grosz; Gulleson; Hanson; Headland; Kerzman; Kingsbury; Klein, F.; Kretschmar; Kroeber; Martinson; Norland; Onstad; Pollert; Porter; Rennerfeldt; Schmidt; Solberg; Weisz; Winrich; Wrangham

**ABSENT AND NOT VOTING:** Boucher

Engrossed HB 1112 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1113:** A BILL for an Act to amend and reenact section 24-02-17 of the North Dakota Century Code, relating to bidding of highway contracts; and to provide an effective date.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 94 YEAS, 0 NAYS, 0 EXCUSED, 0 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; Guleson; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; 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; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Speaker Wentz

Engrossed HB 1113 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1117:** A BILL for an Act to amend and reenact section 37-14-03.3 of the North Dakota Century Code, relating to use of moneys in the permanent revolving fund of the veterans' aid fund.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 94 YEAS, 0 NAYS, 0 EXCUSED, 0 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; Guleson; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; 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; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Speaker Wentz

Engrossed HB 1117 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1214:** A BILL for an Act to amend and reenact subsection 2 of section 28-22-03.1 of the North Dakota Century Code, relating to motor vehicles as property exempt from process.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 93 YEAS, 1 NAY, 0 EXCUSED, 0 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; Guleson; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; 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;

Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser;  
Speaker Wentz

**NAYS:** Ruby

Engrossed HB 1214 passed and the title was agreed to.

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### SECOND READING OF HOUSE BILL

**HB 1239:** A BILL for an Act to amend and reenact section 53-06.1-01 and subsection 1 of section 53-06.1-06 of the North Dakota Century Code, relating to the selling of prize boards.

### 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 64 YEAS, 30 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Belter; Berg; Bernstein; Boehning; Carlisle; Carlson; DeKrey; Delmore; Devlin; Dosch; Eckre; Ekstrom; Froelich; Froseth; Glassheim; Grande; Grosz; Hanson; Hawken; Headland; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Kelsch, R.; Kelsh, S.; Klein, F.; Klemm; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Nottestad; Onstad; Pietsch; Porter; Potter; Price; Sandvig; Severson; Tieman; Timm; Uglem; Wald; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Winrich; Wrangham; Zaiser; Speaker Wentz

**NAYS:** Bellew; Boe; Boucher; Brusegaard; Clark; Delzer; Drovdal; Galvin; Gulleson; Haas; Herbel; Keiser; Kempenich; Kerzman; Kingsbury; Klein, M.; Koppelman; Norland; Pollert; Rennerfeldt; Ruby; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Warner; Williams

Engrossed HB 1239 passed and the title was agreed to.

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### SECOND READING OF HOUSE BILL

**HB 1247:** A BILL for an Act to create and enact a new section to chapter 26.1-36 and a new section to chapter 54-52.1 of the North Dakota Century Code, relating to health insurance coverage and public employee health insurance coverage for certain outpatient prescription drugs and devices.

### 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 16 YEAS, 76 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Boe; Boucher; Ekstrom; Glassheim; Gulleson; Kroeber; Niemeier; Onstad; Potter; Thorpe; Warner; Winrich; Zaiser; Speaker Wentz

**NAYS:** Bellew; Belter; Berg; Bernstein; Boehning; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Devlin; Dosch; Drovdal; Eckre; Froelich; Froseth; Galvin; Grande; Grosz; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemm; Koppelman; Kreidt; Kretschmar; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Pietsch; Pollert; Porter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Tieman; Timm; Uglem; Wald; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Wrangham

**ABSENT AND NOT VOTING:** Delzer; Kelsh, S.

Engrossed HB 1247 lost.

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### SECOND READING OF HOUSE BILL

**HB 1339:** A BILL for an Act for resolution of electricity transmission export constraints.

**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, 1 NAY, 0 EXCUSED, 2 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; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; 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; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Wrangham; Speaker Wentz

**NAYS:** Winrich

**ABSENT AND NOT VOTING:** Delzer; Zaiser

Engrossed HB 1339 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1349:** A BILL for an Act to create and enact a new section to chapter 54-52.1 of the North Dakota Century Code, relating to public employee health insurance coverage for colorectal cancer screening; to amend and reenact section 26.1-36-09.6 of the North Dakota Century Code, relating to health insurance coverage for colorectal cancer screening; and to provide for an appropriation.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 19 YEAS, 72 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Ekstrom; Glassheim; Hanson; Hunskor; Kelsh, S.; Kroeber; Maragos; Mueller; Niemeier; Onstad; Potter; Sandvig; Warner; Winrich; Zaiser; Speaker Wentz

**NAYS:** Belter; Berg; Bernstein; Boe; Boehning; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Devlin; Dosch; Drovdal; Eckre; Froelich; Froseth; Galvin; Grande; Grosz; Haas; Hawken; Headland; Herbel; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; Martinson; Meier; Metcalf; Monson; Nelson; Nicholas; Norland; Nottestad; Pietsch; Pollert; Porter; Price; Rennerfeldt; Ruby; Schmidt; Severson; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Wrangham

**ABSENT AND NOT VOTING:** Boucher; Delzer; Gulleon

Engrossed HB 1349 lost.

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**SECOND READING OF HOUSE BILL**

**HB 1384:** A BILL for an Act providing that the state is responsible for financing mandates on 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 NOT PASS, the roll was called and there were 19 YEAS, 74 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Boe; Boehning; Boucher; DeKrey; Delmore; Devlin; Ekstrom; Froelich; Gulleon; Hunskor; Kerzman; Koppelman; Niemeier; Onstad; Sandvig; Weisz; Wieland

**NAYS:** Bellew; Belter; Berg; Bernstein; Brusegaard; Carlisle; Carlson; Clark; Dosch; Drovdal; Eckre; Froseth; Galvin; Glassheim; Grande; Grosz; Haas; Hanson; Hawken; Headland; Herbel; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kingsbury; Klein, F.; Klein, M.; Klemin; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Schmidt; Severson; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Warnke; Weiler; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Speaker Wentz

**ABSENT AND NOT VOTING:** Delzer

Engrossed HB 1384 lost.

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#### MOTION

**REP. BERG MOVED** that HB 1421 be laid over one legislative day, which motion prevailed.

#### MOTION

**REP. BERG MOVED** that HB 1253, HB 1255, HB 1451 and HB 1292 be laid over two legislative days, and HCR 3016 be laid over two legislative days.

#### SECOND READING OF HOUSE BILL

**HB 1437:** A BILL for an Act to amend and reenact sections 5-02-01, 5-02-01.1, 5-02-05.1, and 5-02-10 of the North Dakota Century Code, relating to retail licenses to sell alcoholic beverages.

#### 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, 4 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

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

**NAYS:** Bellew; Boehning; Drovdal; Sitte

**ABSENT AND NOT VOTING:** Delzer

Engrossed HB 1437 passed and the title was agreed to.

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#### SECOND READING OF HOUSE BILL

**HB 1465:** A BILL for an Act to amend and reenact subdivision e of subsection 19 of section 20.1-02-05, sections 20.1-02-23, 20.1-02-24, and 20.1-02-25, and subdivision l of subsection 1 of section 54-07-01.2 of the North Dakota Century Code, relating to a game and fish commission.

#### 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 6 YEAS, 86 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Drovdal; Kempenich; Kerzman; Klein, F.; Nelson; Sandvig

**NAYS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Devlin; Dosch; Eckre; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Gulleeson; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kingsbury; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar;

Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Schmidt; Severson; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Speaker Wentz

**ABSENT AND NOT VOTING:** Delzer; Ekstrom

Engrossed HB 1465 lost.

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#### MOTION

**REP. BERG MOVED** that HB 1222 be moved in front of HB 1194 on the eleventh order on the calendar, which motion prevailed.

#### SECOND READING OF HOUSE BILL

**HB 1222:** A BILL for an Act to create and enact a new section to chapter 32-03 of the North Dakota Century Code, relating to immunity for theft of anhydrous ammonia.

#### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 92 YEAS, 0 NAYS, 0 EXCUSED, 2 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; Gulleson; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; 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; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Speaker Wentz

**ABSENT AND NOT VOTING:** Delzer; Timm

HB 1222 passed and the title was agreed to.

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#### SECOND READING OF HOUSE BILL

**HB 1194:** A BILL for an Act to create and enact a new section to chapter 32-03 of the North Dakota Century Code, relating to immunity for theft of anhydrous ammonia.

#### 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:** Hanson

**NAYS:** 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; Gulleson; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; 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; Wald; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Speaker Wentz

**ABSENT AND NOT VOTING:** Delzer; Kerzman; Uglem; Warner

HB 1194 lost.

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**SECOND READING OF HOUSE BILL**

**HB 1341:** A BILL for an Act to amend and reenact sections 15-05-10 and 38-09-18 of the North Dakota Century Code, relating to royalty exemptions for oil and gas produced on public lands.

**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 4 YEAS, 89 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Kempenich; Rennerfeldt; Skarphol; Wald

**NAYS:** 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; Gullerson; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Ruby; Sandvig; Schmidt; Severson; Sitte; Solberg; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Warner; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Speaker Wentz

**ABSENT AND NOT VOTING:** Delzer

HB 1341 lost.

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**SECOND READING OF HOUSE BILL**

**HB 1367:** A BILL for an Act to amend and reenact sections 57-20-01 and 57-20-26 of the North Dakota Century Code, relating to the rate of interest on delinquent property taxes; 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 10 YEAS, 82 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Froelich; Glassheim; Herbel; Kelsh, S.; Kerzman; Kingsbury; Onstad; Schmidt; Solberg

**NAYS:** Aarsvold; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Devlin; Dosch; Drovdal; Eckre; Ekstrom; Froseth; Galvin; Grande; Grosz; Gullerson; Haas; Hanson; Hawken; Headland; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kempenich; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Severson; Sitte; Skarphol; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Speaker Wentz

**ABSENT AND NOT VOTING:** Delzer; Hunskor

HB 1367 lost.

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**SECOND READING OF HOUSE BILL**

**HB 1433:** A BILL for an Act to provide for the issuing of bids for certain services provided by the department of transportation, the department of corrections and rehabilitation, the information technology department, and the state department of health.

**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 11 YEAS, 82 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Bellew; Headland; Iverson; Kasper; Keiser; Meier; Pollert; Porter; Price; Ruby; Weisz

**NAYS:** Aarsvold; Amerman; 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; Herbel; Hunskor; Johnson, D.; Johnson, N.; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Potter; Rennerfeldt; Sandvig; Severson; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Warnke; Weiler; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Speaker Wentz

**ABSENT AND NOT VOTING:** Schmidt

HB 1433 lost.

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### SECOND READING OF HOUSE BILL

**HB 1442:** A BILL for an Act to provide an appropriation for defraying the expenses of the attorney general for participating in the Manitoba v. bureau of reclamation lawsuit.

### 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, 82 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Boe; Boucher; Glassheim; Hunskor; Kerzman; Metcalf; Mueller; Onstad; Potter; Thorpe; Warner; Winrich

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

HB 1442 lost.

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### SECOND READING OF HOUSE BILL

**HB 1448:** A BILL for an Act to create and enact a new section to chapter 20.1-03 and a new section to chapter 20.1-08 of the North Dakota Century Code, relating to requirements for nonresident hunters and the governor's proclamation concerning hunting by nonresidents.

### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 3 YEAS, 90 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** DeKrey; Warner; Weisz

**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; Gulleon; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; 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; Warnke; Weiler; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Speaker Wentz

**ABSENT AND NOT VOTING:** Maragos

HB 1448 lost.

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**MOTION**

**REP. BERG MOVED** that HB 1452 be laid over two legislative days, which motion prevailed.

**SECOND READING OF HOUSE BILL**

**HB 1453:** 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 the requirement that game and fish violators complete a hunter safety education course.

**ROLL CALL**

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

**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; Gulleston; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; 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; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Speaker Wentz

**ABSENT AND NOT VOTING:** Maragos

HB 1453 lost.

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**SECOND READING OF HOUSE BILL**

**HB 1462:** A BILL for an Act to create and enact a new section to chapter 26.1-18.1 of the North Dakota Century Code, relating to health maintenance organization independent review grievance procedures.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 14 YEAS, 80 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Boucher; Glassheim; Gulleston; Hanson; Hunskor; Kelsh, S.; Onstad; Sandvig; Solberg; Thorpe; Warner; Winrich; Zaiser

**NAYS:** Aarsvold; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Galvin; Grande; Grosz; Haas; Hawken; Headland; Herbel; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Schmidt; Severson; Sitte; Skarphol; Svedjan; Thoreson; Tieman; Timm; Uglem; Wald; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Wrangham; Speaker Wentz

HB 1462 lost.

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**SECOND READING OF HOUSE BILL**

**HB 1463:** A BILL for an Act to amend and reenact subdivision a of subsection 6 of section 50-29-04 of the North Dakota Century Code, relating to the income eligibility requirements for the children's health insurance 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 28 YEAS, 66 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Boe; Boucher; Delmore; Ekstrom; Froelich; Glassheim; Gulleon; Hanson; Hunskor; Kelsh, S.; Kerzman; Kroeber; Maragos; Metcalf; Mueller; Niemeier; Onstad; Potter; Sandvig; Schmidt; Solberg; Thorpe; Warner; Williams; Winrich; Zaiser

**NAYS:** Bellew; Belter; Berg; Bernstein; Boehning; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delzer; Devlin; Dosch; Drovda; Eckre; Froseth; Galvin; Grande; Grosz; Haas; Hawken; Headland; Herbel; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kempenich; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; Martinson; Meier; Monson; Nelson; Nicholas; Norland; Nottestad; Pietsch; Pollert; Porter; Price; Rennerfeldt; Ruby; Severson; Sitte; Skarphol; Svedjan; Thoreson; Tieman; Timm; Uglem; Wald; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Wrangham; Speaker Wentz

HB 1463 lost.

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**SECOND READING OF HOUSE BILL**

**HB 1466:** A BILL for an Act to amend and reenact subdivision h of subsection 1 of section 50-09-29 of the North Dakota Century Code, relating to the temporary assistance for needy families program benefits.

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

**YEAS:** Aarsvold; Amerman; Boe; Boucher; Ekstrom; Glassheim; Gulleon; Hanson; Hunskor; Kelsh, S.; Kerzman; Kroeber; Metcalf; Mueller; Niemeier; Onstad; Sandvig; Schmidt; Solberg; Thorpe; Warner; Williams; Winrich; Zaiser

**NAYS:** Bellew; Belter; Berg; Bernstein; Boehning; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovda; Eckre; Froelich; Froseth; Galvin; Grande; Grosz; Haas; Hawken; Headland; Herbel; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kempenich; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; Maragos; Martinson; Meier; Monson; Nelson; Nicholas; Norland; Nottestad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Severson; Sitte; Skarphol; Svedjan; Thoreson; Tieman; Timm; Uglem; Wald; Warnke; Weiler; Wieland; Wikenheiser; Wrangham; Speaker Wentz

**ABSENT AND NOT VOTING:** Weisz

HB 1466 lost.

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**SECOND READING OF HOUSE BILL**

**HB 1467:** A BILL for an Act to prohibit state participation in certain federal family planning programs.

**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 15 YEAS, 79 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Bellew; Galvin; Iverson; Kasper; Kerzman; Klein, F.; Kretschmar; Monson; Ruby; Sandvig; Sitte; Thoreson; Wald; Weiler; Williams

**NAYS:** Aarsvold; Amerman; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovda; Eckre; Ekstrom; Froelich; Froseth; Glassheim; Grande; Grosz; Gulleon; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kingsbury; Klein, M.; Klemin; Koppelman; Kreidt; Kroeber; Maragos; Martinson; Meier; Metcalf; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Schmidt;

Severson; Skarphol; Solberg; Svedjan; Thorpe; Tieman; Timm; Uglem; Warner; Warnke; Weisz; Wieland; Wikenheiser; Winrich; Wrangham; Zaiser; Speaker Wentz

HB 1467 lost.

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**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 1077, HB 1103, HB 1190, HB 1193, HB 1204, HB 1252, HB 1275, HB 1309, HB 1321, HB 1330, HB 1331, HB 1355, HB 1360, HB 1364, HB 1369, HB 1374, HB 1380, HB 1382, HB 1390, HB 1393, HB 1395, HB 1410, HB 1414, HB 1419, HB 1441, HB 1457.

**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 1261.

**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 2323, SB 2417.

**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 2044, SB 2081, SB 2292, SB 2385, SB 2388, SB 2407.

**FIRST READING OF HOUSE CONCURRENT RESOLUTIONS**

Rep. Warnke and Sen. Mathern introduced:

**HCR 3049:** A concurrent resolution for the amendment of section 4 of article XI of the Constitution of North Dakota, relating to oaths of office of elected officials.

Was read the first time and referred to the **Joint Constitutional Revision Committee**.

Reps. Ekstrom, N. Johnson, M. Klein and Sens. Cook, Espegard, Heitkamp introduced:

**HCR 3050:** A concurrent resolution directing the Legislative Council to study the equity of the current system for awarding workers' compensation death benefits and the feasibility and desirability of creating a death benefit investment system.

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

Reps. Gulleon, Nelson, Solberg and Sens. Grindberg, Heitkamp, Taylor introduced:

**HCR 3051:** A concurrent resolution directing the Legislative Council to study economic development efforts in the state, including establishment of a Red River Valley business and technology development zone and methods through which programs receiving funding from the United States Department of Agriculture rural economic area partnership, empowerment zone, enterprise community, and champion community programs can be enhanced.

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

**FIRST READING OF SENATE BILLS**

**SB 2030:** A BILL for an Act to create and enact a new section to chapter 54-60 of the North Dakota Century Code, relating to a department of commerce career guidance and job opportunities internet web site; and to provide a continuing appropriation.

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

**SB 2037:** A BILL for an Act to provide restrictions on the information a business may include on an electronically printed credit card receipt.

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

**SB 2070:** A BILL for an Act to create and enact a new section to chapter 25-03.1 of the North Dakota Century Code, relating to interstate contracts for the treatment of individuals with mental illness or chemical dependency.

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

**SB 2111:** A BILL for an Act to amend and reenact section 19-20.2-03 of the North Dakota Century Code, relating to licensing of anhydrous ammonia facilities.

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

**SB 2127:** A BILL for an Act to amend and reenact section 24-03-08 of the North Dakota Century Code, relating to determinations of surface water flow and appropriate highway construction.

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

**SB 2145:** A BILL for an Act to amend and reenact subsections 1, 3, and 4 of section 43-23-11.1 of the North Dakota Century Code, relating to real estate broker and real estate salesperson fines and recovery of investigation and legal fees; and to provide a penalty.

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

**SB 2146:** A BILL for an Act to amend and reenact sections 43-23-13 and 43-23-13.1 of the North Dakota Century Code, relating to real estate broker and real estate salesperson license and renewal fees.

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

#### REPORT OF STANDING COMMITTEE

**HB 1038: Industry, Business and Labor Committee (Rep. Keiser, Chairman)** recommends **DO NOT PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1038 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1145, as engrossed: Appropriations Committee (Rep. Svedjan, Chairman)** recommends **DO PASS** (23 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1145 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1161: Transportation Committee (Rep. Weisz, Chairman)** recommends **DO PASS** (10 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1161 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1181: Education Committee (Rep. R. Kelsch, Chairman)** recommends **DO NOT PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1181 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1217, as engrossed: Appropriations Committee (Rep. Svedjan, Chairman)** recommends **DO NOT PASS** (11 YEAS, 8 NAYS, 4 ABSENT AND NOT VOTING). Engrossed HB 1217 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1290: Industry, Business and Labor Committee (Rep. Keiser, Chairman)** recommends **DO NOT PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1290 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1291: Transportation Committee (Rep. Weisz, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1291 was placed on the Sixth order on the calendar.

Page 1, line 9, replace "lessee" with "present owner or operator of the fixed assets"

Page 1, line 10, remove "operator of a grain or potato warehouse"

Page 1, line 12, remove "agricultural"

Page 1, line 14, overstrike "If right-of-way property along abandoned rail lines is first offered"

Page 1, line 15, remove "to" and overstrike "the lessee operators of grain and potato warehouses"

Page 1, line 16, overstrike "located on the property"

Page 1, line 18, remove "and to adjoining" and overstrike "agricultural landowners"

Page 1, line 19, remove "and refused, the property must then be"

Page 1, line 20, remove "offered for sale for public purposes" and overstrike the period

Page 1, line 21, overstrike "3."

Re-number accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1376: Human Services Committee (Rep. Price, Chairman)** recommends **DO NOT PASS** (11 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1376 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1379: Judiciary Committee (Rep. DeKrey, Chairman)** recommends **DO PASS** (11 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1379 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1383: Education Committee (Rep. R. Kelsch, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1383 was placed on the Sixth order on the calendar.

Page 3, line 11, after "a." insert "Each year of the biennium the superintendent of public instruction shall calculate the total weighted number of students eligible for payment during that year by determining the sum of all English language learner students weighted as follows:

- (1) Ten times the number of level I students;
- (2) Eight times the number of level II students;
- (3) Four times the number of level III students; and
- (4) The number of level IV students.

b."

Page 3, line 16, replace "b." with "c." and replace "pubic" with "public"

Page 3, line 20, remove the underscored period

Page 3, remove lines 21 through 24

Page 3, line 25, remove "(4) Level IV students are assigned a weighting factor of 8.0"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1392: Education Committee (Rep. R. Kelsch, Chairman)** recommends **DO NOT PASS** (9 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). HB 1392 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1399, as engrossed: Appropriations Committee (Rep. Svedjan, Chairman)** recommends **DO PASS** (22 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1399 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1404: Judiciary Committee (Rep. DeKrey, Chairman)** recommends **DO PASS** (7 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). HB 1404 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1405: Transportation Committee (Rep. Weisz, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1405 was placed on the Sixth order on the calendar.

Page 1, line 22, replace "an institution under the control of the state board of higher education" with "any state entity"

Page 1, line 23, replace "institution" with "entity" and replace "will not be used over three" with "has a value less than two thousand dollars and which will not be driven beyond thirty miles [48.28 kilometers] from the facility to which the vehicle is assigned by the entity."

Page 1, remove line 24

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1420: Agriculture Committee (Rep. Nicholas, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (9 YEAS, 1 NAY, 3 ABSENT AND NOT VOTING). HB 1420 was placed on the Sixth order on the calendar.

Page 2, line 4, replace "Any" with "Each selling agency, livestock auction market, livestock dealer, and any other"

Page 5, line 1, after "personnel" insert ", including agents."

Page 6, line 24, after the second boldfaced period insert:

"1."

Page 6, line 30, after the period insert:

"2."

Page 7, line 3, replace "1." with "a."

Page 7, line 4, replace the underscored period with "; or"

Page 7, line 5, replace "2." with "b."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1443: Transportation Committee (Rep. Weisz, Chairman)** recommends **DO PASS** (10 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1443 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1461: Judiciary Committee (Rep. DeKrey, Chairman)** recommends **DO PASS** (10 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). HB 1461 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1489: Education Committee (Rep. R. Kelsch, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1489 was placed on the Sixth order on the calendar.

Page 5, line 9, replace "an endorsement" with "a major equivalency"

Page 7, line 9, replace "2003" with "2008"

Page 7, line 26, after the underscored boldfaced period insert "Notwithstanding the requirements of this chapter:"

Page 8, line 8, remove "restricted"

Page 8, line 15, replace "1" with "2"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HCR 3025: Human Services Committee (Rep. Price, Chairman)** recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (11 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HCR 3025 was placed on the Tenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HCR 3029: Education Committee (Rep. R. Kelsch, Chairman)** recommends **DO NOT PASS** (12 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HCR 3029 was placed on the Eleventh order on the calendar.



**REPORT OF STANDING COMMITTEE**

**HCR 3032: Human Services Committee (Rep. Price, Chairman)** recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (11 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HCR 3032 was placed on the Tenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HCR 3038: Human Services Committee (Rep. Price, Chairman)** recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (9 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). HCR 3038 was placed on the Tenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HCR 3042: Human Services Committee (Rep. Price, Chairman)** recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HCR 3042 was placed on the Tenth order on the calendar.

**MOTION**

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

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

**BRADLEY C. FAY, Chief Clerk**

